



Agenda Report for Decision

Meeting Date: 18 August 2022

Item Name	Code Amendment Initiation Advice to the Minister for Planning – Ceduna Rural Zone Code Amendment
Presenters	Paul Bennett, Jason Bailey and Nadia Gencarelli
Purpose of Report	Decision
Item Number	4.1
Strategic Plan Reference	4. Discharging Statutory Obligations
Work Plan Reference	4.2 Advise the Minister on Code Amendments
Confidentiality	Not Confidential (Release Delayed). To be released following final decision by the Minister for Planning on initiation of the Code Amendment. Anticipated by the end of August 2022
Related Decisions	N/A

Recommendation

It is recommended that the State Planning Commission (the Commission) resolves to:

1. Approve the designation of this item as Not Confidential (Release Delayed), with the meeting papers for the item to be released following final decision by the Minister for Planning (the Minister) on initiation of the Code Amendment. Anticipated by the end of August 2022.
2. Advise the Minister that it:
 - 2.1 Recommends the approval of the Proposal to Initiate the Ceduna Rural Zone Code Amendment (the Proposal) under section 73(2)(b)(vii) of the *Planning, Development and Infrastructure Act 2016* (the Act), subject to the following conditions applied under section 73(5)(b) of the Act:
 - (a) The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays or technical and numerical variations provided for under the published Planning and Design Code (the Code) (on the date the Amendment is released for consultation).
 - (b) The Code Amendment is prepared by a person with qualifications and experience that is equivalent to an Accredited Professional—Planning Level 1 under the Act.
 - (c) Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area, as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).

- 2.2 Recommends that Mr Chris Lines (care of MasterPlan SA Pty Ltd) be the Designated Entity responsible for undertaking the Code Amendment process.
3. Specify that the Designated Entity consults with the following nominated individuals and entities, pursuant to section 73(6)(e) of the Act:
- South Australian Country Fire Service
 - Native Vegetation Council – Department for Environment and Water
 - Coast Protection Branch – Department for Environment and Water
 - Far West Coast Aboriginal Corporation RNTBC
 - Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN, and other telecommunications providers
 - State Members of Parliament for the electorates in which the proposed Code Amendment applies.
4. Specify pursuant to section 73(6)(f) of the Act, that the following further investigations be undertaken:
- Undertake investigation into the amount and type of existing rural living allotments available in Ceduna and provide evidence of demand for additional rural living development.
 - Undertake investigation into the availability and capacity of services and road infrastructure to support the proposed future development.
 - Conduct a search of the Register of Aboriginal Sites and Objects (Taa wika) to identify relevant Aboriginal heritage considerations, including any identified cultural sites and objects.
5. Recommend that the Minister approve the initiation of the Code Amendment by signing the Proposal to Initiate (**Attachment 1**) and approval letters with conditions (**Attachment 2**).
6. Approve and authorise the Chair of the Commission to sign the advice to the Minister (**Attachment 3**).
7. Authorise the Chair to make any minor or editorial amendments to the advice and attachments as required to finalise.

Background

Section 73(2)(b)(vii) of the Act provides that a proposal to amend the Code may be initiated by a person who has an interest in the relevant land with the approval of the Minister, acting on the advice of the Commission, in relation to the following matters:

- Strategic assessment against the State Planning Policies and the *Eyre and Western Regional Plan (2012)*.
- Any person or body that must be consulted by the Designated Entity pursuant to section 73(6)(e) of the Act.
- Any investigations to be carried out or information to be obtained by the Designated Entity pursuant to section 73(6)(f) of the Act.

The purpose of this report is to provide the Commission with draft advice for the Minister in relation to the Proposal to Initiate submitted by Mr Chris Lines (**Attachment 1**).

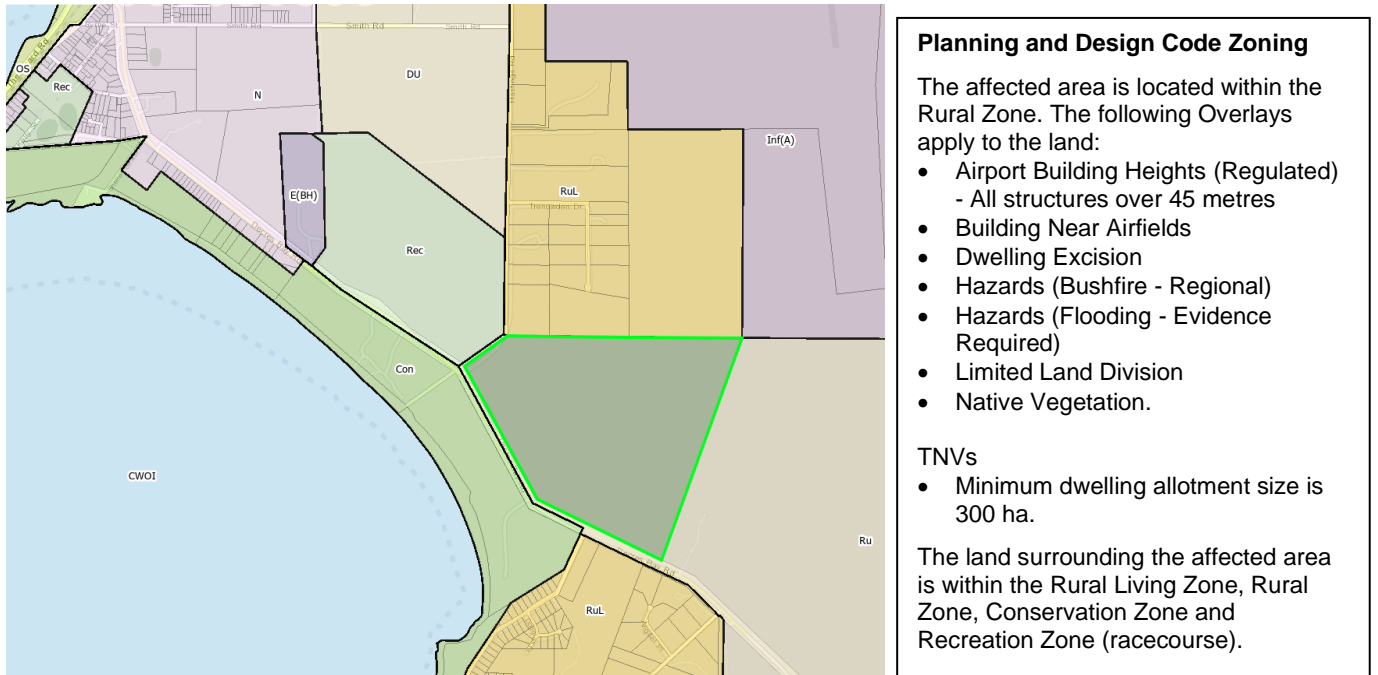
Procedural matters regarding the Commission's role are provided in **Attachments 4 and 5**.

Discussion

Scope of the Amendment

The Proposal seeks to rezone 101.6 hectares of land at 327 Decres Bay Road, Ceduna from the Rural Zone to the Rural Living Zone, with a minimum site area of two hectares. The affected area is in the District Council of Ceduna (the Council), on Wirangu Country.

The affected area and current zoning are shown in the figure below.



The Proponent has argued that the Proposal is consistent with the existing pattern of land use, providing for a continuous strip of rural living, that will meet demand for additional rural living opportunities. Council has advised that it has no significant objection to the proposal, or any specific matters contained in the Proposal. However, Council did advise that there is no potable or mains water supply available in the adjoining rural living development and the affected area could not be serviced without significant upstream augmentation.

Advice to the Minister

The draft advice to the Minister (**Attachment 3**) sets out the statutory and procedural elements that must be considered as part of the initiation of a Code Amendment.

The advice recommends that the Minister approve the initiation of the Code Amendment for the following reasons and subject to conditions as set out below.

Strategic considerations

The proposed Code Amendment will provide an additional source of rural living zoned land for the township and region that connects existing rural living land to the north and south of the affected area. The affected area has existing public road access and investigations undertaken by the Proponent indicate some infrastructure is available in the adjacent rural living areas and future rural living allotments will be of sufficient size to accommodate on site waste treatment.

The affected area is located within the *Eyre and Western Regional Plan (2012)*. Ceduna is the third largest service centre in the region. It is noted that rezoning for rural living has generally not been supported in principle by past State Governments. However, it is considered that rural living is a legitimate land and housing choice and may be appropriate in circumstances where it will not have a detrimental impact on infrastructure provision and future urban growth. In this instance, the proposed Code Amendment is considered appropriate as it:

- Will support the growth of Ceduna and link the existing Ceduna Waters rural living estate to the south with rural living land to the north.
- Will support diversity through the provision of additional rural living allotments, which will be larger than allotments associated with the adjacent Ceduna Waters estate and without targeted policies for animal husbandry applicable to the north.
- Will not constrain future township expansion or fragment primary production land.
- Is too small to support viable primary production and is largely underutilised, occupied for intermittent horse agistment.

Further strategic considerations and discussion are provided in **Attachment 3**.

Procedural considerations

The Proposal to Initiate meets all procedural requirements, as detailed in the attached advice to the Minister (**Attachment 3**).

Conditions proposed and items specified

A number of conditions have been recommended to be specified by the Minister, pursuant to section 73(5)(b) of the Act. In addition, it has been recommended that the Commission specify persons or bodies to be consulted with by the Designated Entity under section 73(6)(e) of the Act, as outlined in the advice to the Minister (**Attachment 3**).

Attachments:

1. Proposal to Initiate the Ceduna Rural Zone Code Amendment (#19069630).
2. Draft approval letters to:
 - a) Designated Entity (#18966133)
 - b) District Council of Ceduna (#18966117).
3. State Planning Commission advice to the Minister (#18725148).
4. Procedural Matters for the State Planning Commission (#17170230).
5. Process Flowchart – Code Amendments Initiated by Proponents (#18725198).

Prepared by: Catherine Hollingsworth and Nadia Gencarelli

Endorsed by: Jason Bailey

Date: 12 August 2022

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING & DESIGN CODE

Ceduna Rural Zone Code Amendment

By Mr Chris Lines (the Proponent)



Chris Lines (the Proponent)

Date: 16/05/2022

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.

MINISTER FOR PLANNING

Date: _____

PROPOSAL TO INITIATE AN AMENDMENT TO THE PLANNING AND DESIGN CODE

Ceduna Rural Zone Code Amendment

327 Decres Bay Road, Ceduna
for Chris Lines



Prepared by
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May 2022



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ATTACHMENTS

Attachment A: Affected Area.

Attachment B: Certificate of Title.

Attachment C: Affected Area Concept Plan.

Attachment D: Submission from DC Ceduna to Department of Transport and Infrastructure dated 29 November 2019 in relation to consultation on the draft Planning and Design Code.

Attachment E: Phase 2. Planning and Design Code extract – Rural Zone provisions.

Attachment F: Site and Concept Plan.

Attachment G: Native Vegetation Report provided by GFE.

Attachment H: Timetable for Code Amendment.



1.0 INTRODUCTION

Mr Chris Lines is proposing to initiate an amendment to the Planning and Design Code (the "Code Amendment") as it relates to land located at 327 Decres Bay Road, Ceduna (the "Area Affected" by the Code Amendment) as shown in **Attachment A** and **Figure 1** below. The land is described in Certificate of Title Volume 5296 Folio 284.

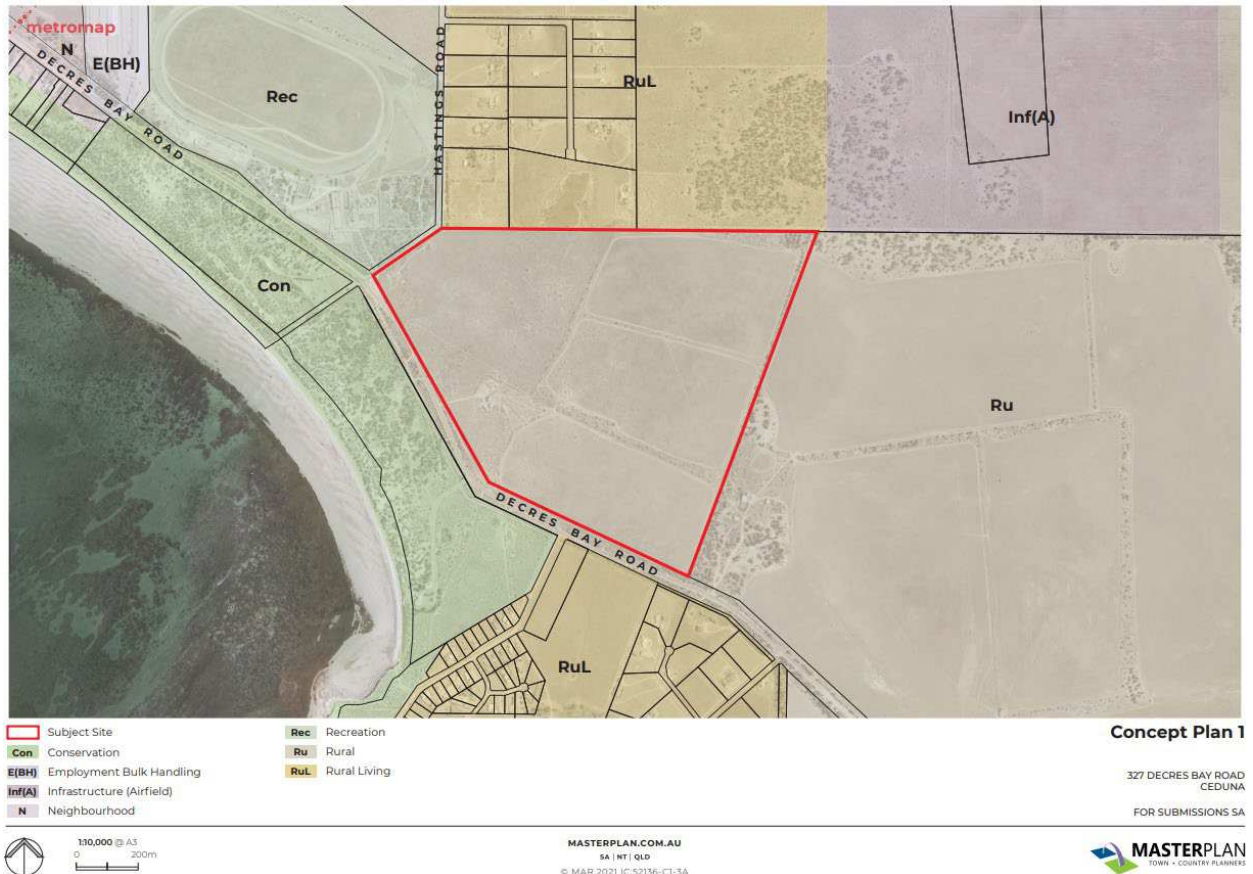


Figure 1: Area Affected

Mr Lines is the registered proprietor of the Affected Area and is the "Proponent" for the purposes of the Code Amendment.

The Code Amendment seeks to re-zone the Affected Area from its current designation as Rural Zone to Rural Living Zone with a minimum allotment size of 2.0 hectares. No other amendments are proposed to the Planning and Design Code. Notably, the existing Overlays remain relevant.

This document comprises the Proposal to Initiate a Code Amendment and to seek the approval of the Minister for Planning (the Minister) to initiate the Code Amendment under Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act).



This Proposal to Initiate outlines the scope of the proposed amendment, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Code Amendment, and the preliminary consultation undertaken to date. It also details the timeframes to be followed in undertaking the Code Amendment, should this Proposal to Initiate be approved by the Minister.

The Proponent acknowledges that the Minister may specify conditions on approving this Proposal to Initiate, under Section 73(5) of the Act. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the Ministers' conditions will apply.

1.1 Designated Entity for Undertaking the Code Amendment

In accordance with Section 73(4)(a) of the Act, the Proponent Mr Chris Lines will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- The Proponent acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements of the Act.
- The Proponent declares that it has not and does not intend to enter into an agreement with a third party for the recovery of costs incurred in relation to the Code Amendment under Section 73(9) of the Act. If the Proponent does enter into such an agreement, the Proponent will notify the Department prior to finalising the Engagement Report under Section 73(7).
- The contact details for the person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:

Stewart Hocking, MasterPlan SA Pty Ltd

Email: stewarth@masterplan.com.au

Tel: 08 8193 5600

- The Proponent acknowledges that the Minister may, under Section 73(4)(b) of the Act, determine that the Chief Executive of the Department will be the Designated Entity responsible for undertaking the Code Amendment. In this case, the Proponent acknowledges and agrees that the Chief Executive may charge the Proponent the reasonable costs incurred by the Chief Executive in undertaking the Code Amendment process in accordance with Section 73 of the Act.
- The Proponent acknowledges that, under Section 73(5) of the Act, the Minister may specify conditions on approving this Proposal to Initiate. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the conditions will apply.

1.2 Professional Expertise

The Proponent intends to undertake the Code Amendment by engaging the services of MasterPlan SA Pty Ltd. Mr Stewart Hocking and Mr Michael Richardson, both Members of the Planning Institute of Australia will be responsible for preparation of the Code Amendment. They will be assisted by Mr Charlie Dubois and the MasterPlan Production Team will prepare all graphics to the standards required by the Act.



The nominated planning practitioners have qualifications and experience equivalent to an Accredited Professional - Planning Level 1, as established under the Act summarised as follows:

Michael Richardson, Director, Planner, Masterplan SA Pty Ltd

Bachelor of Urban & Regional Planning (Honours), 2001 – University of South Australia

Stewart Hocking, Planner, Masterplan SA Pty Ltd

Master of Urban and Regional Planning (Honours), 2008 – University of South Australia

Member – Planning Institute of Australia

1.3 Rationale for Code Amendment

The Area Affected is situated in the Rural Zone on the southern extremity of the Ceduna township. The land comprises a portion of the Rural Zone that protrudes into what would otherwise be a continuous strip of Rural Living Zone that follows the coast on the southern edge of the Ceduna township.

The policies for the Rural Zone allow for the development of only (1) dwelling on an allotment. However, the land is ideally situated and physically capable of accommodating a number of dwellings on the land in the form of rural living, as occurs to the immediate north and south of the land. A re-zoning of the land to Rural Living would, in effect, regularise the existing pattern of land use and provide for a continuous strip of Rural Living Zone in the locality.

The re-zoning of the land to Rural Living is supported by the District Council of Ceduna and was proposed in response to the consultation phase of the Planning and Design Code. The State Planning Commission responded advising such a proposal was outside the scope of the initial drafting of the Planning and Design Code and suggested the matter should be addressed as a separate Code Amendment in the future. The re-zoning would meet a demand for additional rural living opportunities in the township and provide positive economic and social outcomes for the district. Development of the land for rural living would not generate any negative environmental impacts.

The following sections of this document outline in more detail the investigations undertaken to date and strategic considerations that support the proposed re-zoning, summarised as follows:

- the re-zoning would form a logical and orderly continuation of the existing Rural Living Zone;
- the land is not considered to be good quality primary production land;
- removal of the land from the Rural Zone would not materially impact on the provision of land for primary production in the district;
- rural living development would not detrimentally impact on the adjoining Conservation Zone and coastal area to the west;
- the land is capable of being economically serviced with essential infrastructure and services at no cost to the wider community;



- the land has public road access with sufficient capacity to support the intended rural living allotments;
- the provision of additional rural living land would support the Council's strategic population and residential growth intentions for Ceduna;
- the provision of additional rural living land would meet a market demand for Ceduna;
- that contamination impacts (if any) associated with the previous slaughter house on the site are able to be remediated; and
- the re-zoning would represent an appropriate economic stimulus for Ceduna and the Region.

2.0 SCOPE OF THE CODE AMENDMENT

2.1 Affected Area

The proposal seeks to amend the Planning and Design Code for the Affected Area as shown in **Figure 1** above and **Attachment A**.

The Affected Area comprises a single allotment of some 101.6 hectares as described in **Table 1** below. A copy of the relevant certificate of title is contained in **Attachment B**.

Table 1: Affected Area

ADDRESS	ALLOTMENT & PLAN REF	CERTIFICATE OF TITLE	HUNDRED	OWNER
327 Decres Bay Road, Ceduna	Allotment 1, Filed Plan 300	Volume 5296 Folio 284	Bonython	Chris Lines

The zones and subzones relevant to the Affected Area and the surrounding properties are depicted in the following Concept Plan, at **Attachment C**.

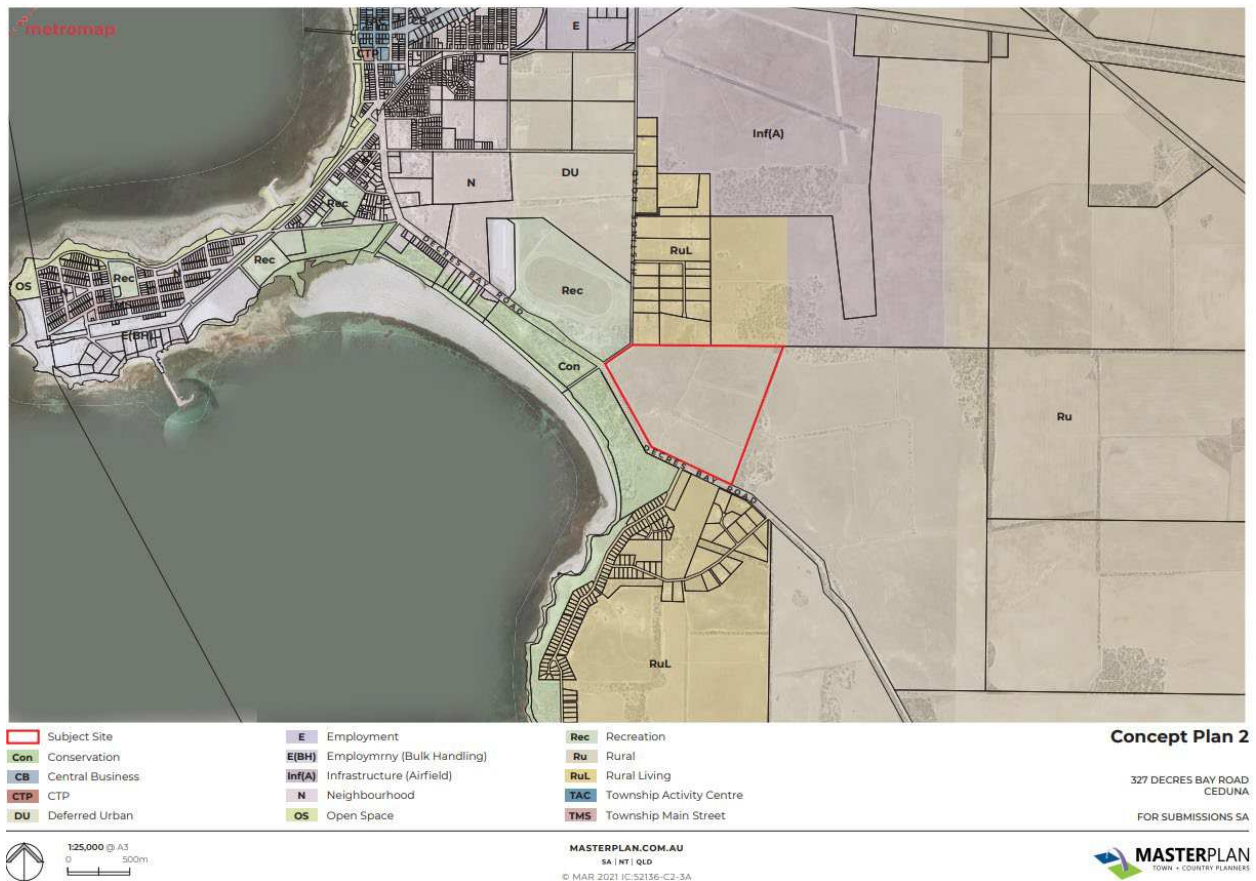


Figure 2: Zone and subzones applying to the Affected Area and locality.

The Affected Areas is zoned Rural Living and situated wholly within the District Council of Ceduna.

2.2 Scope of Proposed Code Amendment

The Code Amendment proposes to re-zone the Affected Area from Rural Zone to Rural Living Zone (refer **Figure 2**) to facilitate future land division and development of the land for rural living purposes.

Table 2 outlines in summary the existing and proposed policy applying to the Affected Area.

Table 2: Summary of Proposed Code Amendment

CURRENT POLICY
<p>The Affected Area is wholly located in the Rural Zone.</p> <p>The Desired Outcomes for development in the zone include:</p> <p>DO 1</p> <p>A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.</p> <p>DO 2</p> <p>A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.</p>



CURRENT POLICY

The following Technical and Numerical Variation applies to the Affected Area:

- Minimum Dwelling Allotment Size (Minimum dwelling allotment size is 300 ha)

The following Overlays apply to the Affected Area:

- Airport Building Heights (Regulated) (All structures over 45 metres)
- Building Near Airfields
- Dwelling Excision
- Hazards (Bushfire - Regional)
- Hazards (Flooding - Evidence Required)
- Limited Land Division
- Native Vegetation

AMENDMENT OUTLINE

The intent of the Code Amendment is to re-zone the Affected Area to Rural Living Zone with a minimum dwelling allotment size of 2.0 hectares.

INTENDED POLICY

The Code Amendment proposes to replace the existing Rural Zone with the Rural Living Zone with the following (existing) Desired Outcome:

DO 1

A spacious and secluded residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low-intensity rural activities and home-based business activities that complement that lifestyle choice.

The Code Amendment proposes the following Technical and Numeric Variation apply to the Affected Area:

- Minimum Dwelling Allotment Size (Minimum dwelling allotment size is 2.0 ha).

As a part of the Rural Living Zone, the following existing overlays would apply to the Affected Area:

- Airport Building Heights (Regulated) (All structures over 45 metres);
- Building Near Airfields;
- Coastal Areas;
- Hazards (Bushfire - Regional);
- Hazards (Flooding - Evidence Required); and
- Native Vegetation.

3.0 STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs);
- regional plans; and
- other relevant strategic documents.



3.1 Alignment with State Planning Policies (SPPs)

The State Planning Policies (SPPs) set out the State’s overarching goals and requirements for the planning system. Under Section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP. The current SPPs are published on the SA Planning Portal and dated 23 May 2019.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seek to implement the following SPPs identified in **Table 3**.

Table 3: Analysis of State Planning Policies

STATE PLANNING POLICY (SPP)	CODE AMENDMENT ALIGNMENT WITH SPP’S
SPP 1: Integrated Planning	
<p>Purpose Integrated planning coordinates the strategic use of land with the necessary services and infrastructure. It can influence how a city or region grows and evolves, which if done well, creates liveable and sustainable places that contribute to our prosperity.</p> <p>Policy 1.1 An adequate supply of land (well serviced by infrastructure) is available that can accommodate housing and employment growth over the relevant forecast period</p> <p>Policy 1.2 Provide an orderly sequence of land development that enables the cost-effective and timely delivery of infrastructure investment commensurate with the rate of future population growth.</p> <p>Policy 1.3 Plan growth in areas of the state that is connected to and integrated with, existing and proposed public transport routes, infrastructure, services and employment lands.</p> <p>Policy 1.4 Protect areas of rural, landscape character, environmental importance, mining or food production significance from the expansion of urban areas, towns and settlements.</p> <p>Policy 1.6 Plan for strategic infrastructure that helps to shape the pattern of settlement in a way that enhances quality of life and supports long-term sustainability.</p>	<p>The proposed rezoning of the Affected Area aligns with the strategic vision for the area to provide adequate rural living opportunities in the district.</p> <p>The addition of this land to the supply of future rural living opportunities meets the growing demand for rural living in the district.</p> <p>Conversion of the affected land to rural living forms a logical and orderly extension of the existing supply of rural living land.</p> <p>The proposal is located so as to take advantage of readily available infrastructure already servicing the adjacent rural living areas.</p> <p>The proposed re-zoning will not alter the underlying strategic planning for Ceduna.</p> <p>Given that the affected land is a small area relative to the existing rural land in the area, it does not represent a material reduction in primary production opportunities in the district.</p> <p>The proposal will in effect, infill an existing strip of rural living land and will not therefore introduce a new or detrimental element into the existing rural and natural landscape character in the wider locality.</p> <p>The incorporation of proposed land into the Rural Living Zone supports additional population in close proximity to the Ceduna town centre services, facilities employment opportunities and infrastructure.</p>



STATE PLANNING POLICY (SPP)	CODE AMENDMENT ALIGNMENT WITH SPP'S
SPP 6: Housing Supply and Diversity	
<p>Purpose</p> <p>Housing is an essential part of people’s health and wellbeing. Our planning system must enable the sufficient and timely supply of land and a variety of housing choices at appropriate locations. With the changing composition of our community and our desire to live more sustainably, our housing supply needs to become more diverse in both metropolitan Adelaide and regional township locations.</p> <p>Policy 6.1</p> <p>A well-designed, diverse and affordable housing supply that responds to population growth and projections and the evolving demographic, social, cultural and lifestyle needs of our current and future communities.</p> <p>Policy 6.2</p> <p>The timely supply of land for housing that is integrated with, and connected to, the range of services, facilities, public transport and infrastructure needed to support liveable and walkable neighbourhoods.</p> <p>Policy 6.3</p> <p>Develop healthy neighbourhoods that include diverse housing options; enable access to local shops, community facilities and infrastructure; promote active travel and public transport use; and provide quality open space, recreation and sporting facilities.</p> <p>Policy 6.4</p> <p>The growth of regional centres and towns within the existing footprint or outside towns where there is demonstrated demand and the land is serviced with infrastructure.</p> <p>Policy 6.10</p> <p>Limit the establishment of rural living allotments in areas that impact on the future expansion of townships and result in the inefficient delivery of infrastructure and social services.</p> <p>Policy 1.11</p> <p>Residential development that does not fragment valuable primary production land, create land use conflicts or encroaches on sensitive environmental assets and places of high landscape value.</p>	<p>The proposed addition of the land to the Rural Living Zone will positively contribute to additional housing choice in the area.</p> <p>The addition of rural living opportunities is timely and orderly in terms of existing supply, future demand, and service provision.</p> <p>Additional housing opportunities will provide for additional population that will support the existing township of Ceduna.</p> <p>The proposal is able to be supported by existing services networks.</p> <p>The proposal will not affect land already set aside or identified for other township or regional use.</p> <p>The excise of such a small piece of rural land currently wedged between existing rural living areas will not fragment primary production land.</p> <p>The proposal will not create any land use conflict with adjoining or surrounding land uses.</p> <p>The proposal will not conflict with or encroach on sensitive environmental areas or places of high landscape value.</p>



STATE PLANNING POLICY (SPP)	CODE AMENDMENT ALIGNMENT WITH SPP'S
SPP 8: Primary Industry	
<p>Purpose South Australia's agriculture, forestry, fisheries and aquaculture industries are fundamental to our prosperity and identity. Along with their associated tourism and service industries—and the infrastructure that supports their production and marketing—primary industry value chains are major generators of economic activity and employment in each of the regions of the state.</p> <p>Policy 8.1 Identify and protect key primary production assets and secure strategic opportunities for future primary industry development.</p> <p>Policy 8.2 Create local conditions that support new and continuing investment in primary industry while seeking to promote co-existence with adjoining primary industries and avoid land use conflicts.</p> <p>Policy 8.3 Enable primary industry businesses to grow, adapt and evolve through technology adoption, intensification of production systems, business diversification, workforce attraction and restructuring.</p> <p>Policy 8.4 Equitably manage the interface between primary production and other land use types, especially at the edge of urban areas.</p>	<p>The proposed reduction of land zoned for primary production is negligible in terms of the availability of primary production land in the region.</p> <p>The land is not a key area of primary production land.</p> <p>The proposal will not impact on the existing investment in primary industry in the region.</p> <p>The proposal will not create any new or detrimental conditions that would hinder the continued operation of primary industry in the region.</p>

3.2 Alignment with Regional Planning Policies

Regional Plans provide the long-term vision as well as setting the spatial patterns for future development in a region in accordance with the SPPs. This includes consideration of land use integration, transport infrastructure and the public realm. Regional Plans are required to help guide any changes to the Planning and Design Code.

The Affected Area is situated in the Eyre and Western Planning Region of South Australia as gazetted on 19 March 2020. Accordingly, the applicable Regional Plan for the Code Amendment is the "Eyre and Western Regional Plan – a volume of the South Australian Planning Strategy" dated April 2012.

The principles and policies of the Plan are expressed in the following categories:

- Environment and sustainability.
- Economic development.
- Population, settlements and culture.



The Code Amendment aligns with or seeks to implement a number of the regional planning policies as set out in **Table 4**.

Table 4: Analysis of Regional Planning Policies

REGIONAL PLANNING POLICY (Eyre and Western Regional)	CODE AMENDMENT ALIGNMENT
<p>Environment and Sustainability Principles</p> <ol style="list-style-type: none"> 1. Recognise, protect and restore the region’s environmental assets. 2. Protect people, property and the environment from exposure to hazards. 3. Increase the capacity of the region to adapt and become resilient to the impacts of climate change. <p>Economic Development</p> <ol style="list-style-type: none"> 4. Protect and build on the region’s strategic infrastructure. 5. Protect and strengthen the economic potential of the region’s primary production land. 6. Strengthen the economic potential of the region’s mineral and energy resources. 7. Strengthen the commercial fishing and aquaculture industries. 8. Reinforce the region as a unique and diverse tourism destination. 9. Provide and protect industrial land to meet projected demand. 10. Ensure commercial development supports town function. <p>Population, Settlements and Culture</p> <ol style="list-style-type: none"> 11. Plan and manage township growth and develop Structure Plans for key growth centres. 12. Design towns to be sustainable and provide safe, healthy, accessible, and appealing environments. 13. Provide residential land and diverse, affordable and sustainable housing to meet current and future needs. 14. Identify and protect places of heritage and cultural significance, and desired town character. 	<p>Noting the location and nature of the Affected Area, the proposed re-zoning of the land to Rural Living Zone:</p> <ul style="list-style-type: none"> • Will not affect the region’s environmental assets or create environmental hazards • Is able to be developed utilising existing infrastructure • Represents an insignificant loss of primary production land (which is of poor quality) such that the economic potential of primary production in the region will not be affected • Will not impact on the region’s existing industries and attributes including mineral and energy resources, fishing and aquaculture, tourism, or industrial land • Will contribute to the opportunity for additional housing and population growth that will support the commercial, economic, and social fabric of Ceduna • will be consistent with the strategic planning for growth of Ceduna • Will support the desire for housing diversity to meet current and future needs • Will not impact on the region’s heritage and cultural assets, or the desired character of the Ceduna township.

3.3 Other Relevant Strategic Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.



3.3.1 District Council of Ceduna Strategic Plan

The District Council of Ceduna has developed a Strategic Plan that outlines the strategic goals, outcomes and strategies the Council area. The Plan focuses on improving infrastructure, maintaining and enhancing the local environment, sustainable economic growth, improving community health and wellbeing and improving Council services. The Goals and Outcomes of the Plan are relevant in informing the planning policies for the region.

Table 5 outlines the five (5) Goals of the Strategic Plan and the alignment of those goals with the proposed Code Amendment.

Table 5: Analysis of District Council of Ceduna Strategic Plan

CEDUNA STRATEGIC PLAN		CODE AMENDMENT ALIGNMENT
Relevant Goals/Outcomes		
1.	Physical infrastructure is improved and developed.	The service infrastructure requirements for future development in the new rural living area can be met by existing infrastructure.
2.	Our natural environment enhanced, protected and maintained for use by current and future generations.	The proposed amendment will not impact on areas or features of environmental importance.
3.	Sustainable economic development opportunities identified, vigorously pursued and promoted.	The re-zoning will meet a current and future demand for rural living opportunities in the Ceduna and support the economic sustainability of the region.
Outcome 3.1		In respect to Outcomes 3.1 and 3.4 specifically, the proposed amendment seeks to update the Councils Development Plan (now the Planning and Design Code) to facilitate the availability of land for desired development in the region – in this case for rural living purposes. The Affected Area is strategically located to create and orderly and logical extension of the existing rural zone, whilst providing opportunity for diversity of rural living allotments by the addition of a rural living area in the region for allotments with a minimum site area of 2.0 ha.
Growth of new and existing industries and businesses.		
3.1.1	Ensure Development Plan meets the requirements of land available for development and industry expansion.	
3.1.2	Actively pursue major upgrade of Port of Thevenard.	
3.1.3	Actively support the development of existing and new businesses.	
3.1.4	Utilise labour market programs for Council services.	
3.1.5	Development of industrial and commercial land and infrastructure.	
Outcome 3.4		
Land developed to meet future needs.		
3.4.1	Assist with land development.	

Consistent with the above goals, the Council has recently expressed the desire to re-zone the Affected Area to Rural Living. In its submission to the Strategic and Development Section, Department of Planning, Transport and Infrastructure dated 29 November 2019 (**Attachment D**) during the consultation process for the Planning and Design Code – Phase 2, the Council identified the subject land as appropriate for re-zoning from Rural Zone to Rural Living Zone as set out in the following extract from that submission.



Area 4. Transitioned in the Draft Code to Rural Zone the land parcel was historically subdivided from a larger adjoining land parcel for the establishment of a Rural Slaughterhouse (now dilapidated). The allotment of 110 hectares is too small in this locality for any form of viable primary production land use, which means it is effectively useless. The area is immediately adjacent 2 Rural Living Zones).

Area 4 is the land affected by this proposed Code Amendment.

The State Planning Commission responded to the Council's submission (letter dated 5 June 2020), and specifically in response to the above proposal, as follows:

Proposal outside scope of Code transition. Would require future Code amendment.

The above response is not a rejection of the Council's submission, but rather a reflection of the Code drafting process and the transition of the then Development Plans into the Code format to essentially be a like for like conversion of planning policy and not a vehicle to make substantive policy amendments. In accordance with the above advice, and with the support of the DC Ceduna, the Proponent has prepared this Code Amendment process.

4.0 INVESTIGATIONS AND ENGAGEMENT

4.1 Investigations Already Undertaken

4.1.1 Existing Zoning

The Affected Area is a relatively small parcel of rural land situated in the Rural Zone. The Planning and Design Code policies applying to development in the Affected Area are summarised **below** (and reproduced in full in **Attachment E**):

Table 6: Analysis of District Council of Ceduna Strategic Plan

ZONE AND SUBZONE
Rural Zone
OVERLAYS
<ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 45 metres) • Building Near Airfields • Dwelling Excision • Hazards (Bushfire - Regional) • Hazards (Flooding - Evidence Required) • Limited Land Division • Native Vegetation
LOCAL VARIATION (TNV)
Minimum Dwelling Allotment Size (Minimum dwelling allotment size is 300 ha)
GENERAL DEVELOPMENT POLICIES
Various (as detailed in the Code)



The Desired Outcomes for development in the zone are:

- DO 1** A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.
- DO 2** A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.

4.1.2 Analysis of Affected Area and Locality

The land is situated in the Rural Zone on the southern extremity of the Ceduna township. The land is adjoined by Decres Bay Road to the south-west, Hastings Road to the north-west, and private land to the remainder of the northern and eastern boundaries.

The land is situated between two (2) sections of the Rural living Zone situated immediately to the north and south. The Rural Zone continues to the east of the land, and the Conservation Zone is situated to the west between the land and the coast. A short portion of the land's north-western boundary also adjoins the Recreation Zone.

The site incorporates two (2) distinct sections, with the eastern portion being generally flat and incorporating three (3) 'paddocks', with the western section provided with undulating topography. The sites contours are depicted (partially) in **Attachment F**.

Historically the eastern section of the land has been used for low intensity cropping and grazing, typical of the early development of the district. Much of this section of land was cleared for agriculture and has formed three (3) identifiable paddocks. Whereas the more undulating land to the sites west that is less suitable for agriculture has been generally left in its natural state.

The land was not particularly productive and as such, a historic subdivision created the land parcel to establish an abattoir on the site. That use has since ceased and the land has remained undeveloped and underutilised for many years. The following photographs depict each of these elements.



Photograph 1: Views to the east north-east of the entrance track and abattoir beyond.



Photograph 2: Views to the east of the abattoir and sheds beyond.



Photograph 3: Views of the sites undulating northwestern corner from the track to the abattoir.



Photograph 4: Views to the north-east of the underlating land in the foreground and the paddocks beyond from the abattoir.



Photograph 5: Views to the north-west of the paddocks (and council verge in the foreground) from the corner of Decres Bay Road and Bosanquet Boulevard.

We have been provided with land use background information from the G.M Moffatt, CEO District Council of Ceduna, who understands that the abattoir ceased operation on or about 29 August 2001 when the property was transferred (sold) by FWA & VM Parker Pty Ltd (Ceduna Butchers at the time) to Mr & Mrs O'Shaughnessy, who desired to refurbish and continue use of the abattoir, however, were unable to obtain the necessary consents to do so. The background to the difficulty in obtaining the relevant consents is unclear.

A number of dilapidated structures associated with the former abattoir remain on the land. Otherwise, the land is vacant and not used for any specific purpose, with the exception of the eastern paddocks supporting horse agistment from time to time.

Topographically the western portion of the land is gently undulating with some residual vegetation cover typical of the coastal landform and vegetation existing prior to settlement and development of the area. This landform gives way to the lower lying and flatter land inland to the east. Some small areas of remnant vegetation occur between the demarcation of former paddocks on the land, typical of the general agricultural land in the district.

Reflective of the zoning, the locality comprises low intensity primary production generally to the east interspersed with patches of remnant vegetation; rural living development to the north and south; and open space comprising coastal dune and vegetation leading to the coast to the west; the Ceduna racecourse and associated infrastructure situated in the Recreation Zone to the immediate north-west of the land.



The Rural Living Zone to the immediate north of the land incorporates the Animal Husbandry subzone which allows specifically for the establishment of horse keeping and dog kennelling activities in conjunction with rural living. The zone is substantially developed.

The Rural Living Zone to the south is partially developed and comprises a mix of traditional rural living allotments and more conventional residential allotments as part of the Ceduna Waters residential estate. Undeveloped portions of the zone comprise remnant vegetation and coastal landform and cleared grazing and cropping land. Development of the Ceduna Waters estate is, in addition to the relevant planning policies, subject to the Ceduna Waters Land Management Agreement and the accompanying Ceduna Waters Environmental and Design Guidelines.

A small cluster of what appears to be farm buildings and a dwelling interspersed in a heavily modified patch of vegetation adjoin the land along its south-eastern boundary.

4.1.3 Analysis of future use of the land

Preliminary investigations have been undertaken regarding the most appropriate future use of the Affected Area. The investigations have evolved in response to a number of unique factors associated with the land, primarily:

- The quality of the land for primary production is considered to be low.
- Land sits in between existing rural living land to both the north and south. In effect, the current zoning forms a wedge in between what would otherwise be a continuous strip of rural living land on the outskirts of the Ceduna township.
- The re-zoning would form a logical and orderly addition to the existing Rural Living Zone and meet the current and future needs for rural living opportunities in the region.
- Removal of the land from the Rural Zone would not materially impact on the provision of land for primary production in the district.
- Rural living development would not detrimentally impact on the adjoining Conservation Zone and coastal area to the west.
- The land is capable of being economically serviced with essential infrastructure and services at no cost to the wider community.
- The land has public road access with capacity to support the intended rural living allotments.
- The provision of additional rural living land would support the Council's strategic population and residential growth intentions for Ceduna.
- The provision of additional rural living land would meet a market demand for Ceduna.
- The re-zoning would represent an appropriate economic stimulus for Ceduna and the Region.



In response to the above, the landowner, with the support of the Ceduna Council, considers the best and most appropriate long-term use of the land would be for rural living purposes. In particular the re-zoning of the land to rural living with minimum allotment size of 2.0 hectares and not encumbered with the Animal Husbandry subzone overlay, would provide additional choice in a rural living environment that is contained within the structured framework of Ceduna Waters, or the animal keeping intent of the rural living zone to the north.

4.1.4 The demand for alternative rural living opportunities

The existing Rural living zones in the locality are substantially developed, except for Ceduna Waters where further stages of development are envisaged. Much of the Ceduna Waters development provides allotment sizes that are not typically of rural living scale. Accordingly, re-zoning of the subject land would meet a future demand for additional traditional rural living, and as an alternative to the encumbered Ceduna Waters development.

4.1.5 Primary production capability

The land has not been economically utilised for primary production for many years (decades) and is unlikely to be utilised in the future.

Removal of the land from the Rural Zone would have no measurable impact on the quantity and economic contribution of agricultural land to the Regional and State economy.

4.1.6 Infrastructure provision

Adequate service infrastructure, similar to that provided for the Ceduna Waters development, is either available or can be established to service the development of the land at no cost to the general community of service providers.

Services readily available and able to service the Affected Area include:

- Potable water.
- Electricity supply.
- Public road access.
- Water supply consistent with Ceduna Waters.
- Waste collection services.
- Emergency vehicle access.

Future rural living allotments would be of sufficient size to accommodate on site waste treatment and disposal similar to other rural living areas in the locality.



4.1.7 Native vegetation

The subject site supports existing native vegetation, particularly within the western undulating section of the site. As such, our client engaged Grant Fleming Environmental to ascertain the extent of native vegetation clearance required in association with the intended rural living allotments. The due diligence investigations were relevant to the construction of a dwelling in the sites north-western corner, in a similar location to the abattoir, and the establishment of rural living allotments within the three paddocks. The due diligence report is provided at **Attachment G**.

The native vegetation clearance was determined to be Level 2, with a modest Significant Environmental Benefit levy payment anticipated. The due diligence investigations concluded that the existing native vegetation would not represent an impediment to the development of rural living allotments on the site, particularly those located within the three (3) paddocks.

4.1.8 Contamination

A small portion of the Affected Area supports a former abattoir. The extent of that former development would not materially impact on the overall development of the land for rural living purposes. Appropriate soil contamination investigations would be able to identify any relevant restrictions, amelioration or development conditions required to ensure adequate health standards are achieved.

Investigations would also address any contamination associated with the former agricultural use of the land.

4.1.9 Land suitability

The land is well located for addition to the supply of rural living land servicing the Ceduna township. The land form is a logical extension and infill opportunity of existing rural living zoned land and is able to be provided with necessary service infrastructure.

The topography of the land is suitable for rural living development, including the establishment of roads and/or driveways, dwelling sites, waste treatment and disposal, and related rural living activities.

Existing vegetation on the site would not unduly impede the development of the land, nor would any minor removal of vegetation result in any substantive environmental impact.

The land is not subject to high bushfire risk and can be serviced like other rural living land in the area by the existing emergency services.

4.1.10 Interface impacts

Neighbouring land uses are compatible with, and not likely to be unaffected or restricted by, the development of the land for rural living. The amenity of adjacent and nearby residential development is unlikely to be affected.



Similarly, the continued use of the adjoining land to the east for primary production is unlikely to be affected by, or impact on, future rural living. Existing rural living zones in the locality form and interface with primary production with no known detrimental impacts.

Development of the land will not have any impact on the existing open space and coastal land west of the site between Decres Bay Road and the coast. It is noted that some parts of the area have already been modified by human access and old shack developments. The locality is not representative of a pristine natural environment.

4.1.11 Conclusion/Summary of proposed amendment

It is concluded that the use of the Affected Area for rural living will provide a substantially better economic, and social outcome for the region than its continued designation as rural. The desired future use of the land could not be achieved under the present Rural Zone provisions, and hence the preparation of this Code Amendment is essential to meet the strategic State and Regional aspirations for the ongoing development and growth of Ceduna.

The Affected Area would assume the Rural Living Zone provisions set out in the Planning and Design Code (**Table 7**). The Code Amendment would seek a local Technical and Numeric Variation for Minimum Allotment Size of 2.0 hectares, consistent with typical rural living policies in similar locations.

No other variations are proposed to the Code.

The Code Amendment would provide a rural living zone that is compatible with the existing rural living zones in the locality and providing the opportunity for more conventional rural living development as opposed to the more targeted Animal Husbandry provisions applicable to the zone to the north, and as an alternative to the more prescriptive requirements and smaller allotment sizes of the Ceduna Waters development area to the south.

Table 7: Existing and Proposed Code provisions

	EXISTING	PROPOSED
Zone and Subzone	Rural Zone	Rural Living Zone
Desired Outcomes	Primary production	Rural living
Overlays	<ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 45 metres) • Building Near Airfields • Dwelling Excision • Hazards (Bushfire - Regional) • Hazards (Flooding - Evidence Required) • Limited Land Division • Native Vegetation 	<ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 45 metres) • Building Near Airfields • Hazards (Bushfire - Regional) • Hazards (Flooding - Evidence Required) • Native Vegetation
General Development Policies	As for Rural Zone	As for Rural Living Zone
Technical and Numeric Variations	Minimum Dwelling Allotment Size 300 ha	Minimum Dwelling Allotment Size 2.0 ha



The Desired Outcome for development in the Rural Living Zone is as follows:

DO 1 A spacious and secluded residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low-intensity rural activities and home-based business activities that complement that lifestyle choice.

The proposal would add an area of 101.6 hectares to the Rural Living Zone increasing the area of the Rural Living Zone in the District Council of Ceduna from 805.4 hectares to approximately 907 hectares. The proposal would result in a corresponding decrease of 101.6 hectares of land zoned Rural in the Council area.

4.2 Further Investigations Proposed

In addition to the preliminary investigations already undertaken and identified above, the following additional investigations are proposed to support the Code Amendment:

Table 8: Additional Investigations

FURTHER INVESTIGATIONS PROPOSED	EXPLANATION OF HOW THE FURTHER INVESTIGATIONS PROPOSE TO ADDRESS AN IDENTIFIED ISSUE OR QUESTION
Site Contamination Investigations	Site history report sufficient to determine the land is suitable for its intended use, and/or any land remediation required or restrictive conditions for future development.

4.3 Engagement Already Undertaken

In accordance with Practice Direction 2, the District Council of Ceduna has been consulted on the proposed Code Amendment.

The Council has re-affirmed its earlier position that the proposed re-zoning of the land to rural living has sufficient merit to proceed to a detailed Code Amendment process and community engagement (refer **Attachment E**).

4.4 Further Engagement Proposed

In addition to the engagement already undertaken, additional engagement is proposed to support the Code Amendment as outlined in **Table 9** below.

Table 9: Proposed Community Engagement

FURTHER ENGAGEMENT PROPOSED	EXPLANATION OF HOW THE FURTHER ENGAGEMENT PROPOSE TO ADDRESS AN IDENTIFIED ISSUE OR QUESTION
Detailed briefing to the Elected Members of the Ceduna District Council	Provide information regarding the Code Amendment. Engage the Elected Members in the policy setting process. Seek any local knowledge and information relevant to the proposal.



FURTHER ENGAGEMENT PROPOSED	EXPLANATION OF HOW THE FURTHER ENGAGEMENT PROPOSE TO ADDRESS AN IDENTIFIED ISSUE OR QUESTION
Notification to Neighbouring Landowners	Identify the potential impact of the proposed Code Amendment on the neighbouring land. Identify land owners and occupiers that may be directly affected. Invite submissions or direct engagement with the Proponent to discuss and issues of concern or relevance.
Other specified parties according to Section 73 (6)(e)	Presentation of the proposal to any identified parties. A Community Engagement Plan will be developed to the satisfaction of the SPC outlining the specific methods and nature of consultation proposed.

5.0 CODE AMENDMENT PROCESS

5.1 Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument.

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- The Local Government Association must be notified in writing of the proposed Code Amendment.
- As the Code Amendment has a specific impact on one (1) or more particular pieces of land, in a particular zone or subzone (rather than more generally), the Designated Entity must take reasonable steps to give a notice in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*, to:
 - the owners or occupiers of the land; and
 - owners or occupiers of each piece of adjacent land.
- Consultation will also occur with any person or body specified by the State Planning Commission under Section 73(6)(e) of the Act.

5.2 Engagement Report

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under Section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.



The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under Section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

5.3 Code Amendment Timetable

The Proponent (the Designated Entity) commits to undertaking the Code Amendment in line with the timeframe outlined **Attachment H**. If a timeframe is exceeded (or expected to be exceeded) the Proponent agrees to provide an amended timetable to the Department with an explanation of the delay, for approval by the Minister of an extension of time for the Code Amendment.

ATTACHMENT A

Map of Affected Area



- Subject Site
- Con Conservation
- E(BH) Employment Bulk Handling
- Inf(A) Infrastructure (Airfield)
- N Neighbourhood

- Rec Recreation
- Ru Rural
- RuL Rural Living

Concept Plan 1

327 DECRES BAY ROAD
CEDUNA

FOR SUBMISSIONS SA



1:10,000 @ A3
0 200m

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SA | NT | QLD
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ATTACHMENT B

Certificate of Title



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5296 Folio 284

Parent Title(s) CT 4139/26
Creating Dealing(s) TG 7926228
Title Issued 27/09/1995 Edition 3 Edition Issued 10/03/2020

Estate Type

FEE SIMPLE

Registered Proprietor

CHRISTOPHER GORDON LINES
OF 12 ASHWIN STREET ALICE SPRINGS NT 0870

Description of Land

ALLOTMENT 1 FILED PLAN 300
IN THE AREA NAMED CEDUNA
HUNDRED OF BONYTHON

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B TO THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (TG 7926228)

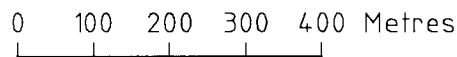
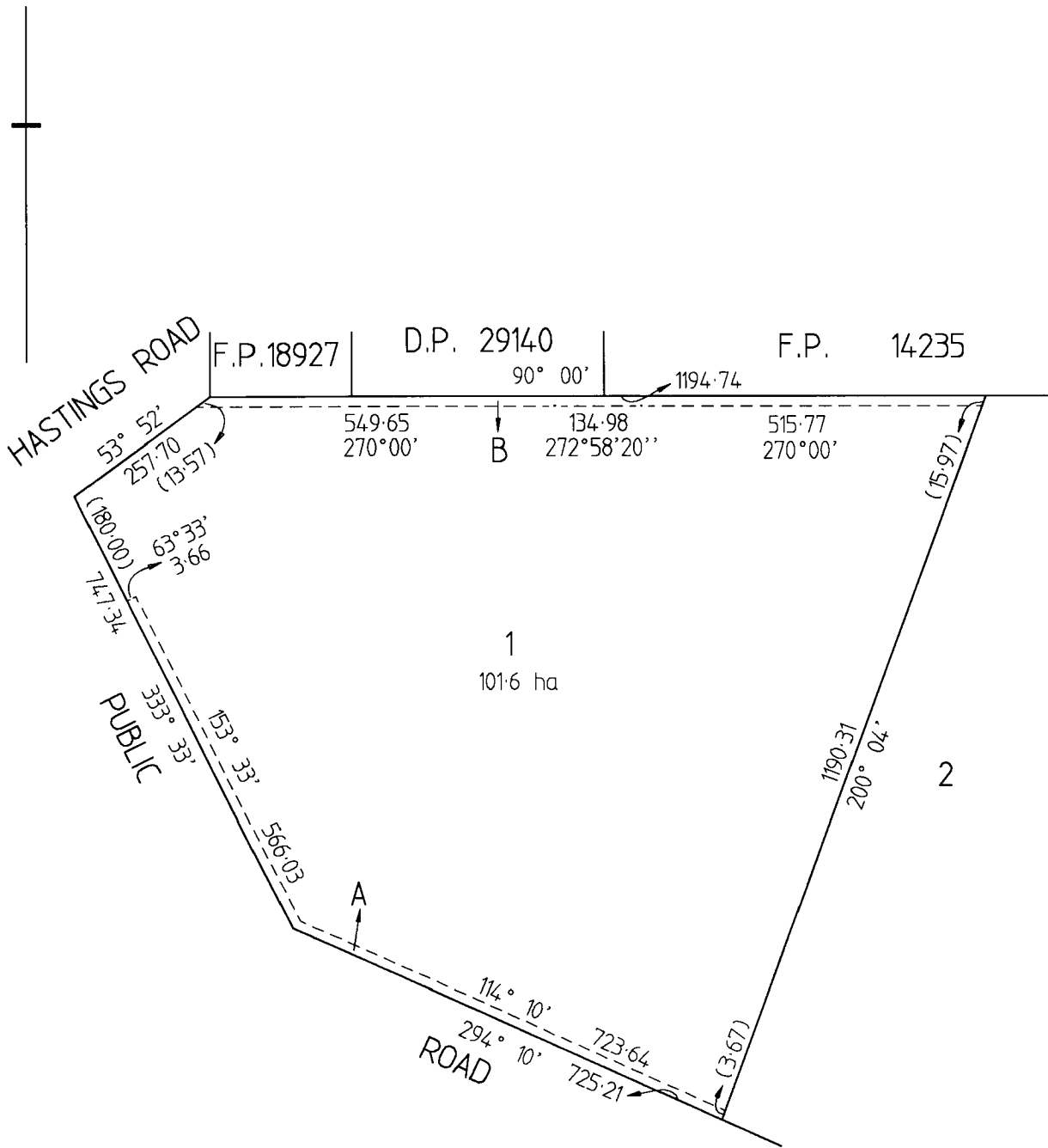
SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A (T 4326379)

Schedule of Dealings

NIL

Notations

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



Certificate of Title

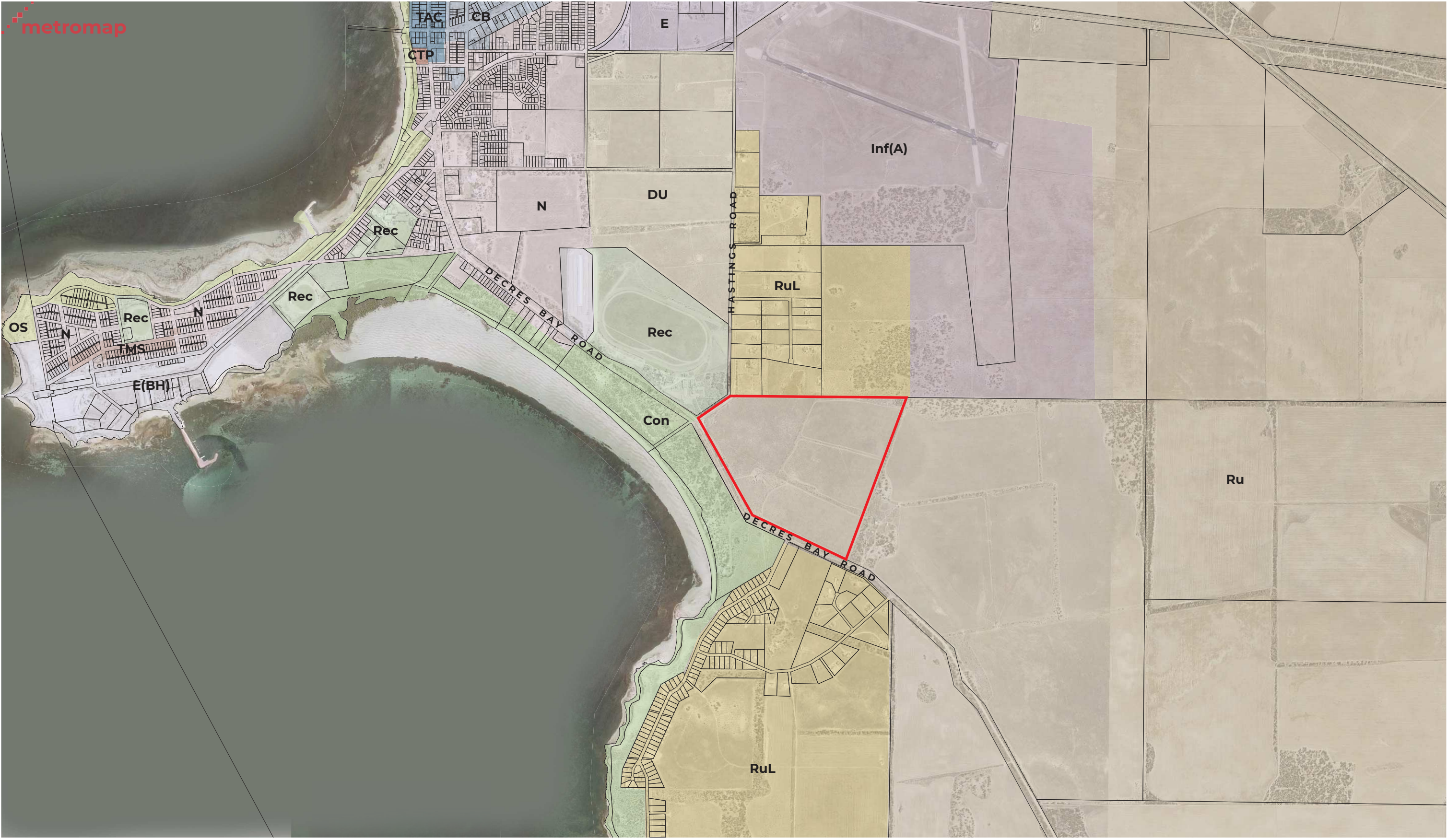
Title Reference: CT 5296/284
Status: CURRENT
Parent Title(s): CT 4139/26
Dealing(s) Creating Title: TG 7926228
Title Issued: 27/09/1995
Edition: 3

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
28/02/2020	10/03/2020	13262490	TRANSFER	REGISTERED	CHRISTOPHER GORDON LINES
28/02/2020	10/03/2020	13262489	DISCHARGE OF MORTGAGE	REGISTERED	9184250
25/09/2001	17/10/2001	9184250	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
25/09/2001	17/10/2001	9184249	TRANSFER	REGISTERED	MARY CAROL O'SHAUGHNESSY, ALLAN HERBERT O'SHAUGHNESSY
25/09/2001	17/10/2001	9184248	DISCHARGE OF MORTGAGE	REGISTERED	4412067
19/07/1979	10/08/1979	4412067	MORTGAGE	REGISTERED	

ATTACHMENT C

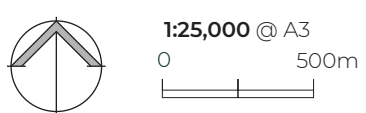
Affected Area Concept Plan



- | | | |
|---|--|--|
| Subject Site | E Employment | Rec Recreation |
| Con Conservation | E(BH) Employment (Bulk Handling) | Ru Rural |
| CB Central Business | Inf(A) Infrastructure (Airfield) | RuL Rural Living |
| CTP CTP | N Neighbourhood | TAC Township Activity Centre |
| DU Deferred Urban | OS Open Space | TMS Township Main Street |

Concept Plan 2

327 DECRES BAY ROAD
CEDUNA
FOR SUBMISSIONS SA



ATTACHMENT D

**Submission from DC Ceduna to
Department of Transport and Infrastructure dated
29 November 2019 in relation to consultation on the
draft Planning and Design Code – Phase 2.**



The District Council of Ceduna

PO Box 175,
CEDUNA SA 5690

Telephone 08 8625 3407
Facsimile 08 8625 3435

Email council@ceduna.sa.gov.au
www.ceduna.sa.gov.au

Our Ref: GF/3.85.1.8 : NAR/15302
GM:0003couletceo1.doc

Your Ref:

29 November 2019

Strategic and Development Planning Section
Department of Planning, Transport & Infrastructure
GPO Box 1815
ADELAIDE SA 5000

Dear Sir/Madam

Consultation Submission Planning and Design Code - Phase 2

Please accept this submission from the District Council of Ceduna in response to the invitation to provide comment to the Draft Planning and Design Code for Phase 2 Councils.

The submission is provided in 2 parts, firstly addressing the drafted transition of current Development Plan Zones to Planning & Design Code Zones, and secondly comment in relation to specific provisions within the Planning and Design Code Zones as applied in draft form within the District Council of Ceduna area.

Zone Transition

Council have identified 7 specific areas where Council believes the Draft Planning & Design Code Zones as applied are not appropriate or accurate due to either current and/or future land use anomalies.

For spatial reference, please refer to attached maps marked *Planning and Design Code Consultation Map DCC 1, 2 and 3*.

Area 1. Transitioned in the Draft Code to Employment (Bulk Handling) Zone. The current Development Plan Zone is Industry, however the current and envisaged land use for this area is Aquaculture and Associated use, due to the proximity to Council's new Commercial Marina.

A more appropriate Zone for this area would appear be Rural Aquaculture Zone, as future land use and development is anticipated to be service and processing facilities to support the commercial offshore trawl fishery.

... / 2

Area 2. Transitioned in the Draft Code to Recreation Zone. The current Development Plan Zone is Recreation. The only Recreation land use or built form in this area is a dilapidated Basketball Stadium (which will require demolition) and 2 school ovals (in conjunction with the Ceduna Area School). The siting of the old basketball stadium is purely historic, even though it has always been recognised that it is not an ideal location. All other schools in Ceduna are in Suburban Neighbourhood Zones.

The most appropriate Zone for this area would appear to be Suburban Neighbourhood.

Area 3. Transitioned in the Draft Code to Conservation Zone (and Coastal Areas Overlay). The current Development Plan Zone is Coastal Conservation. The bulk of the area (one land parcel) always has and always will be a Caravan and Cabin Park.

The most appropriate Zone for this area would be Caravan and Tourist Park Zone, recognising that a Coastal Overlay will still apply.

Area 4. Transitioned in the Draft Code to Rural Zone. The land parcel was historically subdivided from a larger adjoining land parcel for the establishment of a Rural Slaughterhouse (now dilapidated). The allotment of 110 Hectares is too small in this locality for any form of viable primary production land use, which means it is effectively useless. The area is immediately adjacent to 2 Rural Living Zones.

The most appropriate Zone for this area would be Rural Living.

Area 5. Transitioned in the Draft Code to Conservation Zone. The current Development Plan Zone is Conservation. The allotment was historically a part of the traditional parklands surrounding the town of Denial Bay. The subject land parcel was sold by the Crown a long time ago, effectively severing the connection with the parklands, but the Zoning has never been effectively addressed. It is a bare patch of dirt with no conservation value.

The most appropriate Zone for this area would be Rural Living, as a simple extension of the adjoining Rural Living Zone.

Area 6. Transitioned in the Draft Code to Rural Zone, along with Area 7. The current Development Plan Zone for both areas is Rural. The area between Areas 6 and 7 (transitioned from Infrastructure to Infrastructure), is currently disposed as Council's Landfill and Recyclable transfer Depot. Council's current strategy is for future expansion of the Landfill facility into areas 6 and 7 as marked on the Map.

The most appropriate Zone for areas 6 and 7 as marked is Infrastructure.

Area 7. Refer commentary for Area 6.

Code Provisions

The following comments are provided based on the current Development Plan Zones as transitioned, based on issues identified by DPTI and provided to Council as a document *P & D Code Released for Summary of Key Zoning Issues*. Where no comment is provided, the transition is agreed.

- DP Coastal Conservation Zone

Generally the transition to Coastal Zone is appropriate, with Visitor Experience and Dwelling sub zones (Yarilena and Betts Corner homelands) applied, with the Coastal Areas Overlay. Is there a mechanism to limit the number of dwellings within the Dwelling Sub Zones ?

- DP Aquaculture Zone

Generally the transition to Rural Aquaculture Zone with Coastal areas Overlay is appropriate.

Noting DTS/DPF 8.1 for the Zone prescribes a minimum allotment size of 1 Ha, that is appropriate for the Denial Bay Rural Aquaculture Zone, but it is too large for the Smoky Bay Zone and the requested Thevenard Zone (refer Area 1 in Zone Transition comment earlier).

It would be desirable to have a TNV for the minimum allotment size for the Thevenard Zone at 0.5 Ha.

The Smoky Bay Zone is problematic, as the current Land Area comprised in the (old) Smoky Bay (west) policy area is currently lease in 1,000 m² plots, which reflects the allotment size that would be desirable for subdivision and sale in the future (even though many of the lessees lease more than one allotment. As an interim measure, would 0.5 Ha minimum size for a TNV for Zone in Smoky Bay be possible.

- DP Primary Production Zone

Generally the transition to Rural Zone with Limited Land Division Overlay is appropriate.

A TNV for minimum allotment size of 300 Ha (reflecting current DP provisions) is significantly lower than the average current allotment size of 767 Ha, (excluding allotments of less than 300 Ha), and would not promote economically productive, efficient and sustainable primary production, particularly in this area.

Recognising the potentially sensitive nature of this issue, this matter requires further consideration, and I would welcome the opportunity for a discussion on this issue.

It would be appropriate to include a Dwelling subzone for spatially specific areas within the Zone to deal with Aboriginal Homelands, with a limit on the maximum number of dwellings allowed.

The Dwelling Excision provisions in the current DP are not unreasonable for inclusion in the Code, assuming a Performance Assessment could be applied to any application for excision which doesn't meet those requirements ?

- Rural Living Zone

Generally the transition to Rural Living Zone is appropriate.

It is agreed that a TNV is required for minimum allotment sizes is required in the Ceduna Waters (old Decrees Bay Policy Area 24) concept plan area.

- Industry Zone

Generally the transition to Employment and Employment (Bulk Handling) Zones is appropriate, noting the change requested for part of the Thevenard Zone (refer Area 1 in Zone Transition comment earlier).

- Caravan & Tourist Park Zone

The transition to Caravan & Tourist Park Zone is appropriate, noting the change requested for the Shelly Beach Caravan Park (refer Area 3 in Zone Transition comment earlier).

It is agreed that there should not be a TNV for minimum "allotment" size or building height limitation.

- Conservation Zone

The transition to Conservation Zone and associated Overlays is appropriate.

A TNV for AHD levels for Denial Bay would not be necessary as the subject land would never be developed (Crown Record disposed as town parklands, with significant native vegetation) and if the parklands were inundated, so would the rest of Denial Bay township.

- Infrastructure Zone

Generally the transition to Infrastructure Zone is appropriate, noting the change requested for part of the Ceduna Landfill site area (refer Areas 6 & 7 in Zone Transition comment earlier).

- Recreation Zone

Generally the transition to Recreation Zone is appropriate, noting the change requested for Area 2 in Zone Transition comment earlier.

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- Concept Plan Maps

It is noted that the Airfield Zone, Aquaculture Zone, Commercial Zone, Residential Zone and Rural Living Zone Concept Plans from the current DP have not been Transitioned to the Code. No Problem.

If you wish to discuss this matter further please do not hesitate to contact me at your convenience on (08) 8625 3407.

Yours sincerely

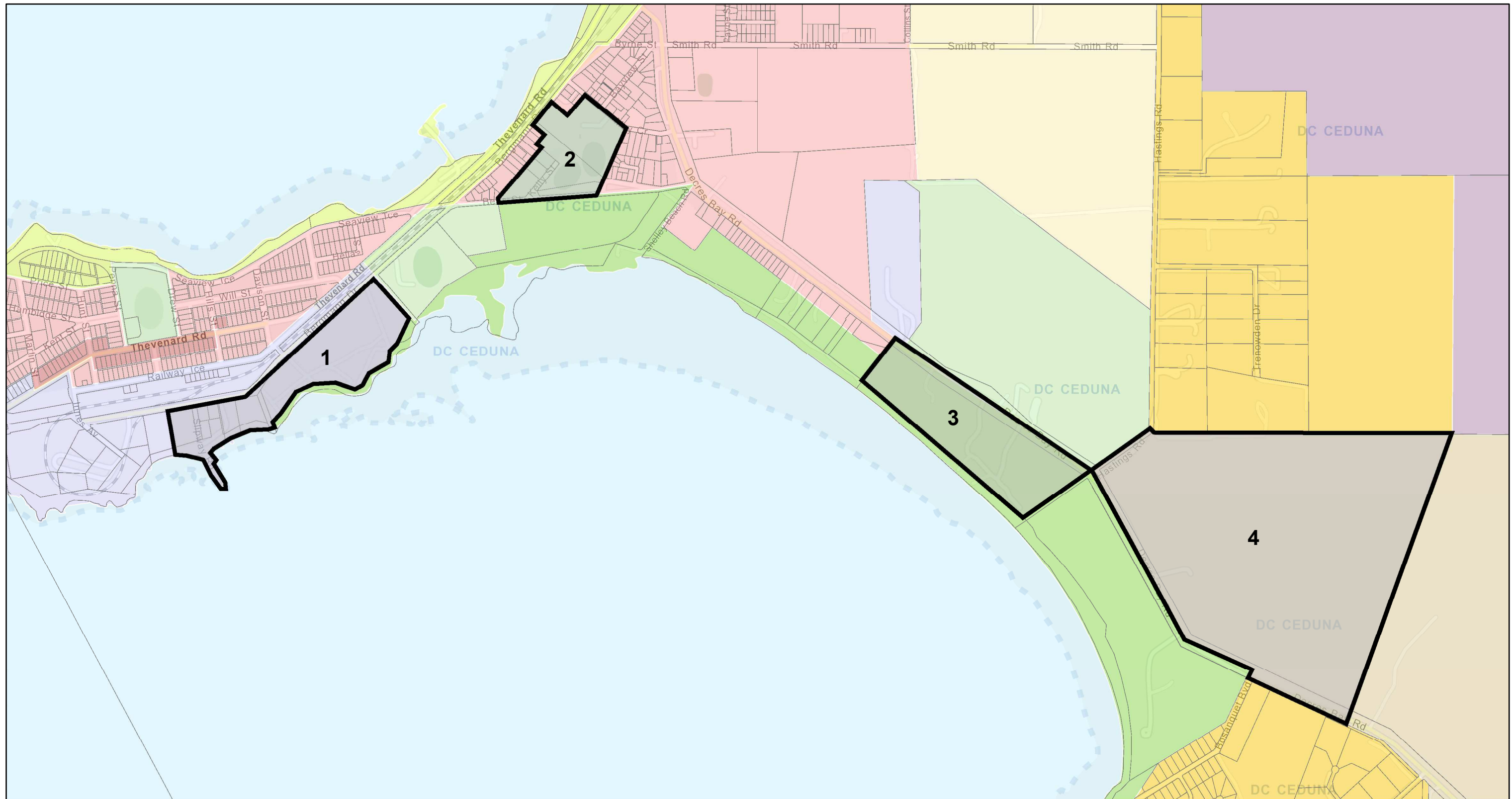


G.M. (Geoffrey) Moffatt
CHIEF EXECUTIVE OFFICER

Telephone: (08) 8625 3407
Email: gmoftatt@ceduna.sa.gov.au

(Encl)

Planning and Design Code Consultation Map DCC 1



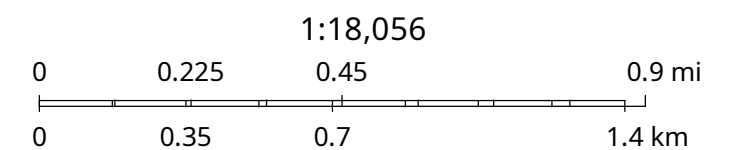
1. Draft Code currently Employment (Bulk Handling) Zone. Current Development Plan Zone Industry. Current and envisaged land use is Aquaculture and Associated use, due to proximity to new Commercial Marina. **More appropriate Zone for this area would be Rural Aquaculture Zone.**

2. Draft Code currently Recreation Zone. Current Development Plan Zone Recreation.
The only recreation land use or built form in this area is a dilapidated stadium (to be demolished) and 2 school ovals. All other schools are in Suburban Neighbourhood Zones. **More appropriate Zone for this area is Suburban Neighbourhood.**

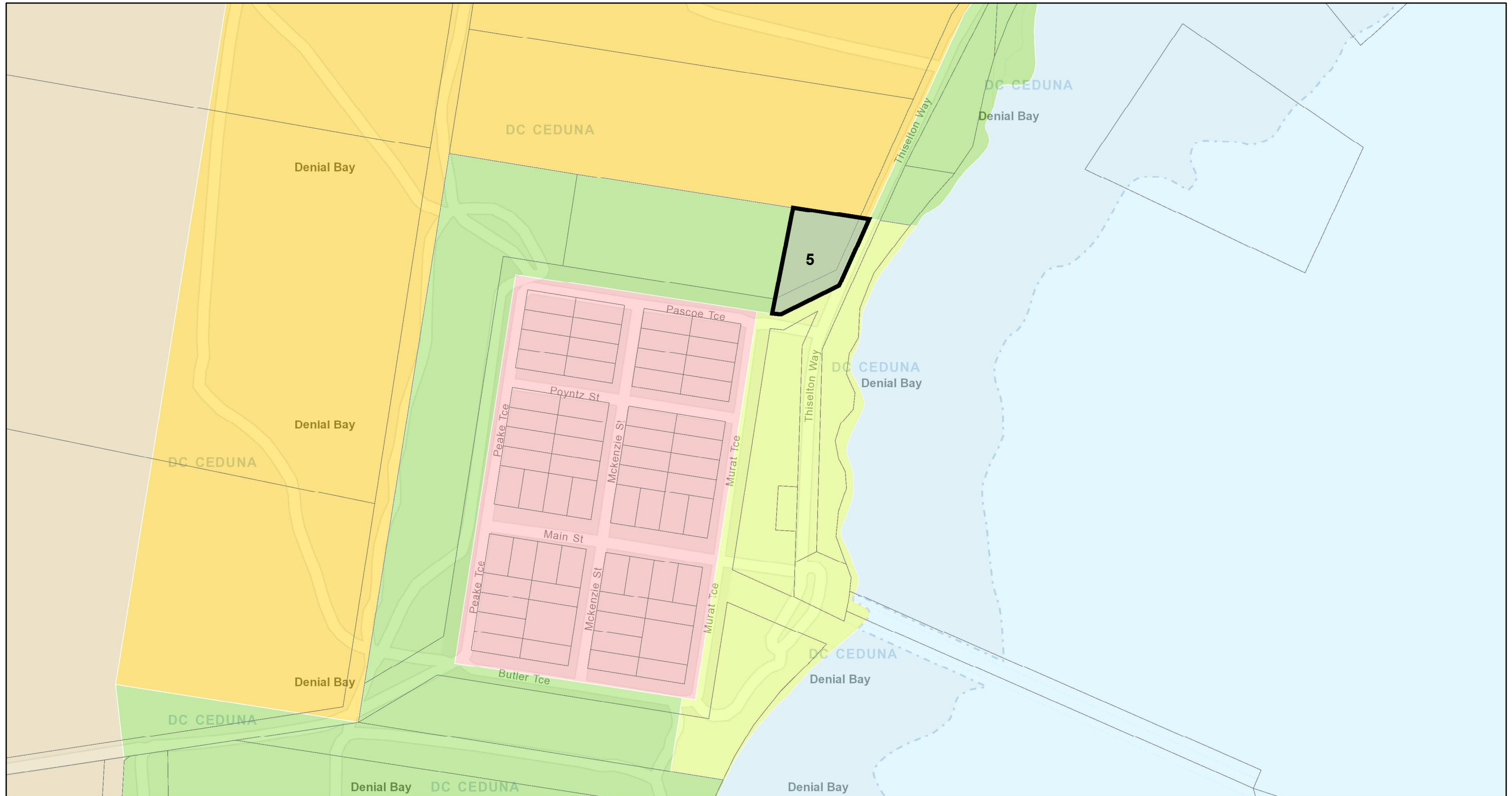
3. Draft Code currently Conservation Zone (and Coastal Areas Overlay). Current Development Plan Coastal Conservation Zone.
The bulk of the area always has and always will be a Caravan and Cabin Park. **More appropriate Zone for this area would be Caravan and Tourist Park Zone.**

4. Draft Code currently Rural Zone. Historically subdivided from larger adjoining land for establishment of a Rural Slaughterhouse (dilapidated). The allotment of 110 Hectares is too small in this locality for any form of viable primary production land use. Immediately adjacent to 2 Rural Living Zones.

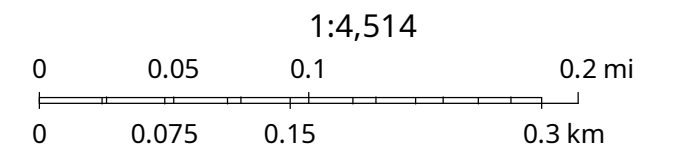
More appropriate Zone for this area is Rural Living.



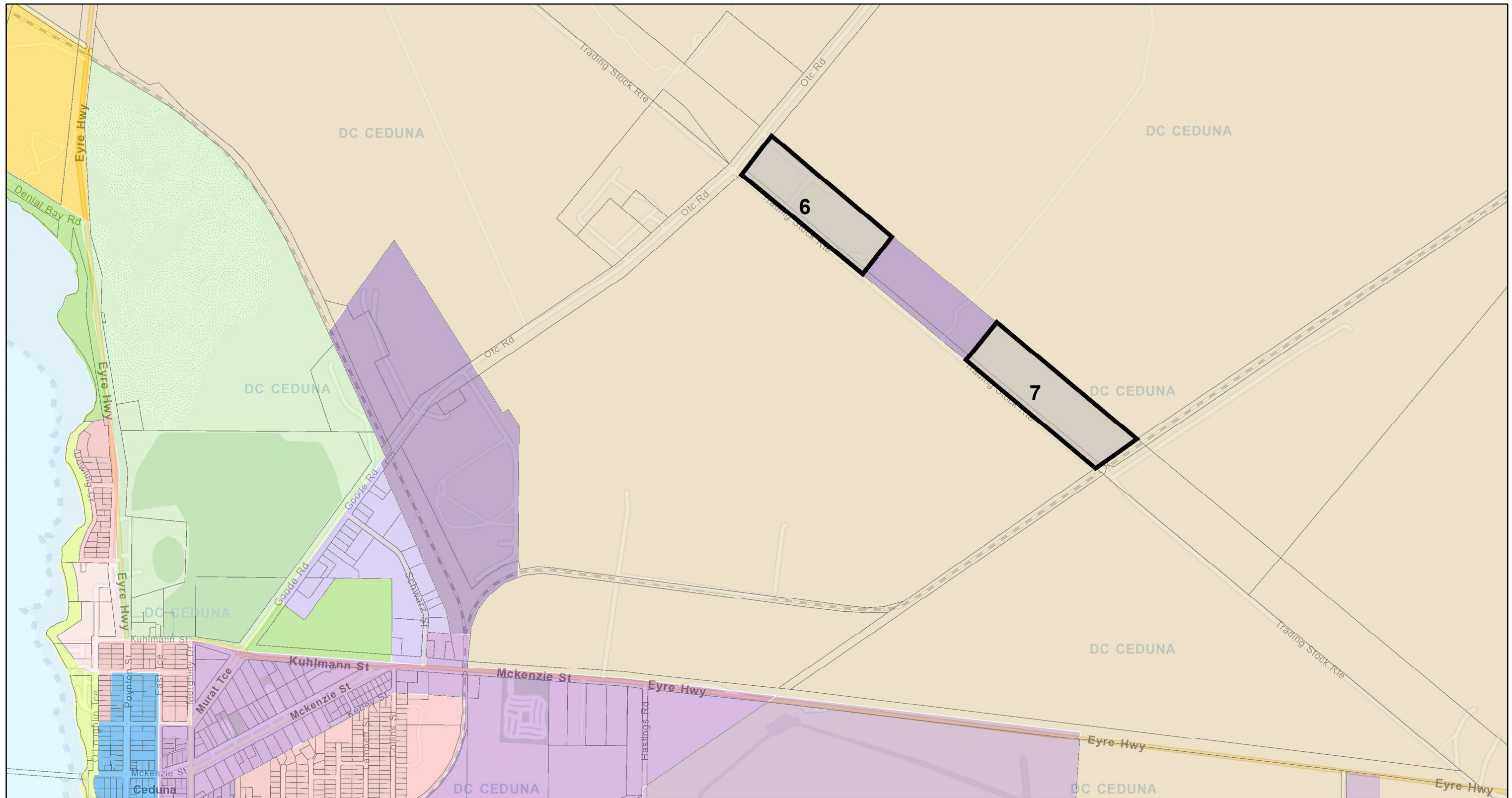
Planning and Design Code Consultation Map DCC 2



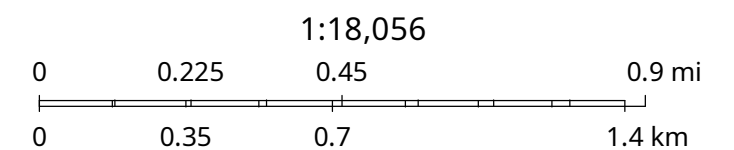
5. Denial Bay. Draft Code currently Conservation Zone. Current Development Plan Zone Conservation. The allotment was historically a part of the traditional parklands surrounding the town of Denial Bay. The subject land was sold by the Crown a long time ago, effectively severing the connection with the parklands. **More appropriate Zone for this area is Rural Living.**



Planning and Design Code Consultation Map DCC 3



6. & 7. Draft Code currently Rural Zone. Current Development Plan Zone Rural.
The adjacent area, currently disposed as Council's Landfill and Recyclable transfer Depot, is Zoned Infrastructure in both the Draft Code and Development Plan.
Council's current strategy is for future expansion of the Landfill facility into areas 6 and 7 as marked on the Map.
More appropriate Zone for areas 6 and 7 as marked is Infrastructure.



ATTACHMENT E

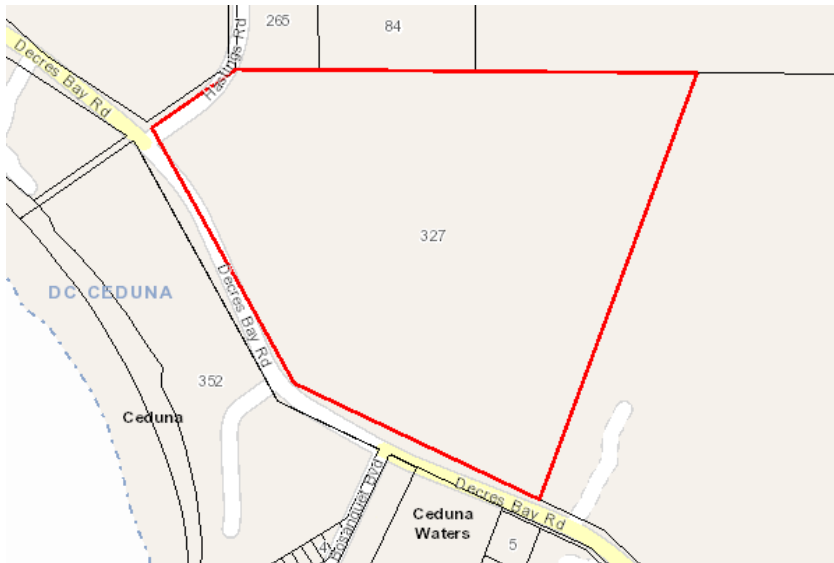
Planning and Design Code extract

327 DECRES BAY RD CEDUNA SA 5690

Address:

Click to view a detailed interactive [SAILIS](#) in SAILIS

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Local Variation (TNV)

Minimum Dwelling Allotment Size (*Minimum dwelling allotment size is 300 ha*)

Overlay

Airport Building Heights (Regulated) (*All structures over 45 metres*)

Building Near Airfields

Dwelling Excision

Hazards (Bushfire - Regional)

Hazards (Flooding - Evidence Required)

Limited Land Division

Native Vegetation

Zone

Rural

Development Pathways

▪ Rural

1. Accepted Development

Means that the development type does not require planning consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

- Agricultural building
- Air handling unit, air conditioning system or exhaust fan
- Brush fence
- Building work on railway land
- Carport
- Internal building work
- Outbuilding
- Partial demolition of a building or structure
- Private bushfire shelter
- Protective tree netting structure
- Shade sail
- Solar photovoltaic panels (ground mounted)
- Solar photovoltaic panels (roof mounted)

- Swimming pool or spa pool
- Verandah
- Water tank (above ground)
- Water tank (underground)

2. Code Assessed - Deemed to Satisfy

Means that the development type requires consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

- Advertisement
- Agricultural building
- Carport
- Horse keeping
- Horticulture
- Industry
- Outbuilding
- Replacement building
- Shop
- Store
- Temporary accommodation in an area affected by bushfire
- Verandah

3. Code Assessed - Performance Assessed

Performance Assessed development types listed below are those for which the Code identifies relevant policies.

Additional development types that are not listed as Accepted, Deemed to Satisfy or Restricted default to a Performance assessed Pathway. Please contact your local council for more information.

- Advertisement
- Agricultural building
- Ancillary accommodation
- Brewery
- Carport
- Cidery
- Demolition
- Detached dwelling
- Distillery
- Dwelling addition
- Fence
- Horticulture
- Industry
- Land division
- Outbuilding
- Retaining wall
- Shop
- Store
- Tourist accommodation
- Tree-damaging activity
- Verandah
- Warehouse
- Winery
- Workers' accommodation

4. Impact Assessed - Restricted

Means that the development type requires approval. Classes of development that are classified as Restricted are listed in Table 4 of the relevant Zones.

Property Policy Information for above selection

Part 2 - Zones and Sub Zones

Rural Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.
DO 2	A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Advertisement (b) Agricultural building (c) Brewery (d) Carport (e) Cidery (f) Dairy (g) Dam (h) Distillery (i) Dwelling (j) Dwelling addition (k) Farming (l) Horse keeping (m) Horticulture (n) Industry (o) Intensive animal husbandry (p) Low intensity animal husbandry (q) Outbuilding (r) Renewable energy facility (s) Shop (t) Small-scale ground mounted solar power facility (u) Stock slaughter works (v) Tourist accommodation (w) Transport distribution (x) Verandah (y) Warehouse (z) Winery (aa) Workers' accommodation

Siting and Design	
PO 2.1 Development is provided with suitable vehicle access.	DTS/DPF 2.1 Development is serviced by an all-weather trafficable public road.
PO 2.2 Buildings are generally located on flat land to minimise cut and fill and the associated visual impacts.	DTS/DPF 2.2 Buildings: (a) are located on sites with a slope not greater than 10% (1-in-10) (b) do not result in excavation and/or filling of land greater than 1.5m from natural ground level.
Horticulture	
PO 3.1 Horticulture is located and conducted on land that has the physical capability of supporting the activity and in a sustainable manner that: (a) enhances the productivity of the land for the growing of food and produce in a sustainable manner (b) avoids adverse interface conflicts with other land uses (c) utilises sound environmental practices to mitigate negative impacts on natural resources and water quality (d) is sympathetic to surrounding rural landscape character and amenity where horticulture is proposed to be carried out in enclosed buildings such as such as greenhouses.	DTS/DPF 3.1 Horticultural activities: (a) are conducted on an allotment with an area of at least 1ha (b) are sited on land with a slope not greater than 10% (1-in-10) (c) are not conducted within 50m of a watercourse or native vegetation (d) are not conducted within 100m of a sensitive receiver in other ownership (e) provide for a headland area between plantings and property boundaries of at least 10m in width (f) where carried out in an enclosed building such as a greenhouse, the building has a total floor area not greater than 250m ² (g) where in the form of olive growing are not located within 500m of a conservation or national park.
Rural Industry	
PO 4.1 Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.	DTS/DPF 4.1 Industries, storage, warehousing, produce grading and packing and transport distribution activities and similar activities (or any combination thereof): (a) are directly related and ancillary to a primary production use on the same or adjoining allotment (b) are located on an allotment not less than 20ha in area (c) have a total floor area not exceeding 500m ² .
PO 4.2 Expansion of established small-scale or new large scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities: (a) are commensurate with the allotment on which it is situated to mitigate adverse impacts on the amenity of land in other ownership and the character of the locality (b) realise efficiencies in primary production related storage, sorting, packaging, manufacturing and the like (c) primarily involve primary production commodities sourced from the same allotment and /or surrounding rural areas.	DTS/DPF 4.2 None are applicable.

<p>PO 4.3</p> <p>Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural character and function and respects landscape amenity.</p>	<p>DTS/DPF 4.3</p> <p>Buildings and associated activities:</p> <ul style="list-style-type: none"> (a) are set back at least 100m from all road and allotment boundaries (b) are not sited within 200m of a sensitive receiver in other ownership (c) have a building height not greater than 10m above natural ground level (d) incorporate the loading and unloading of vehicles within the confines of the allotment. 		
<p>Dwellings</p>			
<p>PO 5.1</p> <p>Dwellings provide a convenient base for landowners to conduct and manage commercial scale primary production and rural related value adding activities without compromising the use of the allotment, adjacent land or long term purpose of the zone for primary production or related tourism values due to a proliferation of dwellings.</p>	<p>DTS/DPF 5.1</p> <p>Dwellings:</p> <ul style="list-style-type: none"> (a) are located on an allotment with an area not less than: <table border="1" data-bbox="831 779 1519 860" style="margin-left: 20px;"> <tr> <td style="text-align: center;">Minimum Dwelling Allotment Size</td> </tr> <tr> <td>Minimum dwelling allotment size is 300 ha</td> </tr> </table> (b) are located on an allotment used for and is ancillary to primary production and/or primary production related value-adding activities (c) will not result in more than one dwelling on an allotment. <p>In relation to DTS/DPF 5.1, in instances where:</p> <ul style="list-style-type: none"> (d) more than one value is returned in the same field, refer to the <i>Minimum Dwelling Allotment Size Technical and Numeric Variation layer</i> in the SA planning database to determine the applicable value relevant to the site of the proposed development (e) no value is returned for DTS/DPF 5.1(a) (ie there is a blank field), then there is no minimum dwelling allotment size applicable and DTS/DPF 5.1(a) is met. 	Minimum Dwelling Allotment Size	Minimum dwelling allotment size is 300 ha
Minimum Dwelling Allotment Size			
Minimum dwelling allotment size is 300 ha			
<p>PO 5.2</p> <p>Development resulting in more than one dwelling on an allotment supports ageing in place for the owner of the allotment or multi-generational management of farms in a manner that minimises the potential loss of land available for primary production.</p>	<p>DTS/DPF 5.2</p> <p>Dwelling that will result in more than one dwelling on an allotment where all the following are satisfied:</p> <ul style="list-style-type: none"> (a) it is located within 20m of an existing dwelling (b) shares the same utilities of the existing dwelling (c) will use the same access point from a public road as the existing dwelling (d) it is located on an allotment not less than 40ha in area (e) will not result in more than two dwellings on the allotment. 		
<p>PO 5.3</p> <p>Dwelling are sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 5.3</p> <p>Dwellings:</p> <ul style="list-style-type: none"> (a) are set back from all allotment boundaries by at least 40m (b) do not exceed 2 building levels and 9m measured from the top of the footings (c) have a wall height that is no greater than 6m. 		

<p>PO 5.4</p> <p>Dwelling additions are sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 5.4</p> <p>Additions or alterations to an existing dwelling:</p> <ul style="list-style-type: none"> (a) are set back from all allotment boundaries by at least 40m (b) do not exceed 2 building levels and 9m measured from the top of the footings (c) have a wall height that is no greater than 6m.
<p>Shops, Tourism and Function Centres</p>	
<p>PO 6.1</p> <p>Shops are associated with an existing primary production use or primary production related value adding industry to support diversification of employment, provide services to visitors and showcase local and regional products.</p>	<p>DTS/DPF 6.1</p> <p>Shops:</p> <ul style="list-style-type: none"> (a) are ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industries (b) offer for sale or consumption produce or goods that are primarily sourced, produced or manufactured on the same allotment or adjoining allotments (c) have a gross leasable floor area not exceeding 100m² or 250m² in the case of a cellar door (d) have an area for the display of produce or goods external to a building not exceeding 25m².
<p>PO 6.2</p> <p>Shops that are proposed in new buildings are sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 6.2</p> <p>Shops in new buildings:</p> <ul style="list-style-type: none"> (a) are set back from all allotment boundaries by at least 40m (b) are not sited within 100m of a sensitive receiver in other ownership (c) have a building height that does not exceed 9m above natural ground level.
<p>PO 6.3</p> <p>Tourist accommodation is associated with the primary use of the land for primary production or primary production related value adding industry to enhance and provide authentic visitor experiences.</p>	<p>DTS/DPF 6.3</p> <p>Tourist accommodation:</p> <ul style="list-style-type: none"> (a) is ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry (b) in relation to the area used for accommodation: <ul style="list-style-type: none"> (i) where in a new building, does not exceed a total floor area of 100m² (ii) where in an existing building, does not exceed a total floor area of 150m² (c) does not result in more than one facility being located on the same allotment.
<p>PO 6.4</p> <p>Tourist accommodation proposed in a new building or buildings is sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 6.4</p> <p>Tourist accommodation in new buildings:</p> <ul style="list-style-type: none"> (a) is set back from all allotment boundaries by at least 40m (b) has a building height that does not exceed 7m above natural ground level.
<p>PO 6.5</p>	<p>DTS/DPF 6.5</p>

<p>Function centres are associated with the primary use of the land for primary production or primary production related value adding industry.</p>	<p>Function centres:</p> <ul style="list-style-type: none"> (a) are ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry (b) do not result in more than 75 persons for customer dining purposes.
<p>PO 6.6</p> <p>Function centres are sited, designed and of a scale that maintains a pleasant natural and rural character and amenity.</p>	<p>DTS/DPF 6.6</p> <p>Function centres:</p> <ul style="list-style-type: none"> (a) are located on an allotment having an area of at least 5ha (b) are set back from all property boundaries by at least 40m (c) are not sited within 100m of a sensitive receiver in other ownership (d) have a building height that does not exceed 9m above natural ground level.
<p>Offices</p>	
<p>PO 7.1</p> <p>Offices are directly related to and associated with the primary use of the land for primary production or primary production related value adding industry.</p>	<p>DTS/DPF 7.1</p> <p>Offices:</p> <ul style="list-style-type: none"> (a) are ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry (b) have a gross leasable floor area not exceeding 100m².
<p>Adaptive Reuse of Existing Buildings</p>	
<p>PO 8.1</p> <p>Adaptive reuse of existing buildings for small-scale shops, offices, tourist accommodation or ancillary rural activities.</p>	<p>DTS/DPF 8.1</p> <p>Development within an existing building is for any of the following:</p> <ul style="list-style-type: none"> (a) a shop (b) office (c) tourist accommodation.
<p>Renewable Energy Facilities</p>	
<p>PO 9.1</p> <p>Renewable energy facilities and ancillary development minimises significant fragmentation or displacement of existing primary production.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Small-scale, ground-mounted solar power facilities support rural production or value-adding industries.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>
<p>Built Form and Character</p>	
<p>PO 10.1</p> <p>Large buildings are designed and sited to reduce impacts on scenic and rural vistas by:</p> <ul style="list-style-type: none"> (a) having substantial setbacks from boundaries and adjacent public roads (b) using low-reflective materials and finishes that blend with the surrounding landscape 	<p>DTS/DPF 10.1</p> <p>None are applicable.</p>

(c) being located below ridgelines.	
Land Division	
<p>PO 11.1</p> <p>Land division, including boundary realignments, promotes productive, efficient and sustainable primary production.</p>	<p>DTS/DPF 11.1</p> <p>Allotments have an area not less than:</p> <p>In relation to DTS/DPF 11.1, in instances where:</p> <ul style="list-style-type: none"> (a) more than one value is returned in the same field, refer to the <i>Minimum Site Area Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development (b) no value is returned (i.e. there is a blank field), then none are applicable and the relevant development cannot be classified as deemed-to-satisfy.
<p>PO 11.2</p> <p>Land division, including boundary realignments, which facilitates the more intensive use of the land should occur only where:</p> <ul style="list-style-type: none"> (a) the allotments are of a size and configuration to support the existing and proposed land uses (b) water of sufficient quality and quantity is available to sustain the proposed use (c) the use will be compatible with adjacent or nearby uses of land. 	<p>DTS/DPF 11.2</p> <p>None are applicable.</p>
<p>PO 11.3</p> <p>Allotment boundaries, including by realignment, are positioned to incorporate sufficient space around existing residential, tourist accommodation and other habitable buildings (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) to:</p> <ul style="list-style-type: none"> (a) maintain a pleasant rural character and amenity for occupants (b) manage vegetation within the same allotment to mitigate bushfire hazard. 	<p>DTS/DPF 11.3</p> <p>Allotment boundaries are located no closer to an existing residential, tourist accommodation or other habitable building than the greater of the following:</p> <ul style="list-style-type: none"> (a) 40m (b) the distance required to accommodate an asset protection zone wholly within the relevant allotment.
Agricultural Buildings	
<p>PO 12.1</p> <p>Agricultural buildings and associated activities are sited, designed and of a scale that maintains a pleasant rural character and function.</p>	<p>DTS/DPF 12.1</p> <p>Agricultural buildings:</p> <ul style="list-style-type: none"> (a) are located on an allotment having an area of at least 10ha (b) are set back at least 50m from an allotment boundary (c) have a building height not exceeding 10m above natural ground level (d) do not exceed 500m² in total floor area (e) incorporate the loading and unloading of vehicles within the confines of the allotment.
Outbuildings, Carports and Verandahs	
<p>PO 13.1</p> <p>Outbuildings are sited, designed and of a scale that maintains a</p>	<p>DTS/DPF 13.1</p> <p>Outbuildings:</p>

<p>pleasant rural character and amenity.</p>	<ul style="list-style-type: none"> (a) have a primary street setback that is at least as far back as the building to which it is ancillary (b) have a combined total floor area that does not exceed 150m² (c) have walls that do not exceed 5m in height measured from natural ground level (not including a gable end) (d) have a total roof height that does not exceed 6m measured from natural ground level (e) if clad in sheet metal, it is pre-colour treated or painted in a non-reflective colour (f) will not result in more than 2 outbuildings on the same allotment .
<p>PO 13.2 Carports and verandahs are sited, designed and of a scale to maintain a pleasant rural character and amenity.</p>	<p>DTS/DPF 13.2 Carports and verandahs:</p> <ul style="list-style-type: none"> (a) are set back from the primary street at least as far back as the building to which it is ancillary (b) have a total floor area that does not exceed 80m² (c) have a post height that does not exceed 3m measured from natural ground level (not including a gable end) (d) have a total roof height that does not exceed 5m measured from natural ground level (e) if clad in sheet metal, it is pre-colour treated or painted in a non-reflective colour.
<p>Concept Plans</p>	
<p>PO 14.1 Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 14.1 The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant: In relation to DTS/DPF 14.1, in instances where:</p> <ul style="list-style-type: none"> (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 14.1 is met.
<p>Advertisements</p>	
<p>PO 15.1 Freestanding advertisements that identify the associated business without creating a visually dominant element within the locality.</p>	<p>DTS/DPF 15.1 Freestanding advertisements:</p> <ul style="list-style-type: none"> (a) do not exceed 2m in height (b) do not have a sign face that exceeds 2m² per side.

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

A class of development listed in Column A is excluded from notification provided that it does not fall within a corresponding exclusion prescribed in Column B. In instances where development falls within multiple classes within Column A, each clause is to be read independently such that if a development is excluded from notification by any clause, it is, for the purposes of notification excluded irrespective of any other clause.

Class of Development (Column A)	Exceptions (Column B)
<p>1. A kind of 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.</p>	<p>None specified.</p>
<p>2. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) advertisement (b) agricultural building (c) air handling unit, air conditioning system or exhaust fan (d) ancillary accommodation (e) building work on railway land (f) carport (g) dwelling (h) dwelling addition (i) farming (j) fence (k) horse keeping (l) internal building works (m) land division (n) outbuilding (o) private bushfire shelter (p) protective tree netting structure (q) replacement building (r) retaining wall (s) shade sail (t) solar photovoltaic panels (roof mounted) (u) swimming pool or spa pool (v) temporary accommodation in an area affected by bushfire (w) tree damaging activity (x) verandah (y) water tank. 	<p>None specified.</p>
<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"> (a) industry (b) store (c) warehouse. 	<p>Except development that exceeds the total floor area limit expressed in Rural Zone DTS/DPF 4.1(c) or does not satisfy Rural Zone DTS/DPF 4.3.</p>
<p>4. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place

	2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
5. Function centre.	Except function centre that does not satisfy any of the following: <ol style="list-style-type: none"> 1. Rural Zone DTS/DPF 6.5(b) 2. Rural Zone DTS/DPF 6.6.
6. Horticulture.	Except horticulture that does not satisfy any of the following: <ol style="list-style-type: none"> 1. Rural Zone DTS/DPF 3.1(d) 2. Rural Zone DTS/DPF 3.1(e) 3. Rural Zone DTS/DPF 3.1(f).
7. Shop.	Except shop that exceeds the gross leasable floor area limit expressed in Rural Zone DTS/DPF 6.1(c) or does not satisfy Rural Zone DTS/DPF 6.2.
8. Tourist accommodation.	Except tourist accommodation that does not satisfy any of the following: <ol style="list-style-type: none"> 1. Rural Zone DTS/DPF 6.3(b) 2. Rural Zone DTS/DPF 6.4.

Placement of Notices - Exemptions for Performance Assessed Development

Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to place a notice on the relevant land under section 107(3)(a)(ii) of the *Planning, Development and Infrastructure Act 2016* does not apply in the Rural Zone.

Placement of Notices - Exemptions for Restricted Development

Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to place a notice on the relevant land under section 110(2)(a)(iv) of the *Planning, Development and Infrastructure Act 2016* does not apply in the Rural Zone.

Part 3 - Overlays

Airport Building Heights (Regulated) Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 Building height does not pose a hazard to the operation of a certified or registered aerodrome.	DTS/DPF 1.1 Buildings are located outside the area identified as 'All structures' (no height limit is prescribed) and do not exceed the height specified in the Airport Building Heights (Regulated) Overlay which applies to the subject site as shown on the SA Property and Planning Atlas. In instances where more than one value applies to the site, the lowest value relevant to the site of the proposed development is applicable.
PO 1.2 Exhaust stacks are designed and sited to minimise plume impacts on aircraft movements associated with a certified or registered aerodrome.	DTS/DPF 1.2 Development does not include exhaust stacks.

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
Any of the following classes of development: (a) building located in an area identified as 'All structures' (no height limit is prescribed) or will exceed the height specified in the <i>Airport Building Heights (Regulated) Overlay</i> (b) building comprising exhaust stacks that generates plumes, or may cause plumes to be generated, above a height specified in the <i>Airport Building Heights (Regulated) Overlay</i> .	The airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, the Secretary of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth.	To provide expert assessment and direction to the relevant authority on potential impacts on the safety and operation of aviation activities.	Development of a class to which Schedule 9 clause 3 item 1 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Building Near Airfields Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Maintain the operational and safety requirements of certified commercial and military airfields, airports, airstrips and

	helicopter landing sites through management of non-residential lighting, turbulence and activities that may attract or result in the congregation of wildlife.
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Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Outdoor lighting associated with a non-residential use does not pose a hazard to commercial or military aircraft operations.</p>	<p>DTS/DPF 1.1</p> <p>Development:</p> <ul style="list-style-type: none"> (a) primarily or wholly for residential purposes (b) for non-residential purposes that does not incorporate outdoor floodlighting.
<p>PO 1.2</p> <p>Development likely to attract or result in the congregation of wildlife is adequately separated from airfields to minimise the potential for aircraft wildlife strike.</p>	<p>DTS/DPF 1.2</p> <p>All development except where it comprises one or more of the following located not less than 3km from the boundaries of an airport used by commercial or military aircraft:</p> <ul style="list-style-type: none"> (a) food packing/processing plant (b) horticulture (c) intensive animal husbandry (d) showground (e) waste management facility (f) waste transfer station (g) wetland (h) wildlife sanctuary.
<p>PO 1.3</p> <p>Buildings are adequately separated from runways and other take-off and landing facilities within certified or registered aerodromes to minimise the potential for building-generated turbulence and windshear that may pose a safety hazard to aircraft flight movement.</p>	<p>DTS/DPF 1.3</p> <p>The distance from any part of a runway centreline to the closest point of the building is not less than 35 times the building height.</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

Dwelling Excision Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Creation of allotments to accommodate existing habitable dwellings in primary production areas is limited to avoid undermining primary production.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Division	
<p>PO 1.1</p> <p>Land division creating an additional allotment to accommodate an existing dwelling does not undermine the role of primary production areas by being limited and designed to achieve the following:</p> <ul style="list-style-type: none"> (a) accommodate a dwelling that has had a long term association with primary production on the same allotment (b) contain the excised dwelling within an allotment capable of providing a suitable rural residential amenity (c) maintain all other land (ie land outside the allotment containing the excised dwelling) in suitably sized allotments to support primary production (d) no other dwelling has been excised from the primary production allotment. 	<p>DTS/DPF 1.1</p> <p>Land division satisfies all the following:</p> <ul style="list-style-type: none"> (a) no other dwelling has previously been excised from the allotment by creating an additional allotment (b) it does not create more than one additional allotment where the resultant allotments satisfy (i) and (ii): <ul style="list-style-type: none"> (i) one allotment will contain a single existing lawful dwelling that existed prior to 1 December 2011 and meets all of the following: <ul style="list-style-type: none"> A. no allotment boundary is closer than 40m to an existing dwelling B. the allotment is no less than 1 hectare and no greater than 4 hectares in area C. if the allotment is of a battle-axe configuration, the driveway 'handle' is no more than 50 metres in length (ii) any other allotment has an area not less than that identified in the Minimum Site Area Technical and Numeric Variation layer in the SA planning database.

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

Hazards (Bushfire - Regional) Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development, including land division responds to the relevant level of bushfire risk and is sited and designed to mitigate the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change.
DO 2	To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting	
PO 1.1 Buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.	DTS/DPF 1.1 None are applicable.
Built Form	
PO 2.1 Buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.	DTS/DPF 2.1 None are applicable.
PO 2.2 Extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) in the event of bushfire.	DTS/DPF 2.2 Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.
Habitable Buildings	
PO 3.1 To minimise the threat, impact and exposure to bushfires on life and property, residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation	DTS/DPF 3.1 None are applicable.

<p>and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.</p>	
<p>PO 3.2 Residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers accommodation) is sited away from vegetated areas that pose an unacceptable bushfire risk.</p>	<p>DTS/DPF 3.2 Residential and tourist accommodation and habitable buildings for vulnerable communities are provided with asset protection zone(s) in accordance with (a) and (b):</p> <ul style="list-style-type: none"> (a) the asset protection zone has a minimum width of at least: <ul style="list-style-type: none"> (i) 50 metres to unmanaged grasslands (ii) 100 metres to hazardous bushland vegetation (b) the asset protection zone is contained wholly within the allotment of the development.
<p>PO 3.3 Residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) has a dedicated and accessible water supply available at all times for fire-fighting purposes.</p>	<p>DTS/DPF 3.3 Development has a dedicated water supply available at all times for fire-fighting purposes:</p> <ul style="list-style-type: none"> (a) comprising a minimum of 5000 litres (b) positioned in an accessible location and accompanied with necessary equipment to allow occupants to minimise the spread of bushfire to the habitable building(s).
<p>Land Division</p>	
<p>PO 4.1 Land division is designed to and incorporates measures to minimise the danger of fire hazard to residents and occupants of buildings, and to protect buildings and property from physical damage in the event of a bushfire.</p>	<p>DTS/DPF 4.1 None are applicable.</p>
<p>PO 4.2 Land division designed to provide a continuous street pattern to facilitate the safe movement and evacuation of emergency vehicles, residents, occupants and visitors.</p>	<p>DTS/DPF 4.2 None are applicable.</p>
<p>PO 4.3 Where 10 or more new allotments are proposed, land division includes at least two separate and safe exit points to enable multiple avenues of evacuation in the event of a bushfire.</p>	<p>DTS/DPF 4.3 None are applicable.</p>
<p>PO 4.4 Land division incorporates perimeter roads of adequate design in conjunction with bushfire buffer zones to achieve adequate separation between residential allotments and areas of unacceptable bushfire risk and to support safe access for the purposes of fire-fighting.</p>	<p>DTS/DPF 4.4 None are applicable.</p>
<p>Vehicle Access -Roads and Driveways</p>	
<p>PO 5.1 Roads are designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel 	<p>DTS/DPF 5.1 Roads:</p> <ul style="list-style-type: none"> (a) are constructed with a formed, all-weather surface (b) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the road

<p>(b) evacuation of residents, occupants and visitors.</p>	<p>(c) have a cross fall of not more than 6 degrees (1-in-9.5) at any point along the road</p> <p>(d) have a minimum formed road width of 6m</p> <p>(e) provide overhead clearance of not less than 4.0m between the road surface and overhanging branches or other obstructions including buildings and/or structures (Figure 1)</p> <p>(f) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around road curves by constructing the curves with a minimum external radius of 12.5m (Figure 2)</p> <p>(g) incorporating cul-de-sac endings or dead end roads do not exceed 200m in length and the end of the road has either:</p> <ul style="list-style-type: none"> (i) a turning area with a minimum formed surface radius of 12.5m (Figure 3) or (ii) a 'T' or 'Y' shaped turning area with a minimum formed surface length of 11m and minimum internal radii of 9.5m (Figure 4) <p>(h) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.</p>
<p>PO 5.2</p> <p>Access to habitable buildings is designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel (b) evacuation of residents, occupants and visitors. 	<p>DTS/DPF 5.2</p> <p>Access is in accordance with (a) or (b):</p> <ul style="list-style-type: none"> (a) a clear and unobstructed vehicle or pedestrian pathway of not greater than 60 metres in length is available between the most distant part of the habitable building and the nearest part of a formed public access road (b) driveways: <ul style="list-style-type: none"> (i) do not exceed 600m in length (ii) are constructed with a formed, all-weather surface (iii) are connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8) (iv) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway (v) have a crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway (vi) have a minimum formed width of 3m (4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (vii) incorporate passing bays with a minimum width of 6m and length of 17m every 200m (Figure 5) (viii) provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (ix) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5m (Figure 2)

	<p>(x) allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either:</p> <ul style="list-style-type: none"> A. a loop road around the building or B. a turning area with a minimum radius of 12.5m (Figure 3) or C. a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m (Figure 4) <p>(xi) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.</p>
<p>PO 5.3 Development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.</p>	<p>DTS/DPF 5.3 None are applicable.</p>

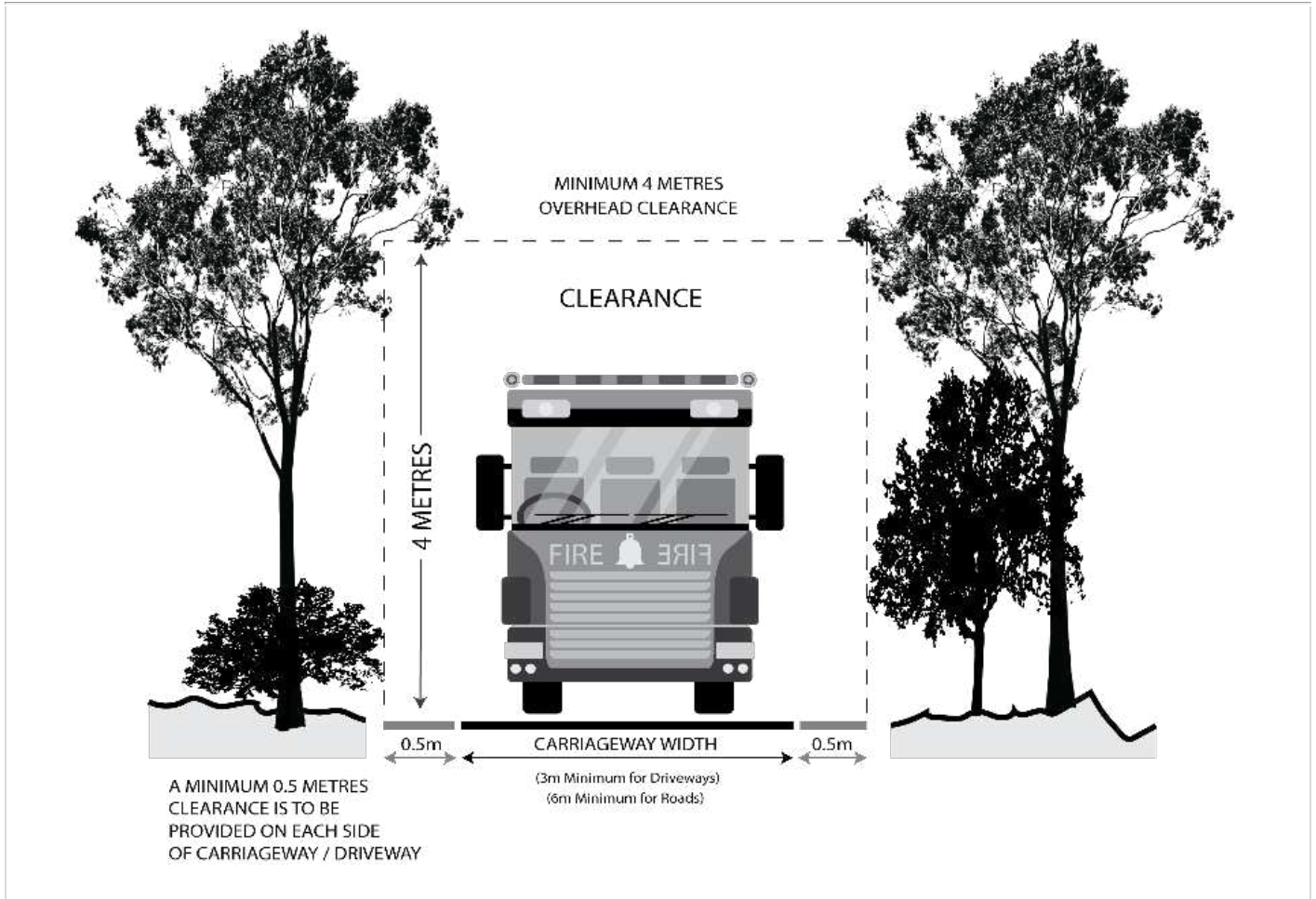
Procedural Matters (PM) - Referrals

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

Figures and Diagrams

<p>Fire Appliance Clearances</p>
<p>Figure 1 - Overhead and Side Clearances</p>



Roads and Driveway Design

Figure 2 - Road and Driveway Curves

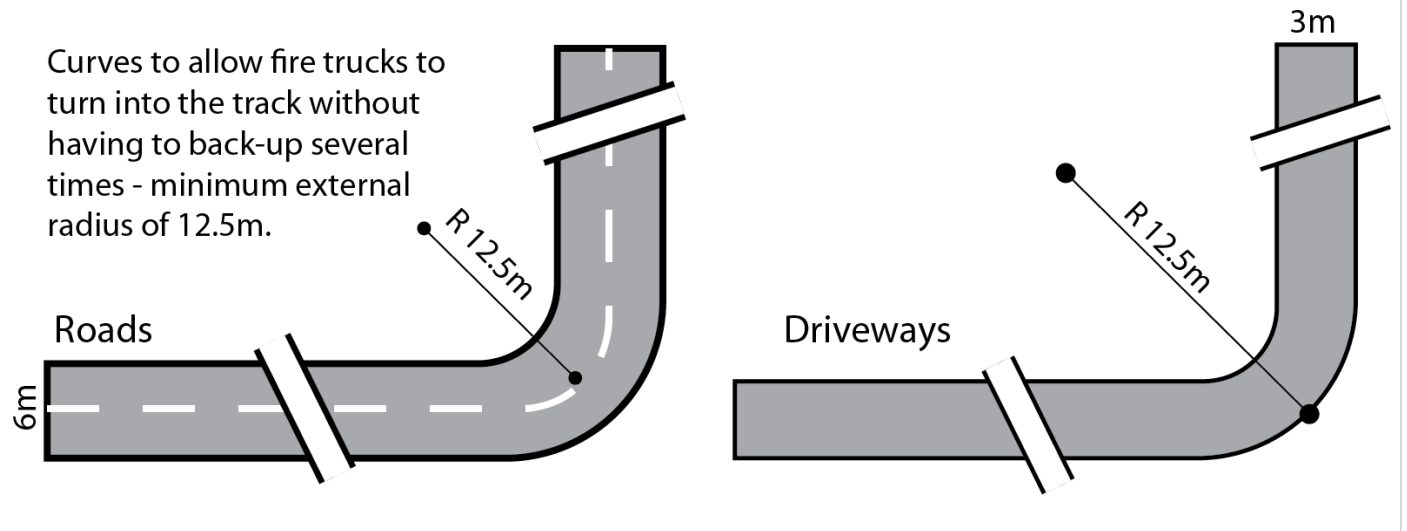


Figure 3 - Full Circle Turning Area

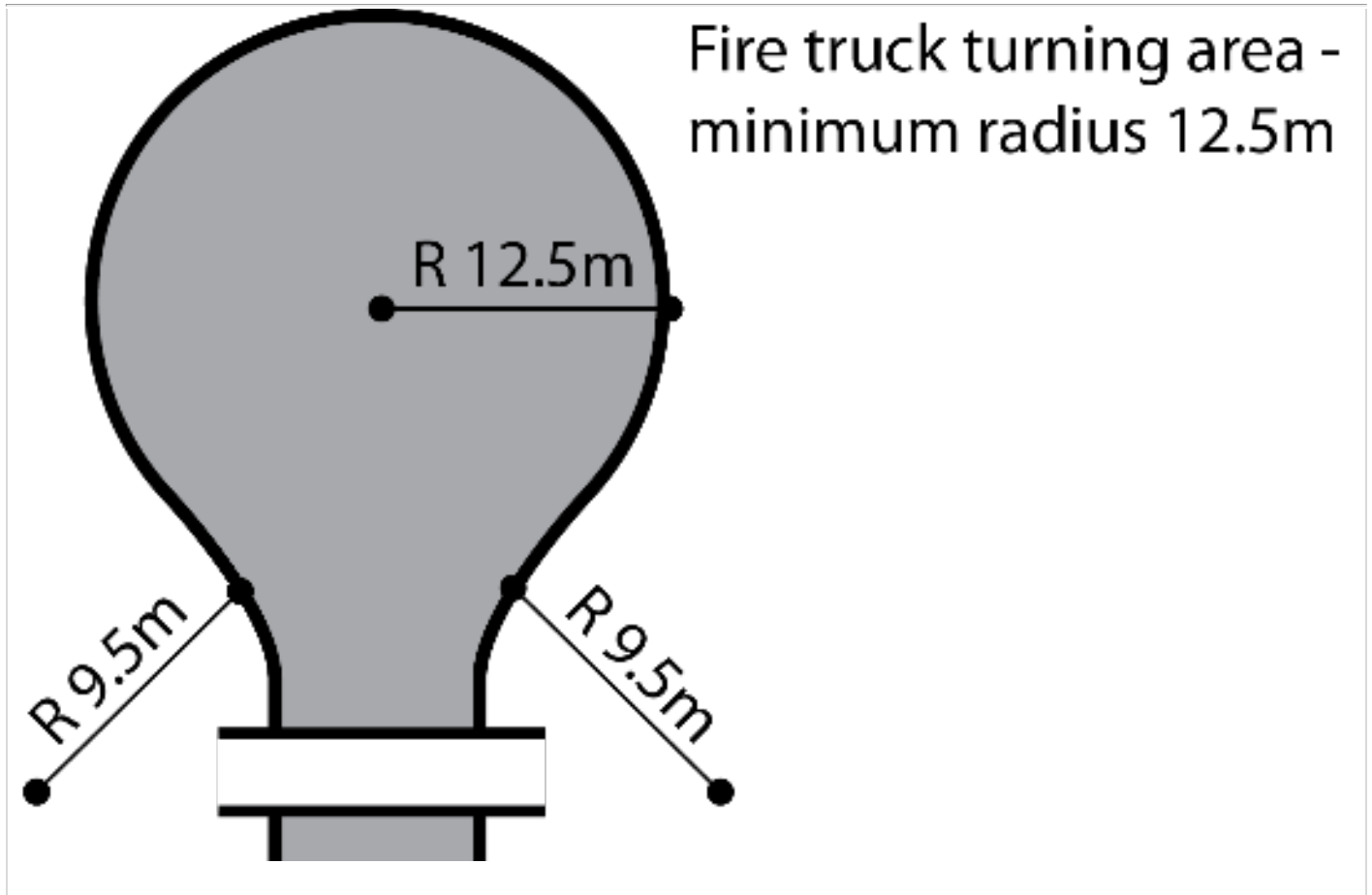
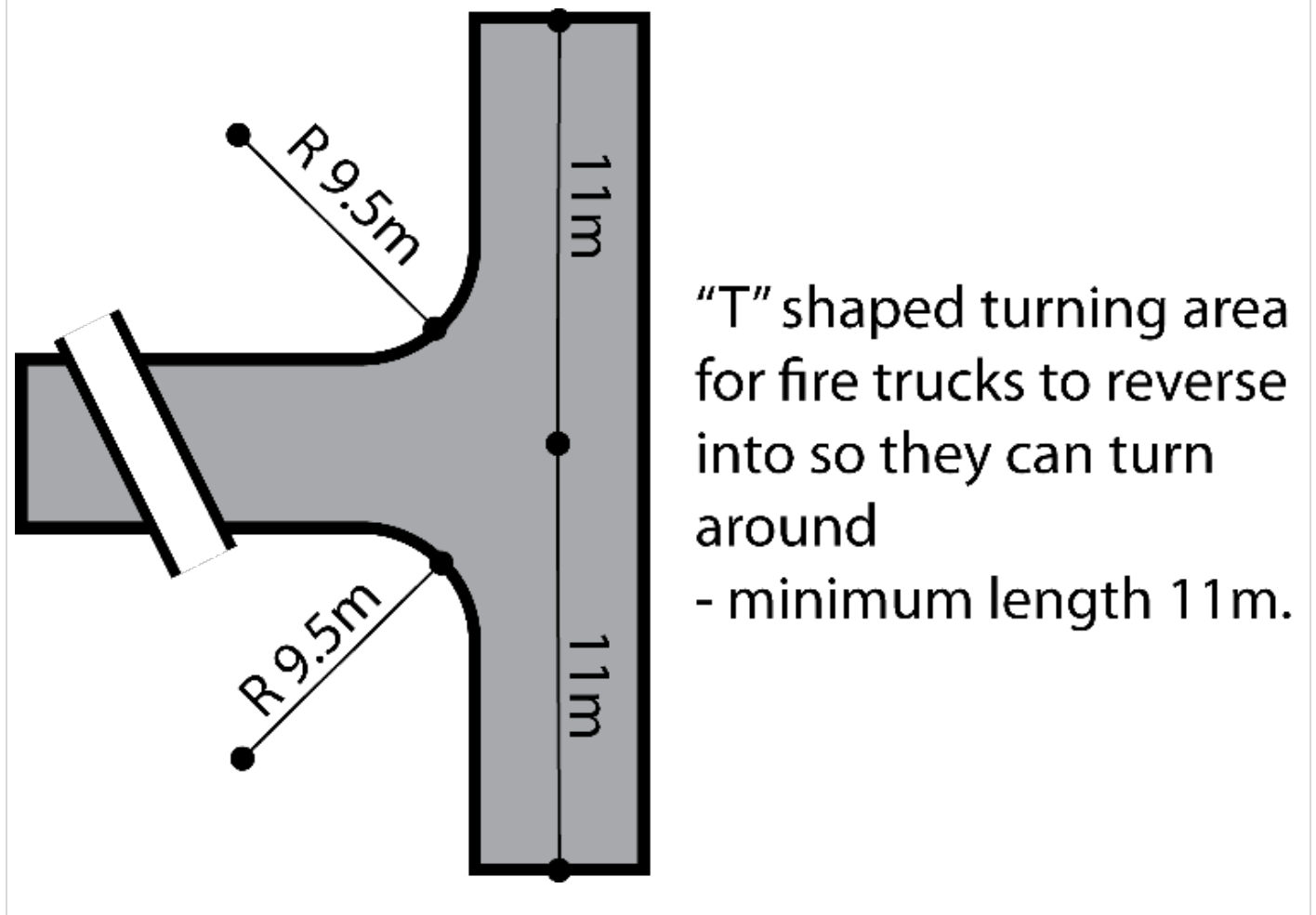


Figure 4 - 'T' or 'Y' Shaped Turning Head



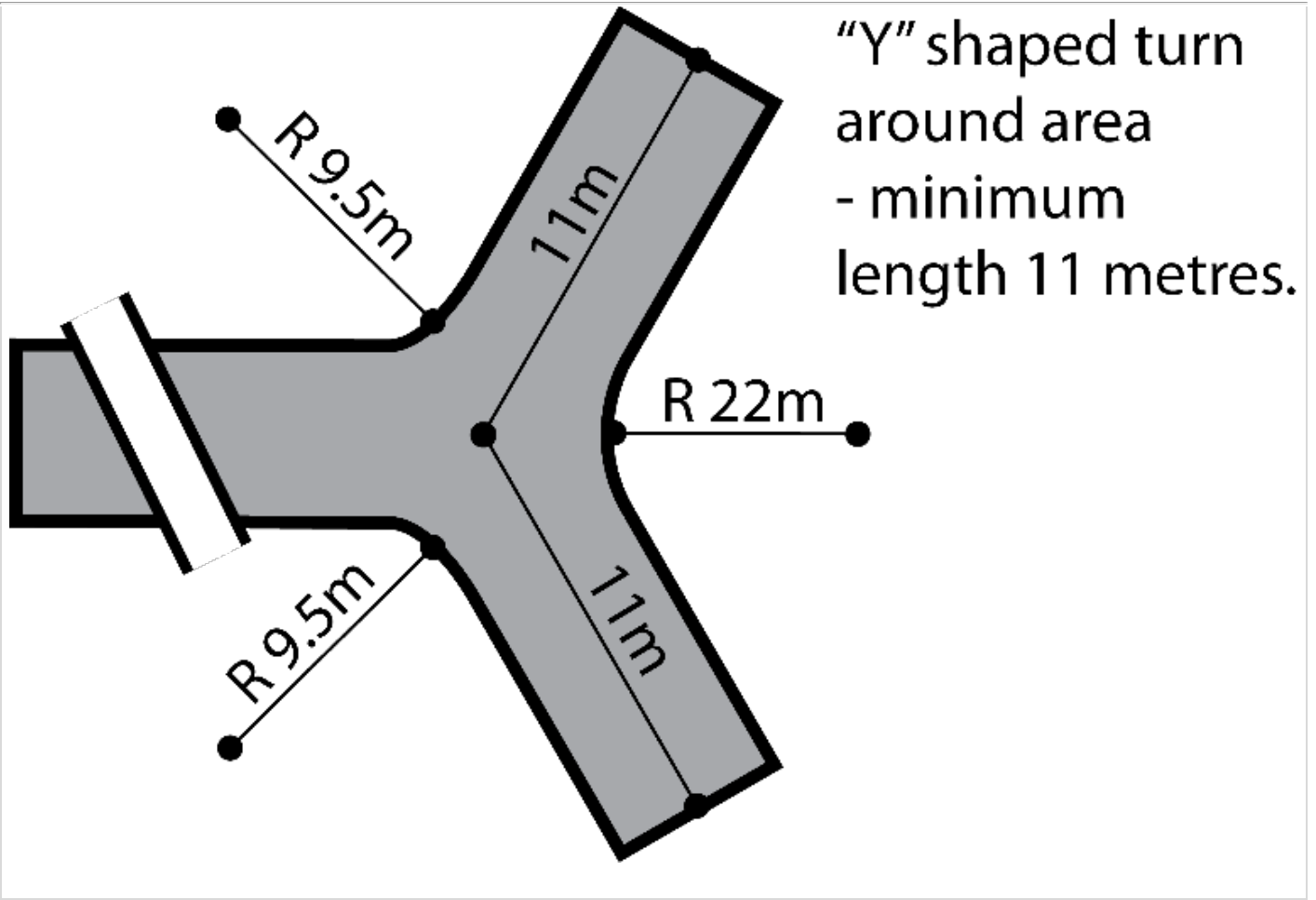
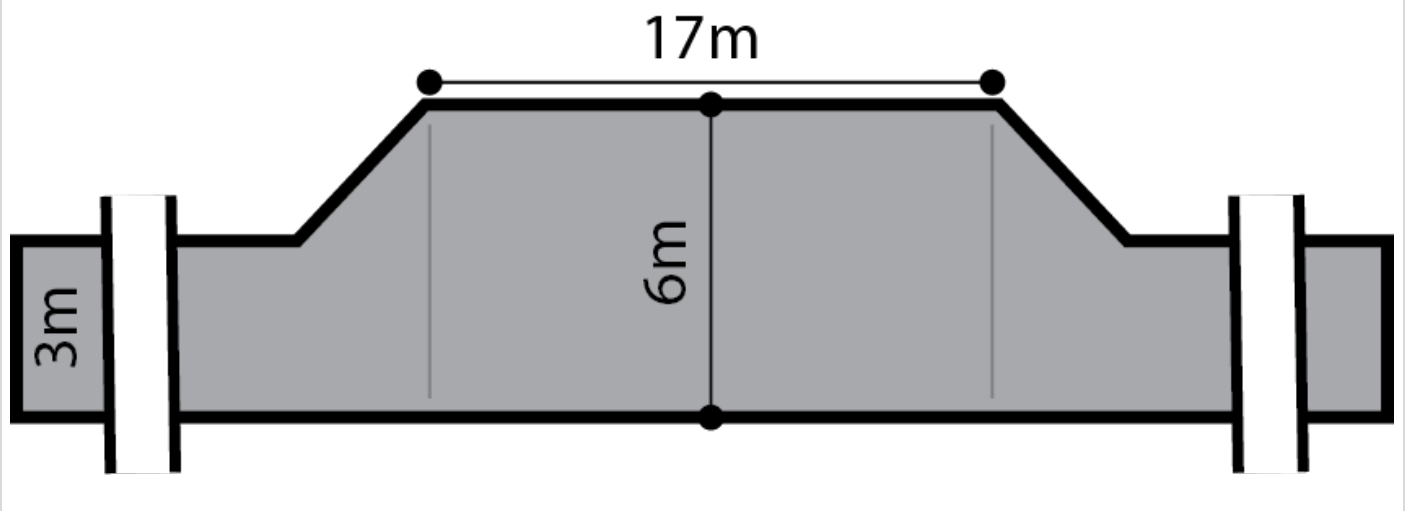


Figure 5 - Driveway Passing Bays

Passing bay for fire trucks - minimum width 6 metres, minimum length 17 metres.



Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome

DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: <ul style="list-style-type: none"> (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb
Environmental Protection	
PO 2.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building.	DTS/DPF 2.1 Development does not involve the storage of hazardous materials.

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

Limited Land Division Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	The long term use of land for primary production is maintained by minimising fragmentation through division of land.

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

Performance Outcome	Deemed-to-Satisfy Criteria /
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Designated Performance Feature	
General	
PO 1.1 Land division does not result in the creation of an additional allotment.	DTS/DPF 1.1 No additional allotments are created.
PO 1.2 Land division involving boundary realignments occurs only where the number of resulting allotments with a site area less than that specified in the relevant Zone is not greater than the number that existed prior to the realignment.	DTS/DPF 1.2 None are applicable.

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

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and	DTS/DPF 1.1 An application is accompanied by: (a) a declaration stating that the proposal will not, or would

<p>building maintenance.</p>	<p>not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur:</p> <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area <p>or</p> <ul style="list-style-type: none"> (b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <ul style="list-style-type: none"> (a) significant wildlife habitat and movement corridors (b) rare, vulnerable or endangered plants species (c) native vegetation that is significant because it is located in an area which has been extensively cleared (d) native vegetation that is growing in, or in association with, a wetland environment. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Intensive animal husbandry and agricultural activities are sited, set back and designed to minimise impacts on native vegetation, including impacts on native vegetation in an adjacent State Significant Native Vegetation Area, from:</p> <ul style="list-style-type: none"> (a) the spread of pest plants and phytophthora (b) the spread of non-indigenous plants species (c) excessive nutrient loading of the soil or loading arising from surface water runoff (d) soil compaction (e) chemical spray drift. 	<p>DTS/DPF 1.3</p> <p>Development within 500 metres of a boundary of a State Significant Native Vegetation Area does not involve any of the following:</p> <ul style="list-style-type: none"> (a) horticulture (b) intensive animal husbandry (c) dairy (d) commercial forestry (e) aquaculture.
<p>PO 1.4</p> <p>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
<p>Land division</p>	
<p>PO 2.1</p> <p>Land division does not result in the fragmentation of land containing native vegetation, or necessitate the clearance of native vegetation, unless such clearance is considered minor, taking into account the location of allotment boundaries, access ways, fire breaks, boundary fencing and potential building siting or the like.</p>	<p>DTS/DPF 2.1</p> <p>Land division where:</p> <ul style="list-style-type: none"> (a) an application is accompanied by one of the following: <ul style="list-style-type: none"> (i) a declaration stating that none of the allotments in the proposed plan of division contain native vegetation under the <i>Native Vegetation Act 1991</i> (ii) a declaration stating that no native vegetation clearance under the <i>Native Vegetation Act 1991</i>

	<p>will be required as a result of the division of land</p> <p>(iii) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the vegetation to be cleared is categorised as 'Level 1 clearance'</p> <p>or</p> <p>(b) an application for land division which is being considered concurrently with a proposal to develop each allotment which will satisfy, or would satisfy, the requirements of DTS/DPF 1.1, including any clearance that may occur or</p> <p>(c) the division is to support a Heritage Agreement under the Native Vegetation Act 1991 or the <i>Heritage Places Act 1993</i>.</p>
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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
Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.	Native Vegetation Council	To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.	Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Part 4 - General Development Policies

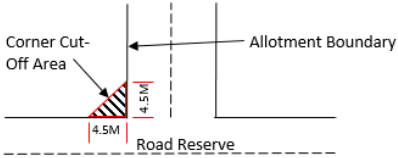
Advertisements

Assessment Provisions (AP)

Desired Outcome	
DO 1	Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Appearance	
<p>PO 1.1</p> <p>Advertisements are compatible and integrated with the design of the building and/or land they are located on.</p>	<p>DTS/DPF 1.1</p> <p>Advertisements attached to a building satisfy all of the following:</p> <ul style="list-style-type: none"> (a) are not located in a Neighbourhood-type zone (b) where they are flush with a wall: <ul style="list-style-type: none"> (i) if located at canopy level, are in the form of a fascia sign (ii) if located above canopy level: <ul style="list-style-type: none"> A. do not have any part rising above parapet height B. are not attached to the roof of the building (c) where they are not flush with a wall: <ul style="list-style-type: none"> (i) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (ii) if attached to a two-storey building: <ul style="list-style-type: none"> A. has no part located above the finished floor level of the second storey of the building B. does not protrude beyond the outer limits of any verandah structure below C. does not have a sign face that exceeds 1m² per side. (d) if located below canopy level, are flush with a wall (e) if located at canopy level, are in the form of a fascia sign (f) if located above a canopy: <ul style="list-style-type: none"> (i) are flush with a wall (ii) do not have any part rising above parapet height (iii) are not attached to the roof of the building. (g) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (h) if attached to a two-storey building, have no part located above the finished floor level of the second storey of the building (i) where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building facade to which they are attached.
<p>PO 1.2</p> <p>Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.</p>	<p>DTS/DPF 1.2</p> <p>Where development comprises an advertising hoarding, the supporting structure is:</p>

	<ul style="list-style-type: none"> (a) concealed by the associated advertisement and decorative detailing or (b) not visible from an adjacent public street or thoroughfare, other than a support structure in the form of a single or dual post design.
<p>PO 1.3</p> <p>Advertising does not encroach on public land or the land of an adjacent allotment.</p>	<p>DTS/DPF 1.3</p> <p>Advertisements and/or advertising hoardings are contained within the boundaries of the site.</p>
<p>PO 1.4</p> <p>Where possible, advertisements on public land are integrated with existing structures and infrastructure.</p>	<p>DTS/DPF 1.4</p> <p>Advertisements on public land that meet at least one of the following:</p> <ul style="list-style-type: none"> (a) achieves Advertisements DTS/DPF 1.1 (b) are integrated with a bus shelter.
<p>PO 1.5</p> <p>Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
Proliferation of Advertisements	
<p>PO 2.1</p> <p>Proliferation of advertisements is minimised to avoid visual clutter and untidiness.</p>	<p>DTS/DPF 2.1</p> <p>No more than one freestanding advertisement is displayed per occupancy.</p>
<p>PO 2.2</p> <p>Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.</p>	<p>DTS/DPF 2.2</p> <p>Advertising of a multiple business or activity complex is located on a single advertisement fixture or structure.</p>
<p>PO 2.3</p> <p>Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.</p>	<p>DTS/DPF 2.3</p> <p>Advertisements satisfy all of the following:</p> <ul style="list-style-type: none"> (a) are attached to a building (b) other than in a Neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building facade to which they are attached (c) do not result in more than one sign per occupancy that is not flush with a wall.
Advertising Content	
<p>PO 3.1</p> <p>Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.</p>	<p>DTS/DPF 3.1</p> <p>Advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement.</p>
Amenity Impacts	
<p>PO 4.1</p> <p>Light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers.</p>	<p>DTS/DPF 4.1</p> <p>Advertisements do not incorporate any illumination.</p>

Safety	
<p>PO 5.1</p> <p>Advertisements and/or advertising hoardings erected on a verandah or projecting from a building wall are designed and located to allow for safe and convenient pedestrian access.</p>	<p>DTS/DPF 5.1</p> <p>Advertisements have a minimum clearance of 2.5m between the top of the footpath and base of the underside of the sign.</p>
<p>PO 5.2</p> <p>Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination.</p>	<p>DTS/DPF 5.2</p> <p>No advertisement illumination is proposed.</p>
<p>PO 5.3</p> <p>Advertisements and/or advertising hoardings do not create a hazard to drivers by:</p> <ul style="list-style-type: none"> (a) being liable to interpretation by drivers as an official traffic sign or signal (b) obscuring or impairing drivers' view of official traffic signs or signals (c) obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings. 	<p>DTS/DPF 5.3</p> <p>Advertisements satisfy all of the following:</p> <ul style="list-style-type: none"> (a) are not located in a public road or rail reserve (b) are located wholly outside the land shown as 'Corner Cut-Off Area' in the following diagram 
<p>PO 5.4</p> <p>Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.</p>	<p>DTS/DPF 5.4</p> <p>Advertisements and/or advertising hoardings are not located along or adjacent to a road having a speed limit of 80km/h or more.</p>
<p>PO 5.5</p> <p>Advertisements and/or advertising hoardings provide sufficient clearance from the road carriageway to allow for safe and convenient movement by all road users.</p>	<p>DTS/DPF 5.5</p> <p>Where the advertisement or advertising hoarding is:</p> <ul style="list-style-type: none"> (a) on a kerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 0.6m from the roadside edge of the kerb (b) on an unkerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 5.5m from the edge of the seal (c) on any other kerbed or unkerbed road, the advertisement or advertising hoarding is located a minimum of the following distance from the roadside edge of the kerb or the seal: <ul style="list-style-type: none"> (a) 110 km/h road - 14m (b) 100 km/h road - 13m (c) 90 km/h road - 10m (d) 70 or 80 km/h road - 8.5m.
<p>PO 5.6</p> <p>Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.</p>	<p>DTS/DPF 5.6</p> <p>Advertising:</p> <ul style="list-style-type: none"> (a) is not illuminated (b) does not incorporate a moving or changing display or message (c) does not incorporate a flashing light(s).

Animal Keeping and Horse Keeping

Assessment Provisions (AP)

Desired Outcome	
DO 1	Animals are kept at a density that is not beyond the carrying capacity of the land and in a manner that minimises their adverse effects on the environment, local amenity and surrounding development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting and Design	
PO 1.1 Animal keeping, horse keeping and associated activities do not create adverse impacts on the environment or the amenity of the locality.	DTS/DPF 1.1 None are applicable.
PO 1.2 Animal keeping and horse keeping is located and managed to minimise the potential transmission of disease to other operations where animals are kept.	DTS/DPF 1.2 None are applicable.
Horse Keeping	
PO 2.1 Water from stable wash-down areas is directed to appropriate absorption areas and/or drainage pits to minimise pollution of land and water.	DTS/DPF 2.1 None are applicable.
PO 2.2 Stables, horse shelters or associated yards are sited appropriate distances away from sensitive receivers and/or allotments in other ownership to avoid adverse impacts from dust, erosion and odour.	DTS/DPF 2.2 Stables, horse shelters and associated yards are sited in accordance with all of the following: <ul style="list-style-type: none"> (a) 30m or more from any sensitive receivers (existing or approved) on land in other ownership (b) where an adjacent allotment is vacant and in other ownership, 30m or more from the boundary of that allotment.
PO 2.3 All areas accessible to horses are separated from septic tank effluent disposal areas to protect the integrity of that system. Stable flooring is constructed with an impervious material to facilitate	DTS/DPF 2.3 Septic tank effluent disposal areas are enclosed with a horse-proof barrier such as a fence to exclude horses from this area.

regular cleaning.	
PO 2.4 To minimise environmental harm and adverse impacts on water resources, stables, horse shelters and associated yards are appropriately set back from a watercourse.	DTS/DPF 2.4 Stables, horse shelters and associated yards are set back 50m or more from a watercourse.
PO 2.5 Stables, horse shelters and associated yards are located on slopes that are stable to minimise the risk of soil erosion and water runoff.	DTS/DPF 2.5 Stables, horse shelters and associated yards are not located on land with a slope greater than 10% (1-in-10).
Kennels	
PO 3.1 Kennel flooring is constructed with an impervious material to facilitate regular cleaning.	DTS/DPF 3.1 The floors of kennels satisfy all of the following: (a) are constructed of impervious concrete (b) are designed to be self-draining when washed down.
PO 3.2 Kennels and exercise yards are designed and sited to minimise noise nuisance to neighbours through measures such as: (a) adopting appropriate separation distances (b) orientating openings away from sensitive receivers.	DTS/DPF 3.2 Kennels are sited 500m or more from the nearest sensitive receiver on land in other ownership.
PO 3.3 Dogs are regularly observed and managed to minimise nuisance impact on adjoining sensitive receivers from animal behaviour.	DTS/DPF 3.3 Kennels are sited in association with a permanent dwelling on the land.
Wastes	
PO 4.1 Storage of manure, used litter and other wastes (other than wastewater lagoons) is designed, constructed and managed to minimise attracting and harbouring vermin.	DTS/DPF 4.1 None are applicable.
PO 4.2 Facilities for the storage of manure, used litter and other wastes (other than wastewater lagoons) are located to minimise the potential for polluting water resources.	DTS/DPF 4.2 Waste storage facilities (other than wastewater lagoons) are located outside the 1% AEP flood event areas.

Aquaculture

Assessment Provisions (AP)

Desired Outcome	
DO 1	Aquaculture facilities are developed in an ecologically, economically and socially sustainable manner to support an equitable sharing of marine, coastal and inland resources and mitigate conflict with other water-based and land-based uses.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land-based Aquaculture	
<p>PO 1.1</p> <p>Land-based aquaculture and associated components are sited and designed to mitigate adverse impacts on nearby sensitive receivers.</p>	<p>DTS/DPF 1.1</p> <p>Land-based aquaculture and associated components are located to satisfy all of the following:</p> <ul style="list-style-type: none"> (a) 200m or more from a sensitive receiver in other ownership (b) 500m or more from the boundary of a zone primarily intended to accommodate sensitive receivers.
<p>PO 1.2</p> <p>Land-based aquaculture and associated components are sited and designed to prevent surface flows from entering ponds in a 1% AEP sea flood level event.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Land-based aquaculture and associated components are sited and designed to prevent pond leakage that would pollute groundwater.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Land-based aquaculture and associated components are sited and designed to prevent farmed species escaping and entering into any waters.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
<p>PO 1.5</p> <p>Land-based aquaculture and associated components, including intake and discharge pipes, are designed to minimise the need to traverse sensitive areas to minimise impact on the natural environment.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
<p>PO 1.6</p> <p>Pipe inlets and outlets associated with land-based aquaculture are sited and designed to minimise the risk of disease transmission.</p>	<p>DTS/DPF 1.6</p> <p>None are applicable.</p>
<p>PO 1.7</p> <p>Storage areas associated with aquaculture activity are integrated with the use of the land and sited and designed to minimise their visual impact on the surrounding environment.</p>	<p>DTS/DPF 1.7</p> <p>None are applicable.</p>
Marine Based Aquaculture	
<p>PO 2.1</p> <p>Marine aquaculture is sited and designed to minimise its adverse impacts on sensitive ecological areas including:</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>

<ul style="list-style-type: none"> (a) creeks and estuaries (b) wetlands (c) significant seagrass and mangrove communities (d) marine habitats and ecosystems. 	
<p>PO 2.2</p> <p>Marine aquaculture is sited in areas with adequate water current to disperse sediments and dissolve particulate wastes to prevent the build-up of waste that may cause environmental harm.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>Marine aquaculture is designed to not involve discharge of human waste on the site, on any adjacent land or into nearby waters.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Marine aquaculture (other than inter-tidal aquaculture) is located an appropriate distance seaward of the high water mark.</p>	<p>DTS/DPF 2.4</p> <p>Marine aquaculture development is located 100m or more seaward of the high water mark.</p>
<p>PO 2.5</p> <p>Marine aquaculture is sited and designed to not obstruct or interfere with:</p> <ul style="list-style-type: none"> (a) areas of high public use (b) areas, including beaches, used for recreational activities such as swimming, fishing, skiing, sailing and other water sports (c) areas of outstanding visual or environmental value (d) areas of high tourism value (e) areas of important regional or state economic activity, including commercial ports, wharfs and jetties (f) the operation of infrastructure facilities including inlet and outlet pipes associated with the desalination of sea water. 	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
<p>PO 2.6</p> <p>Marine aquaculture is sited and designed to minimise interference and obstruction to the natural processes of the coastal and marine environment.</p>	<p>DTS/DPF 2.6</p> <p>None are applicable.</p>
<p>PO 2.7</p> <p>Marine aquaculture is designed to be as unobtrusive as practicable by incorporating measures such as:</p> <ul style="list-style-type: none"> (a) using feed hoppers painted in subdued colours and suspending them as close as possible to the surface of the water (b) positioning structures to protrude the minimum distance practicable above the surface of the water (c) avoiding the use of shelters and structures above cages and platforms unless necessary to exclude predators and protected species from interacting with the farming structures and/or stock inside the cages, or for safety reasons (d) positioning racks, floats and other farm structures in unobtrusive locations landward from the shoreline. 	<p>DTS/DPF 2.7</p> <p>None are applicable.</p>
<p>PO 2.8</p>	<p>DTS/DPF 2.8</p>

Access, launching and maintenance facilities utilise existing established roads, tracks, ramps and paths to or from the sea where possible to minimise environmental and amenity impacts.	None are applicable.
PO 2.9 Access, launching and maintenance facilities are developed as common user facilities and are co-located where practicable to mitigate adverse impacts on coastal areas.	DTS/DPF 2.9 None are applicable.
PO 2.10 Marine aquaculture is sited to minimise potential impacts on, and to protect the integrity of, reserves under the <i>National Parks and Wildlife Act 1972</i> .	DTS/DPF 2.10 Marine aquaculture is located 1000m or more seaward of the boundary of any reserve under the <i>National Parks and Wildlife Act 1972</i> .
PO 2.11 Onshore storage, cooling and processing facilities do not impair the coastline and its visual amenity by: (a) being sited, designed, landscaped and of a scale to reduce the overall bulk and appearance of buildings and complement the coastal landscape (b) making provision for appropriately sited and designed vehicular access arrangements, including using existing vehicular access arrangements as far as practicable (c) incorporating appropriate waste treatment and disposal.	DTS/DPF 2.11 None are applicable.
Navigation and Safety	
PO 3.1 Marine aquaculture sites are suitably marked to maintain navigational safety.	DTS/DPF 3.1 None are applicable.
PO 3.2 Marine aquaculture is sited to provide adequate separation between farms for safe navigation.	DTS/DPF 3.2 None are applicable.
Environmental Management	
PO 4.1 Marine aquaculture is maintained to prevent hazards to people and wildlife, including breeding grounds and habitats of native marine mammals and terrestrial fauna, especially migratory species.	DTS/DPF 4.1 None are applicable.
PO 4.2 Marine aquaculture is designed to facilitate the relocation or removal of structures in the case of emergency such as oil spills, algal blooms and altered water flows.	DTS/DPF 4.2 None are applicable.
PO 4.3 Marine aquaculture provides for progressive or future reclamation of disturbed areas ahead of, or upon, decommissioning.	DTS/DPF 4.3 None are applicable.
PO 4.4 Aquaculture operations incorporate measures for the removal and	DTS/DPF 4.4 None are applicable.

disposal of litter, disused material, shells, debris, detritus, dead animals and animal waste to prevent pollution of waters, wetlands, or the nearby coastline.	
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Beverage Production in Rural Areas

Assessment Provisions (AP)

Desired Outcome	
DO 1	Mitigation of potential amenity and environmental impacts of value-adding beverage production facilities such as wineries, distilleries, cideries and breweries.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Odour and Noise	
PO 1.1 Beverage production activities are designed and sited to minimise odour impacts on rural amenity.	DTS/DPF 1.1 None are applicable.
PO 1.2 Beverage production activities are designed and sited to minimise noise impacts on sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.3 Fermentation, distillation, manufacturing, storage, packaging and bottling activities occur within enclosed buildings to improve the visual appearance within a locality and manage noise associated with these activities.	DTS/DPF 1.3 None are applicable.
PO 1.4 Breweries are designed to minimise odours emitted during boiling and fermentation stages of production.	DTS/DPF 1.4 Brew kettles are fitted with a vapour condenser.
PO 1.5 Beverage production solid wastes are stored in a manner that minimises odour impacts on sensitive receivers in other ownership.	DTS/DPF 1.5 Solid waste from beverage production is collected and stored in sealed containers and removed from the site within 48 hours.
Water Quality	
PO 2.1 Beverage production wastewater management systems (including	DTS/DPF 2.1 Wastewater management systems are set back 50m or more from

wastewater irrigation) are set back from watercourses to minimise adverse impacts on water resources.	the banks of watercourses and bores.
PO 2.2 The storage or disposal of chemicals or hazardous substances is undertaken in a manner to prevent pollution of water resources.	DTS/DPF 2.2 None are applicable.
PO 2.3 Stormwater runoff from areas that may cause contamination due to beverage production activities (including vehicle movements and machinery operations) is drained to an onsite stormwater treatment system to manage potential environmental impacts.	DTS/DPF 2.3 None are applicable.
PO 2.4 Stormwater runoff from areas unlikely to cause contamination by beverage production and associated activities (such as roof catchments and clean hard-paved surfaces) is diverted away from beverage production areas and wastewater management systems.	DTS/DPF 2.4 None are applicable.
Wastewater Irrigation	
PO 3.1 Beverage production wastewater irrigation systems are designed and located to not contaminate soil and surface and ground water resources or damage crops.	DTS/DPF 3.1 None are applicable.
PO 3.2 Beverage production wastewater irrigation systems are designed and located to minimise impact on amenity and avoid spray drift onto adjoining land.	DTS/DPF 3.2 Beverage production wastewater is not irrigated within 50m of any dwelling in other ownership.
PO 3.3 Beverage production wastewater is not irrigated onto areas that pose an undue risk to the environment or amenity such as: (a) waterlogged areas (b) land within 50m of a creek, swamp or domestic or stock water bore (c) land subject to flooding (d) steeply sloping land (e) rocky or highly permeable soil overlaying an unconfined aquifer.	DTS/DPF 3.3 None are applicable.

Bulk Handling and Storage Facilities

Assessment Provisions (AP)

Desired Outcome	
DO 1	Facilities for the bulk handling and storage of agricultural, mineral, petroleum, rock, ore or other similar commodities are

	designed to minimise adverse impacts on transport networks, the landscape and surrounding land uses.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting and Design	
<p>PO 1.1</p> <p>Bulk handling and storage facilities are sited and designed to minimise risks of adverse air quality and noise impacts on sensitive receivers.</p>	<p>DTS/DPF 1.1</p> <p>Facilities for the handling, storage and dispatch of commodities in bulk (excluding processing) meet the following minimum separation distances from sensitive receivers:</p> <ul style="list-style-type: none"> (a) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility (including sea-port grain terminals), where the handling of these materials into or from vessels does not exceed 100 tonnes per day: 300m or more from residential premises not associated with the facility (b) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility: 300m or more from residential premises not associated with the facility (c) bulk petroleum storage involving individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1,000 cubic metres: 500m or more (d) coal handling with: <ul style="list-style-type: none"> a. capacity up to 1 tonne per day or a storage capacity up to 50 tonnes: 500m or more b. capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes: 1000m or more.
Buffers and Landscaping	
<p>PO 2.1</p> <p>Bulk handling and storage facilities incorporate a buffer area for the establishment of dense landscaping adjacent road frontages to enhance the appearance of land and buildings from public thoroughfares.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Bulk handling and storage facilities incorporate landscaping to assist with screening and dust filtration.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
Access and Parking	
<p>PO 3.1</p> <p>Roadways and vehicle parking areas associated with bulk handling and storage facilities are designed and surfaced to control dust emissions and prevent drag out of material from the site.</p>	<p>DTS/DPF 3.1</p> <p>Roadways and vehicle parking areas are sealed with an all-weather surface.</p>
Slipways, Wharves and Pontoons	

<p>PO 4.1</p> <p>Slipways, wharves and pontoons used for the handling of bulk materials (such as fuel, oil, catch, bait and the like) incorporate catchment devices to avoid the release of materials into adjacent waters.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
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Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.</p>	<p>DTS/DPF 1.1</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

Design

Assessment Provisions (AP)

Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local

	amenity and to minimise energy consumption.
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Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
External Appearance	
PO 1.1 Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).	DTS/DPF 1.1 None are applicable.
PO 1.2 Where zero or minor setbacks are desirable, development provides shelter over footpaths (<u>in the form of verandahs, awnings, canopies and the like, with adequate lighting</u>) to positively contribute to the walkability, comfort and safety of the public realm.	DTS/DPF 1.2 None are applicable.
PO 1.3 Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.	DTS/DPF 1.3 None are applicable.
PO 1.4 Plant, exhaust and intake vents and other technical equipment is integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by: <ul style="list-style-type: none"> (a) positioning plant and equipment in unobtrusive locations viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses. 	DTS/DPF 1.4 Development does not incorporate any structures that protrude beyond the roofline.
PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.	DTS/DPF 1.5 None are applicable.
Safety	
PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is designed to differentiate public, communal and	DTS/DPF 2.2 None are applicable.

private areas.	
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.
PO 2.5 Common areas and entry points of buildings (such as the foyer areas of residential buildings), and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF 2.5 None are applicable.
Landscaping	
PO 3.1 Soft landscaping and tree planting is incorporated to: (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes (e) contribute to biodiversity.	DTS/DPF 3.1 None are applicable.
PO 3.2 Soft landscaping and tree planting maximises the use of locally indigenous plant species, incorporates plant species best suited to current and future climate conditions and avoids pest plant and weed species.	DTS/DPF 3.2 None are applicable.
Environmental Performance	
PO 4.1 Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.	DTS/DPF 4.1 None are applicable.
PO 4.2 Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.	DTS/DPF 4.2 None are applicable.
PO 4.3 Buildings incorporate climate-responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.	DTS/DPF 4.3 None are applicable.
Water Sensitive Design	
PO 5.1 Development is sited and designed to maintain natural hydrological	DTS/DPF 5.1 None are applicable.

<p>systems without negatively impacting:</p> <ul style="list-style-type: none"> (a) the quantity and quality of surface water and groundwater (b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs. 	
On-site Waste Treatment Systems	
<p>PO 6.1</p> <p>Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.</p>	<p>DTS/DPF 6.1</p> <p>Effluent disposal drainage areas do not:</p> <ul style="list-style-type: none"> (a) encroach within an area used as private open space or result in less private open space than that specified in Design Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
Carparking Appearance	
<p>PO 7.1</p> <p>Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on the streetscapes through techniques such as:</p> <ul style="list-style-type: none"> (a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure. 	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.</p>	<p>DTS/DPF 7.3</p> <p>None are applicable.</p>
<p>PO 7.4</p> <p>Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.</p>	<p>DTS/DPF 7.4</p> <p>None are applicable.</p>
<p>PO 7.5</p> <p>Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.</p>	<p>DTS/DPF 7.5</p> <p>None are applicable.</p>
<p>PO 7.6</p> <p>Vehicle parking areas and associated driveways are landscaped to</p>	<p>DTS/DPF 7.6</p> <p>None are applicable.</p>

<p>provide shade and positively contribute to amenity.</p>	
<p>PO 7.7 Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.</p>	<p>DTS/DPF 7.7 None are applicable.</p>
<p>Earthworks and sloping land</p>	
<p>PO 8.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1 Development does not involve any of the following: (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.</p>
<p>PO 8.2 Driveways and access tracks are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).</p>	<p>DTS/DPF 8.2 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b): (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.</p>
<p>PO 8.3 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8): (a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development (c) are designed to integrate with the natural topography of the land.</p>	<p>DTS/DPF 8.3 None are applicable.</p>
<p>PO 8.4 Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on-site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4 None are applicable.</p>
<p>PO 8.5 Development does not occur on land at risk of landslip nor increases the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5 None are applicable.</p>
<p>Fences and Walls</p>	
<p>PO 9.1 Fences, walls and retaining walls are of sufficient height to maintain privacy and security without unreasonably impacting the visual amenity and adjoining land's access to sunlight or the amenity of public places.</p>	<p>DTS/DPF 9.1 None are applicable.</p>

<p>PO 9.2</p> <p>Landscaping incorporated on the low side of retaining walls is visible from public roads and public open space to minimise visual impacts.</p>	<p>DTS/DPF 9.2</p> <p>A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.</p>
<p>Overlooking / Visual Privacy (in building 3 storeys or less)</p>	
<p>PO 10.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.</p>	<p>DTS/DPF 10.1</p> <p>Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
<p>PO 10.2</p> <p>Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
<p>All Residential development</p>	
<p>Front elevations and passive surveillance</p>	
<p>PO 11.1</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 11.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street.
<p>PO 11.2</p> <p>Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.</p>	<p>DTS/DPF 11.2</p> <p>Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.</p>
<p>Outlook and amenity</p>	
<p>PO 12.1</p>	<p>DTS/DPF 12.1</p>

<p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.</p>
<p>PO 12.2 Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p>	<p>DTS/DPF 12.2 None are applicable.</p>
<p>Ancillary Development</p>	
<p>PO 13.1 Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 13.1 Ancillary buildings:</p> <ul style="list-style-type: none"> (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m² (c) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> (i) is set back at least 5.5m from the boundary of the primary street (ii) when facing a primary street or secondary street, has a total door / opening not exceeding: <ul style="list-style-type: none"> A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width (e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless: <ul style="list-style-type: none"> (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent (f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary (g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure (h) have a wall height or post height not exceeding 3m above natural ground level (i) have a roof height where no part of the roof is more than

	<p>5m above the natural ground level</p> <ul style="list-style-type: none"> (j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour (k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less: <ul style="list-style-type: none"> (i) a total area as determined by the following table: <table border="1" data-bbox="1007 315 1517 837"> <thead> <tr> <th style="background-color: #1a3d54; color: white;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="background-color: #1a3d54; color: white;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td>150-200</td> <td>15%</td> </tr> <tr> <td>201-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table> (ii) the amount of existing soft landscaping prior to the development occurring. 	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>PO 13.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision or car parking requirements and do not result in over-development of the site.</p>	<p>DTS/DPF 13.2</p> <p>Ancillary buildings and structures do not result in:</p> <ul style="list-style-type: none"> (a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space (b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas. 										
<p>PO 13.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa is positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers.</p>	<p>DTS/DPF 13.3</p> <p>The pump and/or filtration system is ancillary to a dwelling erected on the same site and is:</p> <ul style="list-style-type: none"> (a) enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room located on an adjoining allotment or (b) located at least 12m from the nearest habitable room located on an adjoining allotment. 										
Garage appearance											
<p>PO 14.1</p> <p>Garaging is designed to not detract from the streetscape or appearance of a dwelling.</p>	<p>DTS/DPF 14.1</p> <p>Garages and carports facing a street:</p> <ul style="list-style-type: none"> (a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling (b) are set back at least 5.5m from the boundary of the primary street (c) have a garage door / opening not exceeding 7m in width (d) have a garage door /opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public 										

	street.
Massing	
PO 15.1 The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.	DTS/DPF 15.1 None are applicable
Dwelling additions	
PO 16.1 Dwelling additions are sited and designed to not detract from the streetscape or amenity of adjoining properties and do not impede on-site functional requirements.	DTS / DPF 16.1 Dwelling additions: (a) are not constructed, added to or altered so that any part is situated closer to a public street (b) do not result in: (i) excavation exceeding a vertical height of 1m (ii) filling exceeding a vertical height of 1m (iii) a total combined excavation and filling vertical height of 2m or more (iv) less Private Open Space than specified in Design Table 1 - Private Open Space (v) less on-site parking than specified in Transport Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas (vi) upper level windows facing side or rear boundaries unless: A. they are permanently obscured to a height of 1.5m above finished floor level that is fixed or not capable of being opened more than 200mm or B. have sill heights greater than or equal to 1.5m above finished floor level or C. incorporate screening to a height of 1.5m above finished floor level (vii) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: A. 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land B. 1.7m above finished floor level in all other cases.
Private Open Space	
PO 17.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	DTS/DPF 17.1 Private open space is provided in accordance with Design Table 1 - Private Open Space.
Water Sensitive Design	

<p>PO 18.1</p> <p>Residential development creating a common driveway / access includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.</p>	<p>DTS/DPF 18.1</p> <p>Residential development creating a common driveway / access that services 5 or more dwellings achieves the following stormwater runoff outcomes:</p> <ul style="list-style-type: none"> (a) 80 per cent reduction in average annual total suspended solids (b) 60 per cent reduction in average annual total phosphorus (c) 45 per cent reduction in average annual total nitrogen.
<p>PO 18.2</p> <p>Residential development creating a common driveway / access includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.</p>	<p>DTS/DPF 18.2</p> <p>Development creating a common driveway / access that services 5 or more dwellings:</p> <ul style="list-style-type: none"> (a) maintains the pre-development peak flow rate from the site based upon a 0.35 runoff coefficient for the 18.1% AEP 30-minute storm and the stormwater runoff time to peak is not increased or captures and retains the difference in pre-development runoff volume (based upon a 0.35 runoff coefficient) vs post development runoff volume from the site for an 18.1% AEP 30-minute storm; and (b) manages site generated stormwater runoff up to and including the 1% AEP flood event to avoid flooding of buildings.
<p>Car parking, access and manoeuvrability</p>	
<p>PO 19.1</p> <p>Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.1</p> <p>Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):</p> <ul style="list-style-type: none"> (a) single width car parking spaces: <ul style="list-style-type: none"> (i) a minimum length of 5.4m per space (ii) a minimum width of 3.0m (iii) a minimum garage door width of 2.4m (b) double width car parking spaces (side by side): <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space.
<p>PO 19.2</p> <p>Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.2</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> (a) a minimum length of 5.4m (b) a minimum width of 2.4m (c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m
<p>PO 19.3</p> <p>Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-</p>	<p>DTS/DPF 19.3</p> <p>Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point</p>

street parking.	provided on the site.
<p>PO 19.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 19.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed: <ul style="list-style-type: none"> (i) is set back 6m or more from the tangent point of an intersection of 2 or more roads (ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing (iii) does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.
<p>PO 19.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 19.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport is not steeper than 1:4 on average (b) they are aligned relative to the street boundary so that there is no more than a 20 degree deviation from 90 degrees between the centreline of any dedicated car parking space to which it provides access (measured from the front of that space) and the street boundary (c) if located to provide access from an alley, lane or right of way - the alley, land or right or way is at least 6.2m wide along the boundary of the allotment / site
<p>PO 19.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 19.6</p> <p>Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:</p> <ul style="list-style-type: none"> (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
Waste storage	
<p>PO 20.1</p> <p>Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 20.1</p> <p>None are applicable.</p>
Design of Transportable Dwellings	
<p>PO 21.1</p> <p>The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.</p>	<p>DTS/DPF 21.1</p> <p>Buildings satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) are not transportable

	<p>or</p> <p>(b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.</p>										
Group dwelling, residential flat buildings and battle-axe development											
Amenity											
<p>PO 22.1</p> <p>Dwellings are of a suitable size to accommodate a layout that is well organised and provides a high standard of amenity for occupants.</p>	<p>DTS/DPF 22.1</p> <p>Dwellings have a minimum internal floor area in accordance with the following table:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Number of bedrooms</th> <th style="text-align: center;">Minimum internal floor area</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Studio</td> <td style="text-align: center;">35m²</td> </tr> <tr> <td style="text-align: center;">1 bedroom</td> <td style="text-align: center;">50m²</td> </tr> <tr> <td style="text-align: center;">2 bedroom</td> <td style="text-align: center;">65m²</td> </tr> <tr> <td style="text-align: center;">3+ bedrooms</td> <td style="text-align: center;">80m² and any dwelling over 3 bedrooms provides an additional 15m² for every additional bedroom</td> </tr> </tbody> </table>	Number of bedrooms	Minimum internal floor area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	65m ²	3+ bedrooms	80m ² and any dwelling over 3 bedrooms provides an additional 15m ² for every additional bedroom
Number of bedrooms	Minimum internal floor area										
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3+ bedrooms	80m ² and any dwelling over 3 bedrooms provides an additional 15m ² for every additional bedroom										
<p>PO 22.2</p> <p>The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.</p>	<p>DTS/DPF 22.2</p> <p>None are applicable.</p>										
<p>PO 22.3</p> <p>Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.</p>	<p>DTS/DPF 22.3</p> <p>None are applicable.</p>										
<p>PO 22.4</p> <p>Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.</p>	<p>DTS/DPF 22.4</p> <p>Dwelling sites/allotments are not in the form of a battle-axe arrangement.</p>										
Communal Open Space											
<p>PO 23.1</p> <p>Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.</p>	<p>DTS/DPF 23.1</p> <p>None are applicable.</p>										
<p>PO 23.2</p> <p>Communal open space is of sufficient size and dimensions to cater for group recreation.</p>	<p>DTS/DPF 23.2</p> <p>Communal open space incorporates a minimum dimension of 5 metres.</p>										
<p>PO 23.3</p> <p>Communal open space is designed and sited to:</p>	<p>DTS/DPF 23.3</p> <p>None are applicable.</p>										

<p>(a) be conveniently accessed by the dwellings which it services</p> <p>(b) have regard to acoustic, safety, security and wind effects.</p>	
<p>PO 23.4</p> <p>Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.</p>	<p>DTS/DPF 23.4</p> <p>None are applicable.</p>
<p>PO 23.5</p> <p>Communal open space is designed and sited to:</p> <p>(a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings</p> <p>(b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.</p>	<p>DTS/DPF 23.5</p> <p>None are applicable.</p>
<p>Carparking, access and manoeuvrability</p>	
<p>PO 24.1</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 24.1</p> <p>Where on-street parking is available directly adjacent the site, on-street parking is retained adjacent the subject site in accordance with the following requirements:</p> <p>(a) minimum 0.33 on-street car parks per proposed dwellings (rounded up to the nearest whole number)</p> <p>(b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly</p> <p>(c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.</p>
<p>PO 24.2</p> <p>The number of vehicular access points onto public roads is minimised to reduce interruption of the footpath and positively contribute to public safety and walkability.</p>	<p>DTS/DPF 24.2</p> <p>Access to group dwellings or dwellings within a residential flat building is provided via a single common driveway.</p>
<p>PO 24.3</p> <p>Residential driveways that service more than one dwelling are designed to allow safe and convenient movement.</p>	<p>DTS/DPF 24.3</p> <p>Driveways that service more than 1 dwelling or a dwelling on a battle-axe site:</p> <p>(a) have a minimum width of 3m</p> <p>(b) for driveways servicing more than 3 dwellings:</p> <p>(i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street</p> <p>(ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.</p>
<p>PO 24.4</p> <p>Residential driveways in a battle-axe configuration are designed to allow safe and convenient movement.</p>	<p>DTS/DPF 24.4</p> <p>Where in a battle-axe configuration, a driveway servicing one dwelling has a minimum width of 3m.</p>
<p>PO 24.5</p>	<p>DTS/DPF 24.5</p>

Residential driveways that service more than one dwelling are designed to allow passenger vehicles to enter and exit the site and manoeuvre within the site in a safe and convenient manner.	Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre.
PO 24.6 Dwellings are adequately separated from common driveways and manoeuvring areas.	DTS/DPF 24.6 Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.
Soft Landscaping	
PO 25.1 Soft landscaping is provided between dwellings and common driveways to improve the outlook for occupants and appearance of common areas.	DTS/DPF 25.1 Other than where located directly in front of a garage or a building entry, soft landscaping with a minimum dimension of 1m is provided between a dwelling and common driveway.
PO 25.2 Soft landscaping is provided that improves the appearance of common driveways.	DTS/DPF 25.2 Where a common driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).
Site Facilities / Waste Storage	
PO 26.1 Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.	DTS/DPF 26.1 None are applicable.
PO 26.2 Provision is made for suitable external clothes drying facilities.	DTS/DPF 26.2 None are applicable.
PO 26.3 Provision is made for suitable household waste and recyclable material storage facilities which are: (a) located away, or screened, from public view, and (b) conveniently located in proximity to dwellings and the waste collection point.	DTS/DPF 26.3 None are applicable.
PO 26.4 Waste and recyclable material storage areas are located away from dwellings.	DTS/DPF 26.4 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.
PO 26.5 Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.	DTS/DPF 26.5 None are applicable.
PO 26.6 Services including gas and water meters are conveniently located and screened from public view.	DTS/DPF 26.6 None are applicable.

Supported accommodation and retirement facilities	
Siting and Configuration	
PO 27.1 Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.	DTS/DPF 27.1 None are applicable.
Movement and Access	
PO 28.1 Development is designed to support safe and convenient access and movement for residents by providing: (a) ground-level access or lifted access to all units (b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places (c) car parks with gradients no steeper than 1-in-40 and of sufficient area to provide for wheelchair manoeuvrability (d) kerb ramps at pedestrian crossing points.	DTS/DPF 28.1 None are applicable.
Communal Open Space	
PO 29.1 Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.	DTS/DPF 29.1 None are applicable.
PO 29.2 Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.	DTS/DPF 29.2 None are applicable.
PO 29.3 Communal open space is of sufficient size and dimensions to cater for group recreation.	DTS/DPF 29.3 Communal open space incorporates a minimum dimension of 5 metres.
PO 29.4 Communal open space is designed and sited to: (a) be conveniently accessed by the dwellings which it services (b) have regard to acoustic, safety, security and wind effects.	DTS/DPF 29.4 None are applicable.
PO 29.5 Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.	DTS/DPF 29.5 None are applicable.
PO 29.6 Communal open space is designed and sited to: (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings (b) in relation to ground floor communal space, be overlooked	DTS/DPF 29.6 None are applicable.

by habitable rooms to facilitate passive surveillance.	
Site Facilities / Waste Storage	
PO 30.1 Development is designed to provide storage areas for personal items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric powered vehicles.	DTS/DPF 30.1 None are applicable.
PO 30.2 Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.	DTS/DPF 30.2 None are applicable.
PO 30.3 Provision is made for suitable external clothes drying facilities.	DTS/DPF 28.3 None are applicable.
PO 30.4 Provision is made for suitable household waste and recyclable material storage facilities conveniently located and screened from public view.	DTS/DPF 30.4 None are applicable.
PO 30.5 Waste and recyclable material storage areas are located away from dwellings.	DTS/DPF 30.5 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.
PO 30.6 Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time.	DTS/DPF 30.6 None are applicable.
PO 30.7 Services including gas and water meters are conveniently located and screened from public view.	DTS/DPF 30.7 None are applicable.
All non-residential development	
Water Sensitive Design	
PO 31.1 Development likely to result in significant risk of export of litter, oil or grease includes stormwater management systems designed to minimise pollutants entering stormwater.	DTS/DPF 31.1 None are applicable.
PO 31.2 Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.	DTS/DPF 31.2 None are applicable.
Wash-down and Waste Loading and Unloading	
PO 32.1 Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, vessels, plant or	DTS/DPF 32.1 None are applicable.

<p>equipment are:</p> <ul style="list-style-type: none"> (a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off (b) paved with an impervious material to facilitate wastewater collection (c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area (d) designed to drain wastewater to either: <ul style="list-style-type: none"> (i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or (ii) a holding tank and its subsequent removal off-site on a regular basis. 	
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Table 1 - Private Open Space

Dwelling Type	Minimum Rate
Dwelling (at ground level)	<p>Total private open space area:</p> <ul style="list-style-type: none"> (a) Site area <301m²: 24m² located behind the building line. (b) Site area ≥ 301m²: 60m² located behind the building line. <p>Minimum directly accessible from a living room: 16m² / with a minimum dimension 3m.</p>
Dwelling (above ground level)	<p>Studio (no separate bedroom): 4m² with a minimum dimension 1.8m</p> <p>One bedroom: 8m² with a minimum dimension 2.1m</p> <p>Two bedroom dwelling: 11m² with a minimum dimension 2.4m</p> <p>Three + bedroom dwelling: 15m² with a minimum dimension 2.6m</p>
Cabin or caravan (permanently fixed to the ground) in a residential park or a caravan and tourist park	Total area: 16m ² , which may be used as second car parking space, provided on each site intended for residential occupation.

Design in Urban Areas

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development is:

	<ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.
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Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
External Appearance	
<p>PO 1.1</p> <p>Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:</p> <ul style="list-style-type: none"> (a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses. 	<p>DTS/DPF 1.4</p> <p>Development does not incorporate any structures that protrude beyond the roofline.</p>
<p>PO 1.5</p> <p>The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
Safety	

PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is designed to differentiate public, communal and private areas.	DTS/DPF 2.2 None are applicable.
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.
PO 2.5 Common areas and entry points of buildings (such as the foyer areas of residential buildings) and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF 2.5 None are applicable.
Landscaping	
PO 3.1 Soft landscaping and tree planting are incorporated to: (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes.	DTS/DPF 3.1 None are applicable.
Environmental Performance	
PO 4.1 Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.	DTS/DPF 4.1 None are applicable.
PO 4.2 Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.	DTS/DPF 4.2 None are applicable.
PO 4.3 Buildings incorporate climate responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.	DTS/DPF 4.3 None are applicable.
Water Sensitive Design	
PO 5.1	DTS/DPF 5.1

<p>Development is sited and designed to maintain natural hydrological systems without negatively impacting:</p> <ul style="list-style-type: none"> (a) the quantity and quality of surface water and groundwater (b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs. 	<p>None are applicable.</p>
<p>On-site Waste Treatment Systems</p>	
<p>PO 6.1</p> <p>Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.</p>	<p>DTS/DPF 6.1</p> <p>Effluent disposal drainage areas do not:</p> <ul style="list-style-type: none"> (a) encroach within an area used as private open space or result in less private open space than that specified in Design in Urban Areas Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
<p>Car parking appearance</p>	
<p>PO 7.1</p> <p>Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on streetscapes through techniques such as:</p> <ul style="list-style-type: none"> (a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure. 	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>Vehicle parking areas appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.</p>	<p>DTS/DPF 7.3</p> <p>None are applicable.</p>
<p>PO 7.4</p> <p>Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.</p>	<p>DTS/DPF 7.4</p> <p>Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.</p>
<p>PO 7.5</p> <p>Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.</p>	<p>DTS/DPF 7.5</p> <p>Vehicle parking areas comprising 10 or more car parking spaces include soft landscaping with a minimum dimension of:</p> <ul style="list-style-type: none"> (a) 1m along all public road frontages and allotment boundaries

	(b) 1m between double rows of car parking spaces.
PO 7.6 Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	DTS/DPF 7.6 None are applicable.
PO 7.7 Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	DTS/DPF 7.7 None are applicable.
Earthworks and sloping land	
PO 8.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.	DTS/DPF 8.1 Development does not involve any of the following: (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.
PO 8.2 Driveways and access tracks designed and constructed to allow safe and convenient access on sloping land.	DTS/DPF 8.2 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b): (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.
PO 8.3 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8): (a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development (c) are designed to integrate with the natural topography of the land.	DTS/DPF 8.3 None are applicable.
PO 8.4 Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on site drainage systems to minimise erosion.	DTS/DPF 8.4 None are applicable.
PO 8.5 Development does not occur on land at risk of landslip or increase the potential for landslip or land surface instability.	DTS/DPF 8.5 None are applicable.
Fences and walls	
PO 9.1 Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity	DTS/DPF 9.1 None are applicable.

and adjoining land's access to sunlight or the amenity of public places.	
PO 9.2 Landscaping is incorporated on the low side of retaining walls that are visible from public roads and public open space to minimise visual impacts.	DTS/DPF 9.2 A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.
Overlooking / Visual Privacy (low rise buildings)	
PO 10.1 Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.	DTS/DPF 10.1 Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone: <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
PO 10.2 Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.	DTS/DPF 10.2 One of the following is satisfied: <ul style="list-style-type: none"> (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
Site Facilities / Waste Storage (excluding low rise residential development)	
PO 11.1 Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.	DTS/DPF 11.1 None are applicable.
PO 11.2 Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.	DTS/DPF 11.2 None are applicable.
PO 11.3 Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.	DTS/DPF 11.3 None are applicable.
PO 11.4 Communal waste storage and collection areas are designed to allow waste and recycling collection vehicles to enter and leave the site without reversing.	DTS/DPF 11.4 None are applicable.

<p>PO 11.5</p> <p>For mixed use developments, non-residential waste and recycling storage areas and access provide opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</p>	<p>DTS/DPF 11.5</p> <p>None are applicable.</p>
<p>All Development - Medium and High Rise</p>	
<p>External Appearance</p>	
<p>PO 12.1</p> <p>Buildings positively contribute to the character of the local area by responding to local context.</p>	<p>DTS/DPF 12.1</p> <p>None are applicable.</p>
<p>PO 12.2</p> <p>Architectural detail at street level and a mixture of materials at lower building levels near the public interface are provided to reinforce a human scale.</p>	<p>DTS/DPF 12.2</p> <p>None are applicable.</p>
<p>PO 12.3</p> <p>Buildings are designed to reduce visual mass by breaking up building elevations into distinct elements.</p>	<p>DTS/DPF 12.3</p> <p>None are applicable.</p>
<p>PO 12.4</p> <p>Boundary walls visible from public land include visually interesting treatments to break up large blank elevations.</p>	<p>DTS/DPF 12.4</p> <p>None are applicable.</p>
<p>PO 12.5</p> <p>External materials and finishes are durable and age well to minimise ongoing maintenance requirements.</p>	<p>DTS/DPF 12.5</p> <p>Buildings utilise a combination of the following external materials and finishes:</p> <ul style="list-style-type: none"> (a) masonry (b) natural stone (c) pre-finished materials that minimise staining, discolouring or deterioration.
<p>PO 12.6</p> <p>Street-facing building elevations are designed to provide attractive, high quality and pedestrian-friendly street frontages.</p>	<p>DTS/DPF 12.6</p> <p>Building street frontages incorporate:</p> <ul style="list-style-type: none"> (a) active uses such as shops or offices (b) prominent entry areas for multi-storey buildings (where it is a common entry) (c) habitable rooms of dwellings (d) areas of communal public realm with public art or the like, where consistent with the zone and/or subzone provisions.
<p>PO 12.7</p> <p>Entrances to multi-storey buildings are safe, attractive, welcoming, functional and contribute to streetscape character.</p>	<p>DTS/DPF 12.7</p> <p>Entrances to multi-storey buildings are:</p> <ul style="list-style-type: none"> (a) oriented towards the street (b) clearly visible and easily identifiable from the street and vehicle parking areas (c) designed to be prominent, accentuated and a welcoming feature if there are no active or occupied ground floor uses (d) designed to provide shelter, a sense of personal address and transitional space around the entry

	<p>(e) located as close as practicable to the lift and / or lobby access to minimise the need for long access corridors</p> <p>(f) designed to avoid the creation of potential areas of entrapment.</p>																								
<p>PO 12.8</p> <p>Building services, plant and mechanical equipment are screened from the public realm.</p>	<p>DTS/DPF 12.8</p> <p>None are applicable.</p>																								
<p>Landscaping</p>																									
<p>PO 13.1</p> <p>Development facing a street provides a well landscaped area that contains a deep soil space to accommodate a tree of a species and size adequate to provide shade, contribute to tree canopy targets and soften the appearance of buildings.</p>	<p>DTS/DPF 13.1</p> <p>Buildings provide a 4m by 4m deep soil space in front of the building that accommodates a medium to large tree, except where no building setback from front property boundaries is desired.</p>																								
<p>PO 13.2</p> <p>Deep soil zones are provided to retain existing vegetation or provide areas that can accommodate new deep root vegetation, including tall trees with large canopies to provide shade and soften the appearance of multi-storey buildings.</p>	<p>DTS/DPF 13.2</p> <p>Multi-storey development provides deep soil zones and incorporates trees at not less than the following rates, except in a location or zone where full site coverage is desired.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="background-color: #1a3d54; color: white;">Site area</th> <th style="background-color: #1a3d54; color: white;">Minimum deep soil area</th> <th style="background-color: #1a3d54; color: white;">Minimum dimension</th> <th style="background-color: #1a3d54; color: white;">Tree / deep soil zones</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><300 m²</td> <td style="text-align: center;">10 m²</td> <td style="text-align: center;">1.5m</td> <td style="text-align: center;">1 small tree / 10 m²</td> </tr> <tr> <td style="text-align: center;">300-1500 m²</td> <td style="text-align: center;">7% site area</td> <td style="text-align: center;">3m</td> <td style="text-align: center;">1 medium tree / 30 m²</td> </tr> <tr> <td style="text-align: center;">>1500 m²</td> <td style="text-align: center;">7% site area</td> <td style="text-align: center;">6m</td> <td style="text-align: center;">1 large or medium tree / 60 m²</td> </tr> </tbody> </table> <p>Tree size and site area definitions</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tbody> <tr> <td style="width: 20%;">Small tree</td> <td>4-6m mature height and 2-4m canopy spread</td> </tr> <tr> <td>Medium tree</td> <td>6-12m mature height and 4-8m canopy spread</td> </tr> <tr> <td>Large tree</td> <td>12m mature height and >8m canopy spread</td> </tr> <tr> <td>Site area</td> <td>The total area for development site, not average area per dwelling</td> </tr> </tbody> </table>	Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones	<300 m ²	10 m ²	1.5m	1 small tree / 10 m ²	300-1500 m ²	7% site area	3m	1 medium tree / 30 m ²	>1500 m ²	7% site area	6m	1 large or medium tree / 60 m ²	Small tree	4-6m mature height and 2-4m canopy spread	Medium tree	6-12m mature height and 4-8m canopy spread	Large tree	12m mature height and >8m canopy spread	Site area	The total area for development site, not average area per dwelling
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<p>PO 13.3</p> <p>Deep soil zones with access to natural light are provided to assist in maintaining vegetation health.</p>	<p>DTS/DPF 13.3</p> <p>None are applicable.</p>																								
<p>PO 13.4</p>	<p>DTS/DPF 13.4</p>																								

Unless separated by a public road or reserve, development sites adjacent to any zone that has a primary purpose of accommodating low-rise residential development incorporate a deep soil zone along the common boundary to enable medium to large trees to be retained or established to assist in screening new buildings of 3 or more building levels in height.	Building elements of 3 or more building levels in height are set back at least 6m from a zone boundary in which a deep soil zone area is incorporated.
Environmental	
PO 14.1 Development minimises detrimental micro-climatic impacts on adjacent land and buildings.	DTS/DPF 14.1 None are applicable.
PO 14.2 Development incorporates sustainable design techniques and features such as window orientation, eaves and shading structures, water harvesting and use, green walls and roof designs that enable the provision of rain water tanks (where they are not provided elsewhere on site), green roofs and photovoltaic cells.	DTS/DPF 14.2 None are applicable.
PO 14.3 Development of 5 or more building levels, or 21m or more in height (as measured from natural ground level and excluding roof-mounted mechanical plant and equipment) is designed to minimise the impacts of wind through measures such as: (a) a podium at the base of a tall tower and aligned with the street to deflect wind away from the street (b) substantial verandahs around a building to deflect downward travelling wind flows over pedestrian areas (c) the placement of buildings and use of setbacks to deflect the wind at ground level (d) avoiding tall shear elevations that create windy conditions at street level.	DTS/DPF 14.3 None are applicable.
Car Parking	
PO 15.1 Multi-level vehicle parking structures are designed to contribute to active street frontages and complement neighbouring buildings.	DTS/DPF 15.1 Multi-level vehicle parking structures within buildings: (a) provide land uses such as commercial, retail or other non-car parking uses along ground floor street frontages (b) incorporate facade treatments in building elevations facing along major street frontages that are sufficiently enclosed and detailed to complement adjacent buildings.
PO 15.2 Multi-level vehicle parking structures within buildings complement the surrounding built form in terms of height, massing and scale.	DTS/DPF 15.2 None are applicable.
Overlooking/Visual Privacy	
PO 16.1 Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:	DTS/DPF 16.1 None are applicable.

<ul style="list-style-type: none"> (a) appropriate site layout and building orientation (b) off-setting the location of balconies and windows of habitable rooms or areas with those of other buildings so that views are oblique rather than direct to avoid direct line of sight (c) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms (d) screening devices that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity. 	
All residential development	
Front elevations and passive surveillance	
<p>PO 17.1</p> <p>Dwellings incorporate windows facing primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 17.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street.
<p>PO 17.2</p> <p>Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.</p>	<p>DTS/DPF 17.2</p> <p>Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.</p>
Outlook and Amenity	
<p>PO 18.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 18.1</p> <p>A living room of a dwelling incorporates a window with an external outlook of the street frontage, private open space, public open space, or waterfront areas.</p>
<p>PO 18.2</p> <p>Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p>	<p>DTS/DPF 18.2</p> <p>None are applicable.</p>
Ancillary Development	
<p>PO 19.1</p> <p>Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 19.1</p> <p>Ancillary buildings:</p> <ul style="list-style-type: none"> (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m² (c) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> (i) is set back at least 5.5m from the boundary of the

	<p>primary street</p> <p>(ii) when facing a primary street or secondary street, has a total door / opening not exceeding:</p> <p style="margin-left: 40px;">A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser</p> <p style="margin-left: 40px;">B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width</p> <p>(e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless:</p> <p style="margin-left: 40px;">(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary</p> <p style="margin-left: 80px;">and</p> <p style="margin-left: 40px;">(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</p> <p>(f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</p> <p>(g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</p> <p>(h) have a wall height or post height not exceeding 3m above natural ground level</p> <p>(i) have a roof height where no part of the roof is more than 5m above the natural ground level</p> <p>(j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour</p> <p>(k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:</p> <p style="margin-left: 40px;">(i) a total area as determined by the following table:</p> <table border="1" style="margin-left: 80px;"> <thead> <tr> <th style="background-color: #003366; color: white;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="background-color: #003366; color: white;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td>150-200</td> <td>15%</td> </tr> <tr> <td>201-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table> <p style="margin-left: 40px;">(ii) the amount of existing soft landscaping prior to the development occurring.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

<p>PO 19.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements or result in over-development of the site.</p>	<p>DTS/DPF 19.2</p> <p>Ancillary buildings and structures do not result in:</p> <ul style="list-style-type: none"> (a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space (b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
<p>PO 19.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers.</p>	<p>DTS/DPF 19.3</p> <p>The pump and/or filtration system is ancillary to a dwelling erected on the same site and is:</p> <ul style="list-style-type: none"> (a) enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room located on an adjoining allotment or (b) located at least 12m from the nearest habitable room located on an adjoining allotment.
<p>Residential Development - Low Rise</p>	
<p>External appearance</p>	
<p>PO 20.1</p> <p>Garaging is designed to not detract from the streetscape or appearance of a dwelling.</p>	<p>DTS/DPF 20.1</p> <p>Garages and carports facing a street:</p> <ul style="list-style-type: none"> (a) are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling (b) are set back at least 5.5m from the boundary of the primary street (c) have a garage door / opening width not exceeding 7m (d) have a garage door / opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.
<p>PO 20.2</p> <p>Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and the appearance of common driveway areas.</p>	<p>DTS/DPF 20.2</p> <p>Each dwelling includes at least 3 of the following design features within the building elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:</p> <ul style="list-style-type: none"> (a) a minimum of 30% of the building wall is set back an additional 300mm from the building line (b) a porch or portico projects at least 1m from the building wall (c) a balcony projects from the building wall (d) a verandah projects at least 1m from the building wall (e) eaves of a minimum 400mm width extend along the width of the front elevation (f) a minimum 30% of the width of the upper level projects forward from the lower level primary building line by at least 300mm (g) a minimum of two different materials or finishes are incorporated on the walls of the front building elevation, with a maximum of 80% of the building elevation in a single

	material or finish.										
PO 20.3 The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.	DTS/DPF 20.3 None are applicable										
Private Open Space											
PO 21.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	DTS/DPF 21.1 Private open space is provided in accordance with Design in Urban Areas Table 1 - Private Open Space.										
PO 21.2 Private open space is positioned to provide convenient access from internal living areas.	DTS/DPF 21.2 Private open space is directly accessible from a habitable room.										
Landscaping											
PO 22.1 Soft landscaping is incorporated into development to: (a) minimise heat absorption and reflection (b) contribute shade and shelter (c) provide for stormwater infiltration and biodiversity (d) enhance the appearance of land and streetscapes.	DTS/DPF 22.1 Residential development incorporates soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b): (a) a total area as determined by the following table: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="background-color: #003366; color: white;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="background-color: #003366; color: white;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td>150-200</td> <td>15%</td> </tr> <tr> <td>>200-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table> (b) at least 30% of any land between the primary street boundary and the primary building line.	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	>200-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
>200-450	20%										
>450	25%										
Car parking, access and manoeuvrability											
PO 23.1 Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.	DTS/DPF 23.1 Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area): (a) single width car parking spaces: (i) a minimum length of 5.4m per space										

	<ul style="list-style-type: none"> (ii) a minimum width of 3.0m (iii) a minimum garage door width of 2.4m <p>(b) double width car parking spaces (side by side):</p> <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space.
<p>PO 23.2</p> <p>Uncovered car parking space are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 23.2</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> (a) a minimum length of 5.4m (b) a minimum width of 2.4m (c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m.
<p>PO 23.3</p> <p>Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, domestic waste collection, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 23.3</p> <p>Driveways and access points satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) sites with a frontage to a public road of 10m or less, have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site (b) sites with a frontage to a public road greater than 10m: <ul style="list-style-type: none"> (i) have a maximum width of 5m measured at the property boundary and are the only access point provided on the site; (ii) have a width between 3.0 metres and 3.2 metres measured at the property boundary and no more than two access points are provided on site, separated by no less than 1m.
<p>PO 23.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 23.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 23.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 23.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient from the place of access on the boundary of

	<p>the allotment to the finished floor level at the front of the garage or carport is not steeper than 1-in-4 on average</p> <p>(b) they are aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of any dedicated car parking space to which it provides access (measured from the front of that space) and the road boundary.</p> <p>(c) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p>
<p>PO 23.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 23.6</p> <p>Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:</p> <p>(a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)</p> <p>(b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly</p> <p>(c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.</p>
<p>Waste storage</p>	
<p>PO 24.1</p> <p>Provision is made for the convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 24.1</p> <p>Where dwellings abut both side boundaries a waste bin storage area is provided behind the building line of each dwelling that:</p> <p>(a) has a minimum area of 2m² with a minimum dimension of 900mm (separate from any designated car parking spaces or private open space); and</p> <p>(b) has a continuous unobstructed path of travel (excluding moveable objects like gates, vehicles and roller doors) with a minimum width of 800mm between the waste bin storage area and the street.</p>
<p>Design of Transportable Buildings</p>	
<p>PO 25.1</p> <p>The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.</p>	<p>DTS/DPF 25.1</p> <p>Buildings satisfy (a) or (b):</p> <p>(a) are not transportable</p> <p>(b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.</p>
<p>Residential Development - Medium and High Rise (including serviced apartments)</p>	
<p>Outlook and Visual Privacy</p>	
<p>PO 26.1</p> <p>Ground level dwellings have a satisfactory short range visual outlook to public, communal or private open space.</p>	<p>DTS/DPF 26.1</p> <p>Buildings:</p> <p>(a) provide a habitable room at ground or first level with a window facing toward the street</p> <p>(b) limit the height / extent of solid walls or fences facing the street to 1.2m high above the footpath level or, where higher, to 50% of the site frontage.</p>

PO 26.2	DTS/DPF 26.2
The visual privacy of ground level dwellings within multi-level buildings is protected.	The finished floor level of ground level dwellings in multi-storey developments is raised by up to 1.2m.
Private Open Space	
PO 27.1	DTS/DPF 27.1
Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	Private open space provided in accordance with Design in Urban Areas Table 1 - Private Open Space.
Residential amenity in multi-level buildings	
PO 28.1	DTS/DPF 28.1
Residential accommodation within multi-level buildings have habitable rooms, windows and balconies designed and positioned to be separated from those of other dwellings and accommodation to provide visual and acoustic privacy and allow for natural ventilation and the infiltration of daylight into interior and outdoor spaces.	Habitable rooms and balconies of independent dwellings and accommodation are separated by at least 6m from one another where there is a direct line of sight between them and 3m or more from a side or rear property boundary.
PO 28.2	DTS/DPF 28.2
Balconies are designed, positioned and integrated into the overall architectural form and detail of the development to: <ul style="list-style-type: none"> (a) respond to daylight, wind, and acoustic conditions to maximise comfort and provide visual privacy (b) allow views and casual surveillance of the street while providing for safety and visual privacy of nearby living spaces and private outdoor areas. 	Balconies utilise one or a combination of the following design elements: <ul style="list-style-type: none"> (a) sun screens (b) pergolas (c) louvres (d) green facades (e) openable walls.
PO 28.3	DTS/DPF 28.3
Balconies are of sufficient size and depth to accommodate outdoor seating and promote indoor / outdoor living.	Balconies open directly from a habitable room and incorporate a minimum dimension of 2m.
PO 28.4	DTS/DPF 28.4
Dwellings are provided with sufficient space for storage to meet likely occupant needs.	Dwellings (not including student accommodation or serviced apartments) are provided with storage at the following rates with at least 50% or more of the storage volume to be provided within the dwelling: <ul style="list-style-type: none"> (a) studio: not less than 6m³ (b) 1 bedroom dwelling / apartment: not less than 8m³ (c) 2 bedroom dwelling / apartment: not less than 10m³ (d) 3+ bedroom dwelling / apartment: not less than 12m³.
PO 28.5	DTS/DPF 28.5
Dwellings that use light wells for access to daylight, outlook and ventilation for habitable rooms, are designed to ensure a reasonable living amenity is provided.	Light wells: <ul style="list-style-type: none"> (a) are not used as the primary source of outlook for living rooms (b) up to 18m in height have a minimum horizontal dimension of 3m, or 6m if overlooked by bedrooms (c) above 18m in height have a minimum horizontal dimension of 6m, or 9m if overlooked by bedrooms.
PO 28.6	DTS/DPF 28.6

Attached or abutting dwellings are designed to minimise the transmission of sound between dwellings and, in particular, to protect bedrooms from possible noise intrusions.	None are applicable.									
<p>PO 28.7</p> <p>Dwellings are designed so that internal structural columns correspond with the position of internal walls to ensure that the space within the dwelling/apartment is useable.</p>	<p>DTS/DPF 28.7</p> <p>None are applicable.</p>									
Dwelling Configuration										
<p>PO 29.1</p> <p>Buildings containing in excess of 10 dwellings provide a variety of dwelling sizes and a range in the number of bedrooms per dwelling to contribute to housing diversity.</p>	<p>DTS/DPF 29.1</p> <p>Buildings containing in excess of 10 dwellings provide at least one of each of the following:</p> <ul style="list-style-type: none"> (a) studio (where there is no separate bedroom) (b) 1 bedroom dwelling / apartment with a floor area of at least 50m² (c) 2 bedroom dwelling / apartment with a floor area of at least 65m² (d) 3+ bedroom dwelling / apartment with a floor area of at least 80m², and any dwelling over 3 bedrooms provides an additional 15m² for every additional bedroom. 									
<p>PO 29.2</p> <p>Dwellings located on the ground floor of multi-level buildings with 3 or more bedrooms have the windows of their habitable rooms overlooking internal courtyard space or other public space, where possible.</p>	<p>DTS/DPF 29.2</p> <p>None are applicable.</p>									
Common Areas										
<p>PO 30.1</p> <p>The size of lifts, lobbies and corridors is sufficient to accommodate movement of bicycles, strollers, mobility aids and visitor waiting areas.</p>	<p>DTS/DPF 30.1</p> <p>Common corridor or circulation areas:</p> <ul style="list-style-type: none"> (a) have a minimum ceiling height of 2.7m (b) provide access to no more than 8 dwellings (c) incorporate a wider section at apartment entries where the corridors exceed 12m in length from a core. 									
Group Dwellings, Residential Flat Buildings and Battle axe Development										
Amenity										
<p>PO 31.1</p> <p>Dwellings are of a suitable size to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 31.1</p> <p>Dwellings have a minimum internal floor area in accordance with the following table:</p> <table border="1" data-bbox="831 1767 1520 2123"> <thead> <tr> <th data-bbox="831 1767 1174 1854">Number of bedrooms</th> <th data-bbox="1174 1767 1520 1854">Minimum internal floor area</th> </tr> </thead> <tbody> <tr> <td data-bbox="831 1854 1174 1944">Studio</td> <td data-bbox="1174 1854 1520 1944">35m²</td> </tr> <tr> <td data-bbox="831 1944 1174 2033">1 bedroom</td> <td data-bbox="1174 1944 1520 2033">50m²</td> </tr> <tr> <td data-bbox="831 2033 1174 2123">2 bedroom</td> <td data-bbox="1174 2033 1520 2123">65m²</td> </tr> </tbody> </table>		Number of bedrooms	Minimum internal floor area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	65m ²
Number of bedrooms	Minimum internal floor area									
Studio	35m ²									
1 bedroom	50m ²									
2 bedroom	65m ²									

	3+ bedrooms	80m ² and any dwelling over 3 bedrooms provides an additional 15m ² for every additional bedroom
PO 31.2 The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.	DTS/DPF 31.2 None are applicable.	
PO 31.3 Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.	DTS/DPF 31.3 None are applicable.	
PO 31.4 Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	DTS/DPF 31.4 Dwelling sites/allotments are not in the form of a battle-axe arrangement.	
Communal Open Space		
PO 32.1 Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.	DTS/DPF 32.1 None are applicable.	
PO 32.2 Communal open space is of sufficient size and dimensions to cater for group recreation.	DTS/DPF 32.2 Communal open space incorporates a minimum dimension of 5 metres.	
PO 32.3 Communal open space is designed and sited to: (a) be conveniently accessed by the dwellings which it services (b) have regard to acoustic, safety, security and wind effects.	DTS/DPF 32.3 None are applicable.	
PO 32.4 Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.	DTS/DPF 32.4 None are applicable.	
PO 32.5 Communal open space is designed and sited to: (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings (b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.	DTS/DPF 32.5 None are applicable.	
Car parking, access and manoeuvrability		
PO 33.1 Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.	DTS/DPF 33.1 Where on-street parking is available directly adjacent the site, on-street parking is retained adjacent the subject site in accordance with the following requirements: (a) minimum 0.33 on-street car parks per proposed dwelling (rounded up to the nearest whole number)	

	<ul style="list-style-type: none"> (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
<p>PO 33.2</p> <p>The number of vehicular access points onto public roads is minimised to reduce interruption of the footpath and positively contribute to public safety and walkability.</p>	<p>DTS/DPF 33.2</p> <p>Access to group dwellings or dwellings within a residential flat building is provided via a single common driveway.</p>
<p>PO 33.3</p> <p>Residential driveways that service more than one dwelling are designed to allow safe and convenient movement.</p>	<p>DTS/DPF 33.3</p> <p>Driveways that service more than 1 dwelling or a dwelling on a battle-axe site:</p> <ul style="list-style-type: none"> (a) have a minimum width of 3m (b) for driveways servicing more than 3 dwellings: <ul style="list-style-type: none"> (i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street (ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.
<p>PO 33.4</p> <p>Residential driveways that service more than one dwelling or a dwelling on a battle-axe site are designed to allow passenger vehicles to enter and exit and manoeuvre within the site in a safe and convenient manner.</p>	<p>DTS/DPF 33.4</p> <p>Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre.</p>
<p>PO 33.5</p> <p>Dwellings are adequately separated from common driveways and manoeuvring areas.</p>	<p>DTS/DPF 33.5</p> <p>Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.</p>
Soft landscaping	
<p>PO 34.1</p> <p>Soft landscaping is provided between dwellings and common driveways to improve the outlook for occupants and appearance of common areas.</p>	<p>DTS/DPF 34.1</p> <p>Other than where located directly in front of a garage or building entry, soft landscaping with a minimum dimension of 1m is provided between a dwelling and common driveway.</p>
<p>PO 34.2</p> <p>Battle-axe or common driveways incorporate landscaping and permeability to improve appearance and assist in stormwater management.</p>	<p>DTS/DPF 34.2</p> <p>Battle-axe or common driveways satisfy (a) and (b):</p> <ul style="list-style-type: none"> (a) are constructed of a minimum of 50% permeable or porous material (b) where the driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).
Site Facilities / Waste Storage	
<p>PO 35.1</p>	<p>DTS/DPF 35.1</p>

Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.	None are applicable.
PO 35.2 Provision is made for suitable external clothes drying facilities.	DTS/DPF 35.2 None are applicable.
PO 35.3 Provision is made for suitable household waste and recyclable material storage facilities which are: (a) located away, or screened, from public view, and (b) conveniently located in proximity to dwellings and the waste collection point.	DTS/DPF 35.3 None are applicable.
PO 35.4 Waste and recyclable material storage areas are located away from dwellings.	DTS/DPF 35.4 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.
PO 35.5 Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.	DTS/DPF 35.5 None are applicable.
PO 35.6 Services including gas and water meters are conveniently located and screened from public view.	DTS/DPF 35.6 None are applicable.
Water sensitive urban design	
PO 36.1 Residential development creating a common driveway / access includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.	DTS/DPF 36.1 None are applicable.
PO 36.2 Residential development creating a common driveway / access includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	DTS/DPF 36.2 None are applicable.
Supported Accommodation and retirement facilities	
Siting, Configuration and Design	
PO 37.1 Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.	DTS/DPF 37.1 None are applicable.
PO 37.2 Universal design features are incorporated to provide options for	DTS/DPF 37.2 None are applicable.

people living with disabilities or limited mobility and / or to facilitate ageing in place.	
Movement and Access	
<p>PO 38.1</p> <p>Development is designed to support safe and convenient access and movement for residents by providing:</p> <ul style="list-style-type: none"> (a) ground-level access or lifted access to all units (b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places (c) car parks with gradients no steeper than 1-in-40, and of sufficient area to provide for wheelchair manoeuvrability (d) kerb ramps at pedestrian crossing points. 	<p>DTS/DPF 38.1</p> <p>None are applicable.</p>
Communal Open Space	
<p>PO 39.1</p> <p>Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.</p>	<p>DTS/DPF 39.1</p> <p>None are applicable.</p>
<p>PO 39.2</p> <p>Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.</p>	<p>DTS/DPF 39.2</p> <p>None are applicable.</p>
<p>PO 39.3</p> <p>Communal open space is of sufficient size and dimensions to cater for group recreation.</p>	<p>DTS/DPF 39.3</p> <p>Communal open space incorporates a minimum dimension of 5 metres.</p>
<p>PO 39.4</p> <p>Communal open space is designed and sited to:</p> <ul style="list-style-type: none"> (a) be conveniently accessed by the dwellings which it services (b) have regard to acoustic, safety, security and wind effects. 	<p>DTS/DPF 39.4</p> <p>None are applicable.</p>
<p>PO 39.5</p> <p>Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.</p>	<p>DTS/DPF 39.5</p> <p>None are applicable.</p>
<p>PO 39.6</p> <p>Communal open space is designed and sited to:</p> <ul style="list-style-type: none"> (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings (b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance. 	<p>DTS/DPF 39.6</p> <p>None are applicable.</p>
Site Facilities / Waste Storage	
<p>PO 40.1</p> <p>Development is designed to provide storage areas for personal</p>	<p>DTS/DPF 40.1</p> <p>None are applicable.</p>

items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric-powered vehicles.	
PO 40.2 Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.	DTS/DPF 40.2 None are applicable.
PO 40.3 Provision is made for suitable external clothes drying facilities.	DTS/DPF 40.3 None are applicable.
PO 40.4 Provision is made for suitable household waste and recyclable material storage facilities conveniently located away, or screened, from view.	DTS/DPF 40.4 None are applicable.
PO 40.5 Waste and recyclable material storage areas are located away from dwellings.	DTS/DPF 40.5 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.
PO 40.6 Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time.	DTS/DPF 40.6 None are applicable.
PO 40.7 Services, including gas and water meters, are conveniently located and screened from public view.	DTS/DPF 40.7 None are applicable.
Student Accommodation	
PO 41.1 Student accommodation is designed to provide safe, secure, attractive, convenient and comfortable living conditions for residents, including an internal layout and facilities that are designed to provide sufficient space and amenity for the requirements of student life and promote social interaction.	DTS/DPF 41.1 Student accommodation provides: (a) a range of living options to meet a variety of accommodation needs, such as one-bedroom, two-bedroom and disability access units (b) common or shared facilities to enable a more efficient use of space, including: (i) shared cooking, laundry and external drying facilities (ii) internal and external communal and private open space provided in accordance with Design in Urban Areas Table 1 - Private Open Space (iii) common storage facilities at the rate of 8m ³ for every 2 dwellings or students (iv) common on-site parking in accordance with Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas (v) bicycle parking at the rate of one space for every 2 students.
PO 41.2	DTS/DPF 41.2

<p>Student accommodation is designed to provide easy adaptation of the building to accommodate an alternative use of the building in the event it is no longer required for student housing.</p>	<p>None are applicable.</p>
<p>All non-residential development</p>	
<p>Water Sensitive Design</p>	
<p>PO 42.1 Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.</p>	<p>DTS/DPF 42.1 None are applicable.</p>
<p>PO 42.2 Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.</p>	<p>DTS/DPF 42.2 None are applicable.</p>
<p>PO 42.3 Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.</p>	<p>DTS/DPF 42.3 None are applicable.</p>
<p>Wash-down and Waste Loading and Unloading</p>	
<p>PO 43.1 Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, plant or equipment are:</p> <ul style="list-style-type: none"> (a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off (b) paved with an impervious material to facilitate wastewater collection (c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area (d) are designed to drain wastewater to either: <ul style="list-style-type: none"> (i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or (ii) a holding tank and its subsequent removal off-site on a regular basis. 	<p>DTS/DPF 43.1 None are applicable.</p>
<p>Laneway Development</p>	
<p>Infrastructure and Access</p>	
<p>PO 44.1 Development with a primary street comprising a laneway, alley, lane, right of way or similar minor thoroughfare only occurs where:</p> <ul style="list-style-type: none"> (a) existing utility infrastructure and services are capable of 	<p>DTS/DPF 44.1 Development with a primary street frontage that is not an alley, lane, right of way or similar public thoroughfare.</p>

<p>accommodating the development</p> <p>(b) the primary street can support access by emergency and regular service vehicles (such as waste collection)</p> <p>(c) it does not require the provision or upgrading of infrastructure on public land (such as footpaths and stormwater management systems)</p> <p>(d) safety of pedestrians or vehicle movement is maintained</p> <p>(e) any necessary grade transition is accommodated within the site of the development to support an appropriate development intensity and orderly development of land fronting minor thoroughfares.</p>	
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Table 1 - Private Open Space

Dwelling Type	Dwelling / Site Configuration	Minimum Rate
Dwelling (at ground level, other than a residential flat building that includes above ground dwellings)		<p>Total private open space area:</p> <p>(a) Site area <301m²: 24m² located behind the building line.</p> <p>(b) Site area ≥ 301m²: 60m² located behind the building line.</p> <p>Minimum directly accessible from a living room: 16m² / with a minimum dimension 3m.</p>
Cabin or caravan (permanently fixed to the ground) in a residential park or caravan and tourist park		Total area: 16m ² , which may be uses as second car parking space, provided on each site intended for residential occupation.
Dwelling in a residential flat building or mixed use building which incorporate above ground level dwellings	Dwellings at ground level:	15m ² / minimum dimension 3m
	Dwellings above ground level:	
	Studio (no separate bedroom)	4m ² / minimum dimension 1.8m
	One bedroom dwelling	8m ² / minimum dimension 2.1m
	Two bedroom dwelling	11m ² / minimum dimension 2.4m
	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m

Forestry

Assessment Provisions (AP)

Desired Outcome

DO 1	Commercial forestry is designed and sited to maximise economic benefits whilst managing potential negative impacts on the environment, transport networks, surrounding land uses and landscapes.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting	
PO 1.1 Commercial forestry plantations are established where there is no detrimental effect on the physical environment or scenic quality of the rural landscape.	DTS/DPF 1.1 None are applicable.
PO 1.2 Commercial forestry plantations are established on slopes that are stable to minimise the risk of soil erosion.	DTS/DPF 1.2 Commercial forestry plantations are not located on land with a slope exceeding 20% (1-in-5).
PO 1.3 Commercial forestry plantations and operations associated with their establishment, management and harvesting are appropriately set back from any sensitive receiver to minimise fire risk and noise disturbance.	DTS/DPF 1.3 Commercial forestry plantations and operations associated with their establishment, management and harvesting are set back 50m or more from any sensitive receiver.
PO 1.4 Commercial forestry plantations are separated from reserves gazetted under the <i>National Parks and Wildlife Act 1972</i> and/or <i>Wilderness Protection Act 1992</i> to minimise fire risk and potential for weed infestation.	DTS/DPF 1.4 Commercial forestry plantations and operations associated with their establishment, management and harvesting are set back 50m or more from a reserve gazetted under the <i>National Parks and Wildlife Act 1972</i> and/or <i>Wilderness Protection Act 1992</i> .
Water Protection	
PO 2.1 Commercial forestry plantations incorporate artificial drainage lines (i.e. culverts, runoffs and constructed drains) integrated with natural drainage lines to minimise concentrated water flows onto or from plantation areas.	DTS/DPF 2.1 None are applicable.
PO 2.2 Appropriate siting, layout and design measures are adopted to minimise the impact of commercial forestry plantations on surface water resources.	DTS/DPF 2.2 Commercial forestry plantations: <ul style="list-style-type: none"> (a) do not involve cultivation (excluding spot cultivation) in drainage lines (b) are set back 20m or more from the banks of any major watercourse (a third order or higher watercourse), lake, reservoir, wetland or sinkhole (with direct connection to an aquifer) (c) are set back 10m or more from the banks of any first or

	second order watercourse or sinkhole (with no direct connection to an aquifer).																					
Fire Management																						
PO 3.1 Commercial forestry plantations incorporate appropriate firebreaks and fire management design elements.	DTS/DPF 3.1 Commercial forestry plantations provide: <ul style="list-style-type: none"> (a) 7m or more wide external boundary firebreaks for plantations of 40ha or less (b) 10m or more wide external boundary firebreaks for plantations of between 40ha and 100ha (c) 20m or more wide external boundary firebreaks, or 10m with an additional 10m or more of fuel-reduced plantation, for plantations of 100ha or greater. 																					
PO 3.2 Commercial forestry plantations incorporate appropriate fire management access tracks.	DTS/DPF 3.2 Commercial forestry plantation fire management access tracks: <ul style="list-style-type: none"> (a) are incorporated within all firebreaks (b) are 7m or more wide with a vertical clearance of 4m or more (c) are aligned to provide straight through access at junctions, or if they are a no through access track are appropriately signposted and provide suitable turnaround areas for fire-fighting vehicles (d) partition the plantation into units of 40ha or less in area. 																					
Power-line Clearances																						
PO 4.1 Commercial forestry plantations achieve and maintain appropriate clearances from aboveground powerlines.	DTS/DPF 4.1 Commercial forestry plantations incorporating trees with an expected mature height of greater than 6m meet the clearance requirements listed in the following table: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Voltage of transmission line</th> <th style="width: 33%;">Tower or Pole</th> <th style="width: 33%;">Minimum horizontal clearance distance between plantings and transmission lines</th> </tr> </thead> <tbody> <tr> <td>500 kV</td> <td>Tower</td> <td>38m</td> </tr> <tr> <td>275 kV</td> <td>Tower</td> <td>25m</td> </tr> <tr> <td>132 kV</td> <td>Tower</td> <td>30m</td> </tr> <tr> <td>132 kV</td> <td>Pole</td> <td>20m</td> </tr> <tr> <td>66 kV</td> <td>Pole</td> <td>20m</td> </tr> <tr> <td>Less than 66 kV</td> <td>Pole</td> <td>20m</td> </tr> </tbody> </table>	Voltage of transmission line	Tower or Pole	Minimum horizontal clearance distance between plantings and transmission lines	500 kV	Tower	38m	275 kV	Tower	25m	132 kV	Tower	30m	132 kV	Pole	20m	66 kV	Pole	20m	Less than 66 kV	Pole	20m
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Housing Renewal

Assessment Provisions (AP)

Desired Outcome	
DO 1	Renewed residential environments replace older social housing and provide new social housing infrastructure and other housing options and tenures to enhance the residential amenity of the local area.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Residential development provides a range of housing choices.	DTS/DPF 1.1 Development comprises one or more of the following: (a) detached dwellings (b) semi-detached dwellings (c) row dwellings (d) group dwellings (e) residential flat buildings.
PO 1.2 Medium-density housing options or higher are located in close proximity to public transit, open space and/or activity centres.	DTS/DPF 1.2 None are applicable.
Building Height	
PO 2.1 Buildings generally do not exceed 3 building levels unless in locations close to public transport, centres and/or open space.	DTS/DPF 2.1 Building height (excluding garages, carports and outbuildings) does not exceed 3 building levels and 12m and wall height does not exceed 9m (not including a gable end).
PO 2.2 Medium or high rise residential flat buildings located within or at the interface with zones which restrict heights to a maximum of 2 building levels transition down in scale and height towards the boundary of that zone, other than where it is a street boundary.	DTS/DPF 2.2 None are applicable.
Primary Street Setback	
PO 3.1 Buildings are set back from the primary street boundary to contribute to an attractive streetscape character.	DTS/DPF 3.1 Buildings are no closer to the primary street (excluding any balcony, verandah, porch, awning or similar structure) than 3m.
Secondary Street Setback	

<p>PO 4.1</p> <p>Buildings are set back from secondary street boundaries to maintain separation between building walls and public streets and contribute to a suburban streetscape character.</p>	<p>DTS/DPF 4.1</p> <p>Buildings are set back at least 900mm from the boundary of the allotment with a secondary street frontage.</p>
<p>Boundary Walls</p>	
<p>PO 5.1</p> <p>Boundary walls are limited in height and length to manage visual impacts and access to natural light and ventilation.</p>	<p>DTS/DPF 5.1</p> <p>Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, dwellings with side boundary walls are sited on only one side boundary and satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) adjoin or abut a boundary wall of a building on adjoining land for the same length and height (b) do not: <ul style="list-style-type: none"> (i) exceed 3.2m in height from the lower of the natural or finished ground level (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, a maximum 45% of the length of the boundary (iv) encroach within 3 metres of any other existing or proposed boundary walls on the subject land.
<p>PO 5.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a suburban streetscape character.</p>	<p>DTS/DPF 5.2</p> <p>Dwellings in a semi-detached or row arrangement are set back 900mm or more from side boundaries shared with allotments outside the development site, except for a carport or garage.</p>
<p>Side Boundary Setback</p>	
<p>PO 6.1</p> <p>Buildings are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that contributes to a suburban character (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 6.1</p> <p>Other than walls located on a side boundary, buildings are set back from side boundaries:</p> <ul style="list-style-type: none"> (a) at least 900mm where the wall height is up to 3m (b) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m (c) at least 1.9m plus 1/3 of the wall height above 3m for walls facing a southern side boundary.
<p>Rear Boundary Setback</p>	
<p>PO 7.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that contributes to a suburban character (b) access to natural light and ventilation for neighbours (c) private open space (d) space for landscaping and vegetation. 	<p>DTS/DPF 7.1</p> <p>Dwellings are set back from the rear boundary:</p> <ul style="list-style-type: none"> (a) 3m or more for the first building level (b) 5m or more for any subsequent building level.
<p>Buildings elevation design</p>	
<p>PO 8.1</p> <p>Dwelling elevations facing public streets and common driveways</p>	<p>DTS/DPF 8.1</p> <p>Each dwelling includes at least 3 of the following design features</p>

<p>make a positive contribution to the streetscape and common driveway areas.</p>	<p>within the building elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:</p> <ul style="list-style-type: none"> (a) a minimum of 30% of the building elevation is set back an additional 300mm from the building line (b) a porch or portico projects at least 1m from the building elevation (c) a balcony projects from the building elevation (d) a verandah projects at least 1m from the building elevation (e) eaves of a minimum 400mm width extend along the width of the front elevation (f) a minimum 30% of the width of the upper level projects forward from the lower level primary building line by at least 300mm. (g) a minimum of two different materials or finishes are incorporated on the walls of the building elevation, with a maximum of 80% of the building elevation in a single material or finish.
<p>PO 8.2</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 8.2</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street
<p>PO 8.3</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Built form considers local context and provides a quality design response through scale, massing, materials, colours and architectural expression.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
<p>PO 8.5</p> <p>Entrances to multi-storey buildings are:</p> <ul style="list-style-type: none"> (a) oriented towards the street (b) visible and easily identifiable from the street (c) designed to include a common mail box structure. 	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
<p>Outlook and amenity</p>	
<p>PO 9.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 9.1</p> <p>A living room of a dwelling incorporates a window with an external outlook towards the street frontage or private open space.</p>
<p>PO 9.2</p> <p>Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>

Private Open Space																
<p>PO 10.1</p> <p>Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</p>	<p>DTS/DPF 10.1</p> <p>Private open space is provided in accordance with the following table:</p> <table border="1" data-bbox="829 324 1519 1265"> <thead> <tr> <th>Dwelling Type</th> <th>Dwelling / Site Configuration</th> <th>Minimum Rate</th> </tr> </thead> <tbody> <tr> <td>Dwelling (at ground level)</td> <td></td> <td>Total area: 24m² located behind the building line Minimum adjacent to a living room: 16m² with a minimum dimension 3m</td> </tr> <tr> <td rowspan="4">Dwelling (above ground level)</td> <td>Studio</td> <td>4m² / minimum dimension 1.8m</td> </tr> <tr> <td>One bedroom dwelling</td> <td>8m² / minimum dimension 2.1m</td> </tr> <tr> <td>Two bedroom dwelling</td> <td>11m² / minimum dimension 2.4m</td> </tr> <tr> <td>Three + bedroom dwelling</td> <td>15 m² / minimum dimension 2.6m</td> </tr> </tbody> </table>	Dwelling Type	Dwelling / Site Configuration	Minimum Rate	Dwelling (at ground level)		Total area: 24m ² located behind the building line Minimum adjacent to a living room: 16m ² with a minimum dimension 3m	Dwelling (above ground level)	Studio	4m ² / minimum dimension 1.8m	One bedroom dwelling	8m ² / minimum dimension 2.1m	Two bedroom dwelling	11m ² / minimum dimension 2.4m	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m
Dwelling Type	Dwelling / Site Configuration	Minimum Rate														
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	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m														
<p>PO 10.2</p> <p>Private open space positioned to provide convenient access from internal living areas.</p>	<p>DTS/DPF 10.2</p> <p>At least 50% of the required area of private open space is accessible from a habitable room.</p>															
<p>PO 10.3</p> <p>Private open space is positioned and designed to:</p> <ul style="list-style-type: none"> (a) provide useable outdoor space that suits the needs of occupants; (b) take advantage of desirable orientation and vistas; and (c) adequately define public and private space. 	<p>DTS/DPF 10.3</p> <p>None are applicable.</p>															
Visual privacy																
<p>PO 11.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.</p>	<p>DTS/DPF 11.1</p> <p>Upper level windows facing side or rear boundaries shared with another residential allotment/site satisfy one of the following:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm (b) have sill heights greater than or equal to 1.5m above finished floor level 															

	(c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5m above the finished floor.										
PO 11.2 Development mitigates direct overlooking from upper level balconies and terraces to habitable rooms and private open space of adjoining residential uses.	DTS/DPF 11.2 One of the following is satisfied: (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases										
Landscaping											
PO 12.1 Soft landscaping is incorporated into development to: (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration and biodiversity (d) enhance the appearance of land and streetscapes.	DTS/DPF 12.1 Residential development incorporates pervious areas for soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b): (a) a total area as determined by the following table: <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th><th>Minimum percentage of site</th></tr></thead><tbody><tr><td><150</td><td>10%</td></tr><tr><td><200</td><td>15%</td></tr><tr><td>200-450</td><td>20%</td></tr><tr><td>>450</td><td>25%</td></tr></tbody></table> (b) at least 30% of land between the road boundary and the building line.	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	<200	15%	200-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
<200	15%										
200-450	20%										
>450	25%										
Water Sensitive Design											
PO 13.1 Residential development is designed to capture and use stormwater to: (a) maximise efficient use of water resources (b) manage peak stormwater runoff flows and volume to ensure the carrying capacities of downstream systems are not overloaded (c) manage runoff quality to maintain, as close as practical, pre-development conditions.	DTS/DPF 13.1 None are applicable.										
Car Parking											
PO 14.1	DTS/DPF 14.1										

<p>On-site car parking is provided to meet the anticipated demand of residents, with less on-site parking in areas in close proximity to public transport.</p>	<p>On-site car parking is provided at the following rates per dwelling:</p> <ul style="list-style-type: none"> (a) 2 or fewer bedrooms - 1 car parking space (b) 3 or more bedrooms - 2 car parking spaces.
<p>PO 14.2</p> <p>Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 14.2</p> <p>Residential parking spaces enclosed by fencing, walls or other obstructions with the following internal dimensions (separate from any waste storage area):</p> <ul style="list-style-type: none"> (a) single parking spaces: <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 3.0m (iii) a minimum garage door width of 2.4m (b) double parking spaces (side by side): <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 5.5m (iii) minimum garage door width of 2.4m per space.
<p>PO 14.3</p> <p>Uncovered car parking spaces are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 14.3</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> (a) a minimum length of 5.4m (b) a minimum width of 2.4m (c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m.
<p>PO 14.4</p> <p>Residential flat buildings and group dwelling developments provide sufficient on-site visitor car parking to cater for anticipated demand.</p>	<p>DTS/DPF 14.4</p> <p>Visitor car parking for group and residential flat buildings incorporating 4 or more dwellings is provided on-site at a minimum ratio of 0.25 car parking spaces per dwelling.</p>
<p>PO 14.5</p> <p>Residential flat buildings provide dedicated areas for bicycle parking.</p>	<p>DTS/DPF 14.5</p> <p>Residential flat buildings provide one bicycle parking space per dwelling.</p>
<p>Overshadowing</p>	
<p>PO 15.1</p> <p>Development minimises overshadowing of the private open spaces of adjoining land by ensuring that ground level open space associated with residential buildings receive direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June.</p>	<p>DTS/DPF 15.1</p> <p>None are applicable.</p>
<p>Waste</p>	
<p>PO 16.1</p> <p>Provision is made for the convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 16.1</p> <p>A waste bin storage area is provided behind the primary building line that:</p> <ul style="list-style-type: none"> (a) has a minimum area of 2m² with a minimum dimension of 900mm (separate from any designated car parking spaces or private open space).; and (b) has a continuous unobstructed path of travel (excluding

	moveable objects like gates, vehicles and roller doors) with a minimum width of 800mm between the waste bin storage area and the street.
<p>PO 16.2</p> <p>Residential flat buildings provide a dedicated area for the on-site storage of waste which is:</p> <ul style="list-style-type: none"> (a) easily and safely accessible for residents and for collection vehicles (b) screened from adjoining land and public roads (c) of sufficient dimensions to be able to accommodate the waste storage needs of the development considering the intensity and nature of the development and the frequency of collection. 	<p>DTS/DPF 16.2</p> <p>None are applicable.</p>
Vehicle Access	
<p>PO 17.1</p> <p>Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 17.1</p> <p>None are applicable.</p>
<p>PO 17.2</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 17.2</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 17.3</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 17.3</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport is not more than 1-in-4 on average (b) they are aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of any dedicated car parking space to which it provides access (measured from the front of that space) and the road boundary. (c) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site.
<p>PO 17.4</p>	<p>DTS/DPF 17.4</p>

<p>Driveways and access points are designed and distributed to optimise the provision of on-street parking.</p>	<p>Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:</p> <ol style="list-style-type: none"> 1. minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) 2. Minimum car park length of 5.4m where a vehicle can enter or exit a space directly 3. minimum car park length of 6m for an intermediate space located between two other parking spaces.
<p>PO 17.5</p> <p>Residential driveways that service more than one dwelling of a dimension to allow safe and convenient movement.</p>	<p>DTS/DPF 17.5</p> <p>Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:</p> <ol style="list-style-type: none"> (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
<p>PO 17.6</p> <p>Residential driveways that service more than one dwelling are designed to allow passenger vehicles to enter and exit the site and manoeuvre within the site in a safe and convenient manner.</p>	<p>DTS/DPF 17.6</p> <p>Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre</p>
<p>PO 17.7</p> <p>Dwellings are adequately separated from common driveways and manoeuvring areas.</p>	<p>DTS/DPF 17.7</p> <p>Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.</p>
<p>Storage</p>	
<p>PO 18.1</p> <p>Dwellings are provided with sufficient and accessible space for storage to meet likely occupant needs.</p>	<p>DTS/DPF 18.1</p> <p>Dwellings are provided with storage at the following rates and 50% or more of the storage volume is provided within the dwelling:</p> <ol style="list-style-type: none"> (a) studio: not less than 6m³ (b) 1 bedroom dwelling / apartment: not less than 8m³ (c) 2 bedroom dwelling / apartment: not less than 10m³ (d) 3+ bedroom dwelling / apartment: not less than 12m³.
<p>Earthworks</p>	
<p>PO 19.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 19.1</p> <p>The development does not involve:</p> <ol style="list-style-type: none"> (a) excavation exceeding a vertical height of 1m or (b) filling exceeding a vertical height of 1m or (c) a total combined excavation and filling vertical height exceeding 2m.

Service connections and infrastructure	
<p>PO 20.1</p> <p>Dwellings are provided with appropriate service connections and infrastructure.</p>	<p>DTS/DPF 20.1</p> <p>The site and building:</p> <ul style="list-style-type: none"> (a) have the ability to be connected to a permanent potable water supply (b) have the ability to be connected to a sewerage system, or a wastewater system approved under the <i>South Australian Public Health Act 2011</i> (c) have the ability to be connected to electricity supply (d) have the ability to be connected to an adequate water supply (and pressure) for fire-fighting purposes (e) would not be contrary to the Regulations prescribed for the purposes of Section 86 of the <i>Electricity Act 1996</i>.
Site contamination	
<p>PO 21.1</p> <p>Land that is suitable for sensitive land uses to provide a safe environment.</p>	<p>DTS/DPF 21.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <ul style="list-style-type: none"> (a) does not involve a change in the use of land (b) involves a change in the use of land that does not constitute a change to a <u>more sensitive use</u> (c) involves a change in the use of land to a <u>more sensitive use</u> on land at which <u>site contamination</u> does not exist (as demonstrated in a <u>site contamination declaration form</u>) (d) involves a change in the use of land to a <u>more sensitive use</u> on land at which <u>site contamination</u> exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following: <ul style="list-style-type: none"> (i) a <u>site contamination audit report</u> has been prepared under Part 10A of the <i>Environment Protection Act 1993</i> in relation to the land within the previous 5 years which states that <ul style="list-style-type: none"> A. <u>site contamination</u> does not exist (or no longer exists) at the land or B. the land is suitable for the proposed use or range of uses (without the need for any further <u>remediation</u>) or C. where <u>remediation</u> is, or remains, necessary for the proposed use (or range of uses), <u>remediation work</u> has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development) and (ii) no other <u>class 1 activity</u> or <u>class 2 activity</u> has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a <u>site contamination declaration form</u>).

Assessment Provisions (AP)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
General	
PO 1.1 Development is located and designed to minimise hazard or nuisance to adjacent development and land uses.	DTS/DPF 1.1 None are applicable.
Visual Amenity	
PO 2.1 The visual impact of above-ground infrastructure networks and services (excluding high voltage transmission lines), renewable energy facilities (excluding wind farms), energy storage facilities and ancillary development is minimised from townships, scenic routes and public roads by: <ul style="list-style-type: none"> (a) utilising features of the natural landscape to obscure views where practicable (b) siting development below ridgelines where practicable (c) avoiding visually sensitive and significant landscapes (d) using materials and finishes with low-reflectivity and colours that complement the surroundings (e) using existing vegetation to screen buildings (f) incorporating landscaping or landscaped mounding around the perimeter of a site and between adjacent allotments accommodating or zoned to primarily accommodate sensitive receivers. 	DTS/DPF 2.1 None are applicable.
PO 2.2 Pumping stations, battery storage facilities, maintenance sheds and other ancillary structures incorporate vegetation buffers to reduce adverse visual impacts on adjacent land.	DTS/DPF 2.2 None are applicable.
PO 2.3	DTS/DPF 2.3

Surfaces exposed by earthworks associated with the installation of storage facilities, pipework, penstock, substations and other ancillary plant are reinstated and revegetated to reduce adverse visual impacts on adjacent land.	None are applicable.
Rehabilitation	
PO 3.1 Progressive rehabilitation (incorporating revegetation) of disturbed areas, ahead of or upon decommissioning of areas used for renewable energy facilities and transmission corridors.	DTS/DPF 3.1 None are applicable.
Hazard Management	
PO 4.1 Infrastructure and renewable energy facilities and ancillary development located and operated to not adversely impact maritime or air transport safety, including the operation of ports, airfields and landing strips.	DTS/DPF 4.1 None are applicable.
PO 4.2 Facilities for energy generation, power storage and transmission are separated as far as practicable from dwellings, tourist accommodation and frequently visited public places (such as viewing platforms / lookouts) to reduce risks to public safety from fire or equipment malfunction.	DTS/DPF 4.2 None are applicable.
PO 4.3 Bushfire hazard risk is minimised for renewable energy facilities by providing appropriate access tracks, safety equipment and water tanks and establishing cleared areas around substations, battery storage and operations compounds.	DTS/DPF 4.3 None are applicable.
Electricity Infrastructure and Battery Storage Facilities	
PO 5.1 Electricity infrastructure is located to minimise visual impacts through techniques including: (a) siting utilities and services: (i) on areas already cleared of native vegetation (ii) where there is minimal interference or disturbance to existing native vegetation or biodiversity (b) grouping utility buildings and structures with non-residential development, where practicable.	DTS/DPF 5.1 None are applicable.
PO 5.2 Electricity supply (excluding transmission lines) serving new development in urban areas and townships installed underground, excluding lines having a capacity exceeding	DTS/DPF 5.2 None are applicable.

or equal to 33kV.	
PO 5.3 Battery storage facilities are co-located with substation infrastructure where practicable to minimise the development footprint and reduce environmental impacts.	DTS/DPF 5.3 None are applicable.
Telecommunication Facilities	
PO 6.1 The proliferation of telecommunications facilities in the form of towers/monopoles in any one locality is managed, where technically feasible, by co-locating a facility with other communications facilities to mitigate impacts from clutter on visual amenity.	DTS/DPF 6.1 None are applicable.
PO 6.2 Telecommunications antennae are located as close as practicable to support structures to manage overall bulk and mitigate impacts on visual amenity.	DTS/DPF 6.2 None are applicable.
PO 6.3 Telecommunications facilities, particularly towers/monopoles, are located and sized to mitigate visual impacts by the following methods: (a) where technically feasible, incorporating the facility within an existing structure that may serve another purpose or all of the following: (b) using existing buildings and landscape features to obscure or interrupt views of a facility from nearby public roads, residential areas and places of high public amenity to the extent practical without unduly hindering the effective provision of telecommunications services (c) using materials and finishes that complement the environment (d) screening using landscaping and vegetation, particularly for equipment shelters and huts.	DTS/DPF 6.3 None are applicable.
Renewable Energy Facilities	
PO 7.1 Renewable energy facilities are located as close as practicable to existing transmission infrastructure to facilitate connections and minimise environmental impacts as a result of extending transmission infrastructure.	DTS/DPF 7.1 None are applicable.
Renewable Energy Facilities (Wind Farm)	
PO 8.1 Visual impact of wind turbine generators on the amenity of residential and tourist development is reduced through appropriate separation.	DTS/DPF 8.1 Wind turbine generators are: (a) set back at least 2000m from the base of a turbine to any of the

	<p>following zones:</p> <ul style="list-style-type: none"> (i) Rural Settlement Zone (ii) Township Zone (iii) Rural Living Zone (iv) Rural Neighbourhood Zone <p>with an additional 10m setback per additional metre over 150m overall turbine height (measured from the base of the turbine).</p> <p>(b) set back at least 1500m from the base of the turbine to non-associated (non-stakeholder) dwellings and tourist accommodation</p>
<p>PO 8.2</p> <p>The visual impact of wind turbine generators on natural landscapes is managed by:</p> <ul style="list-style-type: none"> (a) designing wind turbine generators to be uniform in colour, size and shape (b) coordinating blade rotation and direction (c) mounting wind turbine generators on tubular towers as opposed to lattice towers. 	<p>DTS/DPF 8.2</p> <p>None are applicable.</p>
<p>PO 8.3</p> <p>Wind turbine generators and ancillary development minimise potential for bird and bat strike.</p>	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Wind turbine generators incorporate recognition systems or physical markers to minimise the risk to aircraft operations.</p>	<p>DTS/DPF 8.4</p> <p>No Commonwealth air safety (CASA / ASA) or Defence requirement is applicable.</p>
<p>PO 8.5</p> <p>Meteorological masts and guidewires are identifiable to aircraft through the use of colour bands, marker balls, high visibility sleeves or flashing strobes.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
<p>Renewable Energy Facilities (Solar Power)</p>	
<p>PO 9.1</p> <p>Ground mounted solar power facilities generating 5MW or more are not located on land requiring the clearance of areas of intact native vegetation or on land of high environmental, scenic or cultural value.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Ground mounted solar power facilities allow for movement of wildlife by:</p> <ul style="list-style-type: none"> (a) incorporating wildlife corridors and habitat refuges (b) avoiding the use of extensive security or perimeter fencing or incorporating fencing that enables the passage of small animals without unreasonably compromising the security of the facility. 	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>
<p>PO 9.3</p>	<p>DTS/DPF 9.3</p>

<p>Amenity impacts of solar power facilities are minimised through separation from conservation areas and sensitive receivers in other ownership.</p>	<p>Ground mounted solar power facilities are set back from land boundaries, conservation areas and relevant zones in accordance with the following criteria:</p> <table border="1" data-bbox="737 235 1522 1131"> <thead> <tr> <th>Generation Capacity</th> <th>Approximate size of array</th> <th>Setback from adjoining land boundary</th> <th>Setback from conservation areas</th> <th>Setback from Township, Rural Settlement, Rural Neighbourhood and Rural Living Zones¹</th> </tr> </thead> <tbody> <tr> <td>50MW></td> <td>80ha+</td> <td>30m</td> <td>500m</td> <td>2km</td> </tr> <tr> <td>10MW<50MW</td> <td>16ha-<80ha</td> <td>25m</td> <td>500m</td> <td>1.5km</td> </tr> <tr> <td>5MW<10MW</td> <td>8ha to <16ha</td> <td>20m</td> <td>500m</td> <td>1km</td> </tr> <tr> <td>1MW<5MW</td> <td>1.6ha to <8ha</td> <td>15m</td> <td>500m</td> <td>500m</td> </tr> <tr> <td>100kW<1MW</td> <td>0.5ha<1.6ha</td> <td>10m</td> <td>500m</td> <td>100m</td> </tr> <tr> <td><100kW</td> <td><0.5ha</td> <td>5m</td> <td>500m</td> <td>25m</td> </tr> </tbody> </table> <p>Notes:</p> <p>1. Does not apply when the site of the proposed ground mounted solar power facility is located within one of these zones.</p>	Generation Capacity	Approximate size of array	Setback from adjoining land boundary	Setback from conservation areas	Setback from Township, Rural Settlement, Rural Neighbourhood and Rural Living Zones ¹	50MW>	80ha+	30m	500m	2km	10MW<50MW	16ha-<80ha	25m	500m	1.5km	5MW<10MW	8ha to <16ha	20m	500m	1km	1MW<5MW	1.6ha to <8ha	15m	500m	500m	100kW<1MW	0.5ha<1.6ha	10m	500m	100m	<100kW	<0.5ha	5m	500m	25m
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<p>PO 9.4</p> <p>Ground mounted solar power facilities incorporate landscaping within setbacks from adjacent road frontages and boundaries of adjacent allotments accommodating non-host dwellings, where balanced with infrastructure access and bushfire safety considerations.</p>	<p>DTS/DPF 9.4</p> <p>None are applicable.</p>																																			
<p>Hydropower / Pumped Hydropower Facilities</p>																																				
<p>PO 10.1</p> <p>Hydropower / pumped hydropower facility storage is designed and operated to minimise the risk of storage dam failure.</p>	<p>DTS/DPF 10.1</p> <p>None are applicable.</p>																																			
<p>PO 10.2</p> <p>Hydropower / pumped hydropower facility storage is designed and operated to minimise water loss through increased evaporation or system leakage, with the incorporation of appropriate liners, dam covers, operational measures or detection systems.</p>	<p>DTS/DPF 10.2</p> <p>None are applicable.</p>																																			
<p>PO 10.3</p>	<p>DTS/DPF 10.3</p>																																			

<p>Hydropower / pumped hydropower facilities on existing or former mine sites minimise environmental impacts from site contamination, including from mine operations or water sources subject to such processes, now or in the future.</p>	<p>None are applicable.</p>
<p>Water Supply</p>	
<p>PO 11.1 Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.</p>	<p>DTS/DPF 11.1 Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.</p>
<p>PO 11.2 Dwellings are connected to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the intended use. Where this is not available an appropriate rainwater tank or storage system for domestic use is provided.</p>	<p>DTS/DPF 11.2 A dwelling is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the development. Where this is not available it is serviced by a rainwater tank or tanks capable of holding at least 50,000 litres of water which is:</p> <ul style="list-style-type: none"> (a) exclusively for domestic use (b) connected to the roof drainage system of the dwelling.
<p>Wastewater Services</p>	
<p>PO 12.1 Development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following:</p> <ul style="list-style-type: none"> (a) it is wholly located and contained within the allotment of the development it will service (b) in areas where there is a high risk of contamination of surface, ground, or marine water resources from on-site disposal of liquid wastes, disposal systems are included to minimise the risk of pollution to those water resources (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm. 	<p>DTS/DPF 12.1 Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development. Where this is not available it is instead capable of being serviced by an on-site waste water treatment system in accordance with the following:</p> <ul style="list-style-type: none"> (a) the system is wholly located and contained within the allotment of development it will service; and (b) the system will comply with the requirements of the South Australian Public Health Act 2011.
<p>PO 12.2 Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.</p>	<p>DTS/DPF 12.2 Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.</p>
<p>Temporary Facilities</p>	
<p>PO 13.1 In rural and remote locations, development that is likely to generate significant waste material during construction, including packaging waste, makes provision for a</p>	<p>DTS/DPF 13.1 A waste collection and disposal service is used to dispose of the volume of waste at the rate it is generated.</p>

temporary on-site waste storage enclosure to minimise the incidence of wind-blown litter.	
PO 13.2 Temporary facilities to support the establishment of renewable energy facilities (including borrow pits, concrete batching plants, laydown, storage, access roads and worker amenity areas) are sited and operated to minimise environmental impact.	DTS/DPF 13.2 None are applicable.

Intensive Animal Husbandry and Dairies

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development of intensive animal husbandry and dairies in locations that are protected from encroachment by sensitive receivers and in a manner that minimises their adverse effects on amenity and the environment.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting and Design	
PO 1.1 Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to not unreasonably impact on the environment or amenity of the locality.	DTS/DPF 1.1 None are applicable.
PO 1.2 Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to prevent the potential transmission of disease to other operations where animals are kept.	DTS/DPF 1.2 None are applicable.
PO 1.3 Intensive animal husbandry and associated activities such as wastewater lagoons and liquid/solid waste disposal areas are sited, designed, constructed and managed to not unreasonably impact on sensitive receivers in other ownership in terms of noise and air emissions.	DTS/DPF 1.3 None are applicable.
PO 1.4 Dairies and associated activities such as wastewater lagoons and liquid/solid waste disposal areas are sited, designed, constructed	DTS/DPF 1.4 Dairies, associated wastewater lagoon(s) and liquid/solid waste storage and disposal facilities are located 500m or more from the

and managed to not unreasonably impact on sensitive receivers in other ownership in terms of noise and air emissions.	nearest sensitive receiver in other ownership.
PO 1.5 Lagoons for the storage or treatment of milking shed effluent is adequately separated from roads to minimise impacts from odour on the general public.	DTS/DPF 1.5 Lagoons for the storage or treatment of milking shed effluent are set back 20m or more from public roads.
Waste	
PO 2.1 Storage of manure, used litter and other wastes (other than waste water lagoons) is sited, designed, constructed and managed to: (a) avoid attracting and harbouring vermin (b) avoid polluting water resources (c) be located outside 1% AEP flood event areas.	DTS/DPF 2.1 None are applicable.
Soil and Water Protection	
PO 3.1 To avoid environmental harm and adverse effects on water resources, intensive animal husbandry operations are appropriately set back from: (a) public water supply reservoirs (b) major watercourses (third order or higher stream) (c) any other watercourse, bore or well used for domestic or stock water supplies.	DTS/DPF 3.1 Intensive animal husbandry operations are set back: (a) 800m or more from a public water supply reservoir (b) 200m or more from a major watercourse (third order or higher stream) (c) 100m or more from any other watercourse, bore or well used for domestic or stock water supplies.
PO 3.2 Intensive animal husbandry operations and dairies incorporate appropriately designed effluent and run-off facilities that: (a) have sufficient capacity to hold effluent and runoff from the operations on site (b) ensure effluent does not infiltrate and pollute groundwater, soil or other water resources.	DTS/DPF 3.2 None are applicable.

Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature								
General Land Use Compatibility									
<p>PO 1.1</p> <p>Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>								
<p>PO 1.2</p> <p>Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>								
Hours of Operation									
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land. 	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" data-bbox="831 958 1485 1823"> <thead> <tr> <th data-bbox="831 958 1098 1048">Class of Development</th> <th data-bbox="1098 958 1485 1048">Hours of operation</th> </tr> </thead> <tbody> <tr> <td data-bbox="831 1048 1098 1198">Consulting room</td> <td data-bbox="1098 1048 1485 1198">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td data-bbox="831 1198 1098 1348">Office</td> <td data-bbox="1098 1198 1485 1348">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td data-bbox="831 1348 1098 1823"> Shop, other than any one or combination of the following: <ul style="list-style-type: none"> (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone </td> <td data-bbox="1098 1348 1485 1823">7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or combination of the following: <ul style="list-style-type: none"> (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone 	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
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Shop, other than any one or combination of the following: <ul style="list-style-type: none"> (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone 	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday								
Overshadowing									
<p>PO 3.1</p> <p>Overshadowing of habitable room windows of adjacent residential land uses in:</p> <ul style="list-style-type: none"> a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter 	<p>DTS/DPF 3.1</p> <p>North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.</p>								

<p>sunlight.</p>	
<p>PO 3.2</p> <p>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</p> <p>a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.2</p> <p>Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:</p> <p>a. for ground level private open space, the smaller of the following:</p> <p>i. half the existing ground level open space</p> <p>or</p> <p>ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Development that incorporates moving parts, including windmills and wind farms, are located and operated to not cause unreasonable nuisance to nearby dwellings and tourist accommodation caused by shadow flicker.</p>	<p>DTS/DPF 3.4</p> <p>None are applicable.</p>
<p>Activities Generating Noise or Vibration</p>	
<p>PO 4.1</p> <p>Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.1</p> <p>Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.</p>
<p>PO 4.2</p> <p>Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:</p> <p>(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(c) housing plant and equipment within an enclosed structure</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>

<p>or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.</p>					
<p>PO 4.3 Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.3 The pump and/or filtration system ancillary to a dwelling erected on the same site is: (a) enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment or (b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>				
<p>PO 4.4 External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.</p>	<p>DTS/DPF 4.4 Adjacent land is used for residential purposes.</p>				
<p>PO 4.5 Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5 None are applicable.</p>				
<p>PO 4.6 Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6 Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" data-bbox="831 1223 1485 1505"> <thead> <tr> <th data-bbox="831 1223 1098 1312">Assessment location</th> <th data-bbox="1098 1223 1485 1312">Music noise level</th> </tr> </thead> <tbody> <tr> <td data-bbox="831 1312 1098 1505">Externally at the nearest existing or envisaged noise sensitive location</td> <td data-bbox="1098 1312 1485 1505">Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)
Assessment location	Music noise level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)				
Air Quality					
<p>PO 5.1 Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 5.1 None are applicable.</p>				
<p>PO 5.2 Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by: (a) incorporating appropriate treatment technology before</p>	<p>DTS/DPF 5.2 None are applicable.</p>				

<p>exhaust emissions are released</p> <p>(b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.</p>	
<p>Light Spill</p>	
<p>PO 6.1</p> <p>External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>
<p>PO 6.2</p> <p>External lighting is not hazardous to motorists and cyclists.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
<p>Solar Reflectivity / Glare</p>	
<p>PO 7.1</p> <p>Development is designed and comprised of materials and finishes that do not unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>Electrical Interference</p>	
<p>PO 8.1</p> <p>Development in rural and remote areas does not unreasonably diminish or result in the loss of existing communication services due to electrical interference.</p>	<p>DTS/DPF 8.1</p> <p>The building or structure:</p> <ul style="list-style-type: none"> (a) is no greater than 10m in height, measured from existing ground level or (b) is not within a line of sight between a fixed transmitter and fixed receiver (antenna) other than where an alternative service is available via a different fixed transmitter or cable.
<p>Interface with Rural Activities</p>	
<p>PO 9.1</p> <p>Sensitive receivers are located and designed to mitigate impacts from lawfully existing horticultural and farming activities (or lawfully approved horticultural and farming activities), including spray drift and noise and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing intensive animal husbandry activities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>
<p>PO 9.3</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing land-based aquaculture activities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.3</p> <p>Sensitive receivers are located at least 200m from the boundary of a site used for land-based aquaculture and associated components in other ownership.</p>
<p>PO 9.4</p>	<p>DTS/DPF 9.4</p>

<p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing dairies including associated wastewater lagoons and liquid/solid waste storage and disposal facilities and do not prejudice the continued operation of these activities.</p>	<p>Sensitive receivers are sited at least 500m from the boundary of a site used for a dairy and associated wastewater lagoon(s) and liquid/solid waste storage and disposal facilities in other ownership.</p>
<p>PO 9.5</p> <p>Sensitive receivers are located and designed to mitigate the potential impacts from lawfully existing facilities used for the handling, transportation and storage of bulk commodities (recognising the potential for extended hours of operation) and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.5</p> <p>Sensitive receivers are located away from the boundary of a site used for the handling, transportation and/or storage of bulk commodities in other ownership in accordance with the following:</p> <ul style="list-style-type: none"> (a) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility (b) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility (including sea-port grain terminals) where the handling of these materials into or from vessels does not exceed 100 tonnes per day (c) 500m or more, where it involves the storage of bulk petroleum in individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1000 cubic metres (d) 500m or more, where it involves the handling of coal with a capacity up to 1 tonne per day or a storage capacity up to 50 tonnes (e) 1000m or more, where it involves the handling of coal with a capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes.
<p>PO 9.6</p> <p>Setbacks and vegetation plantings along allotment boundaries should be incorporated to mitigate the potential impacts of spray drift and other impacts associated with agricultural and horticultural activities.</p>	<p>DTS/DPF 9.6</p> <p>None are applicable.</p>
<p>PO 9.7</p> <p>Urban development does not prejudice existing agricultural and horticultural activities through appropriate separation and design techniques.</p>	<p>DTS/DPF 9.7</p> <p>None are applicable.</p>
<p>Interface with Mines and Quarries (Rural and Remote Areas)</p>	
<p>PO 10.1</p> <p>Sensitive receivers are separated from existing mines to minimise the adverse impacts from noise, dust and vibration.</p>	<p>DTS/DPF 10.1</p> <p>Sensitive receivers are located no closer than 500m from the boundary of a Mining Production Tenement under the <i>Mining Act 1971</i>.</p>

Land Division

Assessment Provisions (AP)

Desired Outcome

DO 1	<p>Land division:</p> <ul style="list-style-type: none"> (a) creates allotments with the appropriate dimensions and shape for their intended use (b) allows efficient provision of new infrastructure and the optimum use of underutilised infrastructure (c) integrates and allocates adequate and suitable land for the preservation of site features of value, including significant vegetation, watercourses, water bodies and other environmental features (d) facilitates solar access through allotment orientation (e) creates a compact urban form that supports active travel, walkability and the use of public transport (f) avoids areas of high natural hazard risk.
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Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All land division	
Allotment configuration	
PO 1.1 Land division creates allotments suitable for their intended use.	DTS/DPF 1.1 Division of land satisfies (a) or (b): <ul style="list-style-type: none"> (a) reflects the site boundaries illustrated and approved in an operative or existing development authorisation for residential development under the <i>Development Act 1993</i> or <i>Planning, Development and Infrastructure Act 2016</i> where the allotments are used or are proposed to be used solely for residential purposes (b) is proposed as part of a combined land division application with deemed-to-satisfy dwellings on the proposed allotments.
PO 1.2 Land division considers the physical characteristics of the land, preservation of environmental and cultural features of value and the prevailing context of the locality.	DTS/DPF 1.2 None are applicable.
Design and Layout	
PO 2.1 Land division results in a pattern of development that minimises the likelihood of future earthworks and retaining walls.	DTS/DPF 2.1 None are applicable.
PO 2.2 Land division enables the appropriate management of interface impacts between potentially conflicting land uses and/or zones.	DTS/DPF 2.2 None are applicable.
PO 2.3 Land division maximises the number of allotments that face public open space and public streets.	DTS/DPF 2.3 None are applicable.
PO 2.4 Land division is integrated with site features, adjacent land uses, the	DTS/DPF 2.4 None are applicable.

existing transport network and available infrastructure.	
PO 2.5 Development and infrastructure is provided and staged in a manner that supports an orderly and economic provision of land, infrastructure and services.	DTS/DPF 2.5 None are applicable.
PO 2.6 Land division results in watercourses being retained within open space and development taking place on land not subject to flooding.	DTS/DPF 2.6 None are applicable.
PO 2.7 Land division results in legible street patterns connected to the surrounding street network.	DTS/DPF 2.7 None are applicable.
PO 2.8 Land division is designed to preserve existing vegetation of value including native vegetation and regulated and significant trees.	DTS/DPF 2.8 None are applicable.
Roads and Access	
PO 3.1 Land division provides allotments with access to an all-weather public road.	DTS/DPF 3.1 None are applicable.
PO 3.2 Street patterns and intersections are designed to enable the safe and efficient movement of pedestrian, cycle and vehicular traffic.	DTS/DPF 3.2 None are applicable.
PO 3.3 Land division does not impede access to publicly owned open space and/or recreation facilities.	DTS/DPF 3.3 None are applicable.
PO 3.4 Road reserves provide for safe and convenient movement and parking of projected volumes of vehicles and allow for the efficient movement of service and emergency vehicles.	DTS/DPF 3.4 None are applicable.
PO 3.5 Road reserves are designed to accommodate pedestrian and cycling infrastructure, street tree planting, landscaping and street furniture.	DTS/DPF 3.5 None are applicable.
PO 3.6 Road reserves accommodate stormwater drainage and public utilities.	DTS/DPF 3.6 None are applicable.
PO 3.7 Road reserves provide unobstructed vehicular access and egress to and from individual allotments and sites.	DTS/DPF 3.7 None are applicable.
PO 3.8	DTS/DPF 3.8

Street patterns and intersections are designed to enable the safe and efficient movement of pedestrian, cycle and vehicular traffic.	None are applicable.
PO 3.9 Roads, open space and thoroughfares provide safe and convenient linkages to the surrounding open space and transport network.	DTS/DPF 3.9 None are applicable.
PO 3.10 Public streets are designed to enable tree planting to provide shade and enhance the amenity of streetscapes.	DTS/DPF 3.10 None are applicable.
PO 3.11 Local streets are designed to create low-speed environments that are safe for cyclists and pedestrians.	DTS/DPF 3.11 None are applicable.
Infrastructure	
PO 4.1 Land division incorporates public utility services within road reserves or dedicated easements.	DTS/DPF 4.1 None are applicable.
PO 4.2 Waste water, sewage and other effluent is capable of being disposed of from each allotment without risk to public health or the environment.	DTS/DPF 4.2 Each allotment can be connected to: (a) a waste water treatment plant that has the hydraulic volume and pollutant load treatment and disposal capacity for the maximum predicted wastewater volume generated by subsequent development of the proposed allotment or (b) a form of on-site waste water treatment and disposal that meets relevant public health and environmental standards.
PO 4.3 Septic tank effluent drainage fields and other waste water disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.	DTS/DPF 4.3 Development is not built on, or encroaches within, an area that is or will be, required for a sewerage system or waste control system.
PO 4.4 Constructed wetland systems, including associated detention and retention basins, are sited and designed to ensure public health and safety is protected, including by minimising potential public health risks arising from the breeding of mosquitoes.	DTS/DPF 4.4 None are applicable.
PO 4.5 Constructed wetland systems, including associated detention and retention basins, are sited and designed to allow sediments to settle prior to discharge into watercourses or the marine environment.	DTS/DPF 4.5 None are applicable.
PO 4.6 Constructed wetland systems, including associated detention and retention basins, are sited and designed to function as a landscape feature.	DTS/DPF 4.6 None are applicable.
Minor Land Division (Under 20 Allotments)	

Open Space	
PO 5.1 Land division proposing an additional allotment under 1 hectare provides or supports the provision of open space.	DTS/DPF 5.1 None are applicable.
Solar Orientation	
PO 6.1 Land division for residential purposes facilitates solar access through allotment orientation.	DTS/DPF 6.1 None are applicable.
Water Sensitive Design	
PO 7.1 Land division creating a new road or common driveway includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.	DTS/DPF 7.1 None are applicable.
PO 7.2 Land division designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	DTS/DPF 7.2 None are applicable.
Battle-Axe Development	
PO 8.1 Battle-axe development appropriately responds to the existing neighbourhood context.	DTS/DPF 8.1 Allotments are not in the form of a battle-axe arrangement.
PO 8.2 Battle-axe development designed to allow safe and convenient movement.	DTS/DPF 8.2 The handle of a battle-axe development: (a) has a minimum width of 4m or (b) where more than 3 allotments are proposed, a minimum width of 5.5m.
PO 8.3 Battle-axe allotments and/or common land are of a suitable size and dimension to allow passenger vehicles to enter and exit and manoeuvre within the site in a safe and convenient manner.	DTS/DPF 8.3 Battle-axe development allows a B85 passenger vehicle to enter and exit parking spaces in no more than a three-point turn manoeuvre.
PO 8.4 Battle-axe or common driveways incorporate landscaping and permeability to improve appearance and assist in stormwater management.	DTS/DPF 8.4 Battle-axe or common driveways satisfy (a) and (b): (a) are constructed of a minimum of 50% permeable or porous material (b) where the driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).
Major Land Division (20+ Allotments)	
Open Space	

PO 9.1 Land division allocates or retains evenly distributed, high quality areas of open space to improve residential amenity and provide urban heat amelioration.	DTS/DPF 9.1 None are applicable.
PO 9.2 Land allocated for open space is suitable for its intended active and passive recreational use considering gradient and potential for inundation.	DTS/DPF 9.2 None are applicable.
PO 9.3 Land allocated for active recreation has dimensions capable of accommodating a range of active recreational activities.	DTS/DPF 9.3 None are applicable.
Water Sensitive Design	
PO 10.1 Land division creating 20 or more residential allotments includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	DTS/DPF 10.1 None are applicable.
PO 10.2 Land division creating 20 or more non-residential allotments includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	DTS/DPF 10.2 None are applicable.
PO 10.3 Land division creating 20 or more allotments includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.	DTS/DPF 10.3 None are applicable.
Solar Orientation	
PO 11.1 Land division creating 20 or more allotments for residential purposes facilitates solar access through allotment orientation and allotment dimensions.	DTS/DPF 11.1 None are applicable.

Marinas and On-Water Structures

Assessment Provisions (AP)

Desired Outcome

DO 1

	Marinas and on-water structures are located and designed to minimise the impairment of commercial, recreational and navigational activities and adverse impacts on the environment.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Navigation and Safety	
PO 1.1 Safe public access is provided or maintained to the waterfront, public infrastructure and recreation areas.	DTS/DPF 1.1 None are applicable.
PO 1.2 The operation of wharves is not impaired by marinas and on-water structures.	DTS/DPF 1.2 None are applicable.
PO 1.3 Navigation and access channels are not impaired by marinas and on-water structures.	DTS/DPF 1.3 None are applicable.
PO 1.4 Commercial shipping lanes are not impaired by marinas and on-water structures.	DTS/DPF 1.4 Marinas and on-water structures are set back 250m or more from commercial shipping lanes.
PO 1.5 Marinas and on-water structures are located to avoid interfering with the operation or function of a water supply pumping station.	DTS/DPF 1.5 On-water structures are set back: <ul style="list-style-type: none"> (a) 3km or more from upstream water supply pumping station take-off points (b) 500m or more from downstream water supply pumping station take-off points.
PO 1.6 Maintenance of on-water infrastructure, including revetment walls, is not impaired by marinas and on-water structures.	DTS/DPF 1.6 None are applicable.
Environmental Protection	
PO 2.1 Development is sited and designed to facilitate water circulation and exchange.	DTS/DPF 2.1 None are applicable.

Open Space and Recreation

Assessment Provisions (AP)

Desired Outcome

DO 1	Pleasant, functional and accessible open space and recreation facilities are provided at State, regional, district, neighbourhood and local levels for active and passive recreation, biodiversity, community health, urban cooling, tree canopy cover, visual amenity, gathering spaces, wildlife and waterway corridors, and a range of other functions and at a range of sizes that reflect the purpose of that open space.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Recreation facilities are compatible with surrounding land uses and activities.	DTS/DPF 1.1 None are applicable.
PO 1.2 Open space areas include natural or landscaped areas using locally indigenous plant species and large trees.	DTS/DPF 1.2 None are applicable.
Design and Siting	
PO 2.1 Open space and recreation facilities address adjacent public roads to optimise pedestrian access and visibility.	DTS/DPF 2.1 None are applicable.
PO 2.2 Open space and recreation facilities incorporate park furniture, shaded areas and resting places.	DTS/DPF 2.2 None are applicable.
PO 2.3 Open space and recreation facilities link habitats, wildlife corridors and existing open spaces and recreation facilities.	DTS/DPF 2.3 None are applicable.
Pedestrians and Cyclists	
PO 3.1 Open space incorporates: (a) pedestrian and cycle linkages to other open spaces, centres, schools and public transport nodes; (b) safe crossing points where pedestrian routes intersect the road network; (c) easily identified access points.	DTS/DPF 3.1 None are applicable.
Usability	
PO 4.1	DTS/DPF 4.1

Land allocated for open space is suitable for its intended active and passive recreational use taking into consideration its gradient and potential for inundation.	None are applicable.
Safety and Security	
PO 5.1 Open space is overlooked by housing, commercial or other development to provide casual surveillance where possible.	DTS/DPF 5.1 None are applicable.
PO 5.2 Play equipment is located to maximise opportunities for passive surveillance.	DTS/DPF 5.2 None are applicable.
PO 5.3 Landscaping provided in open space and recreation facilities maximises opportunities for casual surveillance throughout the park.	DTS/DPF 5.3 None are applicable.
PO 5.4 Fenced parks and playgrounds have more than one entrance or exit to minimise potential entrapment.	DTS/DPF 5.4 None are applicable.
PO 5.5 Adequate lighting is provided around toilets, telephones, seating, litter bins, bicycle storage, car parks and other such facilities.	DTS/DPF 5.5 None are applicable.
PO 5.6 Pedestrian and bicycle movement after dark is focused along clearly defined, adequately lit routes with observable entries and exits.	DTS/DPF 5.6 None are applicable.
Signage	
PO 6.1 Signage is provided at entrances to and within the open space and recreation facilities to provide clear orientation to major points of interest such as the location of public toilets, telephones, safe routes, park activities and the like.	DTS/DPF 6.1 None are applicable.
Buildings and Structures	
PO 7.1 Buildings and car parking areas in open space areas are designed, located and of a scale to be unobtrusive.	DTS/DPF 7.1 None are applicable.
PO 7.2 Buildings and structures in open space areas are clustered where practical to ensure that the majority of the site remains open.	DTS/DPF 7.2 None are applicable.
PO 7.3 Development in open space is constructed to minimise the extent of impervious surfaces.	DTS/DPF 7.3 None are applicable.
PO 7.4 Development that abuts or includes a coastal reserve or Crown land	DTS/DPF 7.4 None are applicable.

used for scenic, conservation or recreational purposes is located and designed to have regard to the purpose, management and amenity of the reserve.	
Landscaping	
PO 8.1 Open space and recreation facilities provide for the planting and retention of large trees and vegetation.	DTS/DPF 8.1 None are applicable.
PO 8.2 Landscaping in open space and recreation facilities provides shade and windbreaks: (a) along cyclist and pedestrian routes; (b) around picnic and barbecue areas; (c) in car parking areas.	DTS/DPF 8.2 None are applicable.
PO 8.3 Landscaping in open space facilitates habitat for local fauna and facilitates biodiversity.	DTS/DPF 8.3 None are applicable.
PO 8.4 Landscaping including trees and other vegetation passively watered with local rainfall run-off, where practicable.	DTS/DPF 8.4 None are applicable.

Out of Activity Centre Development

Assessment Provisions (AP)

Desired Outcome	
DO1	The role of Activity Centres in contributing to the form and pattern of development and enabling equitable and convenient access to a range of shopping, administrative, cultural, entertainment and other facilities in a single trip is maintained and reinforced.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Non-residential development outside Activity Centres of a scale and type that does not diminish the role of Activity Centres: (a) as primary locations for shopping, administrative, cultural, entertainment and community services (b) as a focus for regular social and business gatherings (c) in contributing to or maintaining a pattern of development that supports equitable community access to services and facilities.	DTS/DPF 1.1 None are applicable.
PO 1.2 Out-of-activity centre non-residential development complements	DTS/DPF 1.2 None are applicable.

<p>Activity Centres through the provision of services and facilities:</p> <ul style="list-style-type: none"> (a) that support the needs of local residents and workers, particularly in underserved locations (b) at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre. 	
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Resource Extraction

Assessment Provisions (AP)

Desired Outcome	
DO 1	Resource extraction activities are developed in a manner that minimises human and environmental impacts.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Resource extraction activities minimise landscape damage outside of those areas unavoidably disturbed to access and exploit a resource and provide for the progressive reclamation and betterment of disturbed areas.	DTS/DPF 1.1 None are applicable.
PO 1.2 Resource extraction activities avoid damage to cultural sites or artefacts.	DTS/DPF 1.2 None are applicable.
Water Quality	
PO 2.1 Stormwater and/or wastewater from resource extraction activities is diverted into appropriately sized treatment and retention systems to enable reuse on site.	DTS/DPF 2.1 None are applicable.
Separation Treatments, Buffers and Landscaping	
PO 3.1 Resource extraction activities minimise adverse impacts upon sensitive receivers through incorporation of separation distances and/or mounding/vegetation.	DTS/DPF 3.1 None are applicable.

<p>PO 3.2</p> <p>Resource extraction activities are screened from view from adjacent land by perimeter landscaping and/or mounding.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
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Site Contamination

Assessment Provisions (AP)

<h2 style="text-align: center;">Desired Outcome</h2>	
<p>DO 1</p>	<p>Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.</p>

<h2 style="text-align: center;">Performance Outcome</h2>	<h2 style="text-align: center;">Deemed-to-Satisfy Criteria / Designated Performance Feature</h2>
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more sensitive use.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <ul style="list-style-type: none"> (a) does not involve a change in the use of land (b) involves a change in the use of land that does not constitute a change to a more sensitive use (c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form) (d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following: <ul style="list-style-type: none"> (i) a site contamination audit report has been prepared under Part 10A of the <i>Environment Protection Act 1993</i> in relation to the land within the previous 5 years which states that- <ul style="list-style-type: none"> A. site contamination does not exist (or no longer exists) at the land or B. the land is suitable for the proposed use or range of uses (without the need for any further remediation) or C. where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development) <p>and</p> <ul style="list-style-type: none"> (ii) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as

demonstrated in a site contamination declaration form).

Tourism Development

Assessment Provisions (AP)

Desired Outcome

DO 1	Tourism development is built in locations that cater to the needs of visitors and positively contributes to South Australia's visitor economy.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
General	
PO 1.1 Tourism development complements and contributes to local, natural, cultural or historical context where: <ul style="list-style-type: none"> (a) it supports immersive natural experiences (b) it showcases South Australia's landscapes and produce (c) its events and functions are connected to local food, wine and nature. 	DTS/DPF 1.1 None are applicable.
PO 1.2 Tourism development comprising multiple accommodation units (including any facilities and activities for use by guests and visitors) is clustered to minimise environmental and contextual impact.	DTS/DPF 1.2 None are applicable.
Caravan and Tourist Parks	
PO 2.1 Potential conflicts between long-term residents and short-term tourists are minimised through suitable siting and design measures.	DTS/DPF 2.1 None are applicable.
PO 2.2 Occupants are provided privacy and amenity through landscaping and fencing.	DTS/DPF 2.2 None are applicable.
PO 2.3 Communal open space and centrally located recreation facilities are provided for guests and visitors.	DTS/DPF 2.3 12.5% or more of a caravan park comprises clearly defined communal open space, landscaped areas and areas for recreation.

PO 2.4 Perimeter landscaping is used to enhance the amenity of the locality.	DTS/DPF 2.4 None are applicable.
PO 2.5 Amenity blocks (showers, toilets, laundry and kitchen facilities) are sufficient to serve the full occupancy of the development.	DTS/DPF 2.5 None are applicable.
PO 2.6 Long-term occupation does not displace tourist accommodation, particularly in important tourist destinations such as coastal and riverine locations.	DTS/DPF 2.6 None are applicable.
Tourist accommodation in areas constituted under the National Parks and Wildlife Act 1972	
PO 3.1 Tourist accommodation avoids delicate or environmentally sensitive areas such as sand dunes, cliff tops, estuaries, wetlands or substantially intact strata of native vegetation (including regenerated areas of native vegetation lost through bushfire).	DTS/DPF 3.1 None are applicable.
PO 3.2 Tourist accommodation is sited and designed in a manner that is subservient to the natural environment and where adverse impacts on natural features, landscapes, habitats and cultural assets are avoided.	DTS/DPF 3.2 None are applicable.
PO 3.3 Tourist accommodation and recreational facilities, including associated access ways and ancillary structures, are located on cleared (other than where cleared as a result of bushfire) or degraded areas or where environmental improvements can be achieved.	DTS/DPF 3.3 None are applicable.
PO 3.4 Tourist accommodation is designed to prevent conversion to private dwellings through: <ul style="list-style-type: none"> (a) comprising a minimum of 10 accommodation units (b) clustering separated individual accommodation units (c) being of a size unsuitable for a private dwelling (d) ensuring functional areas that are generally associated with a private dwelling such as kitchens and laundries are excluded from, or physically separated from individual accommodation units, or are of a size unsuitable for a private dwelling. 	DTS/DPF 3.4 None are applicable.

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
PO 1.1 Development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.3 Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.	DTS/DPF 1.3 None are applicable.
PO 1.4 Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.	DTS/DPF 1.4 All vehicle manoeuvring occurs onsite.
Sightlines	
PO 2.1 Sightlines at intersections, pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.	DTS/DPF 2.1 None are applicable.
PO 2.2 Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.	DTS/DPF 2.2 None are applicable.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the	DTS/DPF 3.1 The access is:

<p>operation of public roads.</p>	<ul style="list-style-type: none"> (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
<p>PO 3.2 Development incorporating vehicular access ramps ensures vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.</p>	<p>DTS/DPF 3.2 None are applicable.</p>
<p>PO 3.3 Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.</p>	<p>DTS/DPF 3.3 None are applicable.</p>
<p>PO 3.4 Access points are sited and designed to minimise any adverse impacts on neighbouring properties.</p>	<p>DTS/DPF 3.4 None are applicable.</p>
<p>PO 3.5 Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.</p>	<p>DTS/DPF 3.5 Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 3.6 Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).</p>	<p>DTS/DPF 3.6 Driveways and access points:</p> <ul style="list-style-type: none"> (a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided (b) for sites with a frontage to a public road greater than 20m: <ul style="list-style-type: none"> (i) a single access point no greater than 6m in width is provided or (ii) not more than two access points with a width of 3.5m each are provided.
<p>PO 3.7 Access points are appropriately separated from level crossings to</p>	<p>DTS/DPF 3.7 Development does not involve a new or modified access or cause</p>

avoid interference and ensure their safe ongoing operation.	an increase in traffic through an existing access that is located within the following distance from a railway crossing: (a) 80 km/h road - 110m (b) 70 km/h road - 90m (c) 60 km/h road - 70m (d) 50km/h or less road - 50m.
PO 3.8 Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.	DTS/DPF 3.8 None are applicable.
PO 3.9 Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.	DTS/DPF 3.9 None are applicable.
Access for People with Disabilities	
PO 4.1 Development is sited and designed to provide safe, dignified and convenient access for people with a disability.	DTS/DPF 4.1 None are applicable.
Vehicle Parking Rates	
PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared (d) the adaptive reuse of a State or Local Heritage Place.	DTS/DPF 5.1 Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant: (a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements (b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
Vehicle Parking Areas	
PO 6.1 Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.	DTS/DPF 6.1 Movement between vehicle parking areas within the site can occur without the need to use a public road.
PO 6.2 Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.	DTS/DPF 6.2 None are applicable.
PO 6.3 Vehicle parking areas are designed to provide opportunity for	DTS/DPF 6.3 None are applicable.

<p>integration and shared-use of adjacent car parking areas to reduce the total extent of vehicle parking areas and access points.</p>	
<p>PO 6.4 Pedestrian linkages between parking areas and the development are provided and are safe and convenient.</p>	<p>DTS/DPF 6.4 None are applicable.</p>
<p>PO 6.5 Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.</p>	<p>DTS/DPF 6.5 None are applicable.</p>
<p>PO 6.6 Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</p>	<p>DTS/DPF 6.6 Loading areas and designated parking spaces are wholly located within the site.</p>
<p>PO 6.7 On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.</p>	<p>DTS/DPF 6.7 None are applicable.</p>
<p>Undercroft and Below Ground Garaging and Parking of Vehicles</p>	
<p>PO 7.1 Undercroft and below ground garaging of vehicles is designed to enable safe entry and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles.</p>	<p>DTS/DPF 7.1 None are applicable.</p>
<p>Internal Roads and Parking Areas in Residential Parks and Caravan and Tourist Parks</p>	
<p>PO 8.1 Internal road and vehicle parking areas are surfaced to prevent dust becoming a nuisance to park residents and occupants.</p>	<p>DTS/DPF 8.1 None are applicable.</p>
<p>PO 8.2 Traffic circulation and movement within the park is pedestrian friendly and promotes low speed vehicle movement.</p>	<p>DTS/DPF 8.2 None are applicable.</p>
<p>Bicycle Parking in Designated Areas</p>	
<p>PO 9.1 The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.</p>	<p>DTS/DPF 9.1 Areas and / or fixtures are provided for the parking and storage of bicycles at a rate not less than the amount calculated using Transport, Access and Parking Table 3 - Off Street Bicycle Parking Requirements.</p>
<p>PO 9.2 Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.</p>	<p>DTS/DPF 9.2 None are applicable.</p>
<p>PO 9.3 Non-residential development incorporates end-of-journey facilities for employees such as showers, changing facilities and secure lockers, and signage indicating the location of the facilities to</p>	<p>DTS/DPF 9.3 None are applicable.</p>

encourage cycling as a mode of journey-to-work transport.	
Corner Cut-Offs	
<p>PO 10.1 Development is located and designed to ensure drivers can safely turn into and out of public road junctions.</p>	<p>DTS/DPF 10.1 Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:</p>

Table 1 - General Off-Street Car Parking Requirements

The following parking rates apply and if located in an area where a lawfully established carparking fund operates, the number of spaces is reduced by an amount equal to the number of spaces offset by contribution to the fund.

Class of Development	Car Parking Rate (unless varied by Table 2 onwards)
Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.	
Residential Development	
Detached Dwelling	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Group Dwelling	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Residential Flat Building	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Row Dwelling where vehicle access is from the primary street	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p> <p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a</p>

Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	<p>bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Semi-Detached Dwelling	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Aged / Supported Accommodation	
Retirement village	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling.</p> <p>0.2 spaces per dwelling for visitor parking.</p>
Supported accommodation	0.3 spaces per bed.
Residential Development (Other)	
Ancillary accommodation	No additional requirements beyond those associated with the main dwelling.
Residential park	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling.</p> <p>0.2 spaces per dwelling for visitor parking.</p>
Student accommodation	0.3 spaces per bed.
Workers' accommodation	0.5 spaces per bed plus 0.2 spaces per bed for visitor parking.
Tourist	
Caravan park / tourist park	<p>Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation.</p> <p>Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation.</p> <p>A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.</p>
Tourist accommodation	1 car parking space per accommodation unit / guest room.
Commercial Uses	
Auction room/ depot	1 space per 100m ² of building floor area plus an additional 2 spaces.
Automotive collision repair	3 spaces per service bay.

Call centre	8 spaces per 100m ² of gross leasable floor area.
Motor repair station	3 spaces per service bay.
Office	4 spaces per 100m ² of gross leasable floor area.
Retail fuel outlet	3 spaces per 100m ² gross leasable floor area.
Service trade premises	2.5 spaces per 100m ² of gross leasable floor area 1 space per 100m ² of outdoor area used for display purposes.
Shop (no commercial kitchen)	5.5 spaces per 100m ² of gross leasable floor area where not located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared. 5 spaces per 100m ² of gross leasable floor area where located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.
Shop (in the form of a bulky goods outlet)	2.5 spaces per 100m ² of gross leasable floor area.
Shop (in the form of a restaurant or involving a commercial kitchen)	Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat. Premises with take-away service but with no seats - 12 spaces per 100m ² of total floor area plus a drive-through queue capacity of ten vehicles measured from the pick-up point. Premises with a dine-in and drive-through take-away service - 0.3 spaces per seat plus a drive through queue capacity of 10 vehicles measured from the pick-up point.
Community and Civic Uses	
Childcare centre	0.25 spaces per child
Library	4 spaces per 100m ² of total floor area.
Community facility	10 spaces per 100m ² of total floor area.
Hall / meeting hall	0.2 spaces per seat.
Place of worship	1 space for every 3 visitor seats.
Pre-school	1 per employee plus 0.25 per child (drop off/pick up bays)

<p>Educational establishment</p>	<p>For a primary school - 1.1 space per full time equivalent employee plus 0.25 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.</p> <p>For a secondary school - 1.1 per full time equivalent employee plus 0.1 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.</p> <p>For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any time.</p>
<p>Health Related Uses</p>	
<p>Hospital</p>	<p>4.5 spaces per bed for a public hospital.</p> <p>1.5 spaces per bed for a private hospital.</p>
<p>Consulting room</p>	<p>4 spaces per consulting room excluding ancillary facilities.</p>
<p>Recreational and Entertainment Uses</p>	
<p>Cinema complex</p>	<p>0.2 spaces per seat.</p>
<p>Concert hall / theatre</p>	<p>0.2 spaces per seat.</p>
<p>Hotel</p>	<p>1 space for every 2m² of total floor area in a public bar plus 1 space for every 6m² of total floor area available to the public in a lounge, beer garden plus 1 space per 2 gaming machines, plus 1 space per 3 seats in a restaurant.</p>
<p>Indoor recreation facility</p>	<p>6.5 spaces per 100m² of total floor area for a Fitness Centre</p> <p>4.5 spaces per 100m² of total floor area for all other Indoor recreation facilities.</p>
<p>Industry/Employment Uses</p>	
<p>Fuel depot</p>	<p>1.5 spaces per 100m² total floor area</p> <p>1 spaces per 100m² of outdoor area used for fuel depot activity purposes.</p>
<p>Industry</p>	<p>1.5 spaces per 100m² of total floor area.</p>
<p>Store</p>	<p>0.5 spaces per 100m² of total floor area.</p>
<p>Timber yard</p>	<p>1.5 spaces per 100m² of total floor area</p> <p>1 space per 100m² of outdoor area used for display purposes.</p>
<p>Warehouse</p>	<p>0.5 spaces per 100m² total floor area.</p>

Other Uses	
Funeral Parlour	1 space per 5 seats in the chapel plus 1 space for each vehicle operated by the parlour.
Radio or Television Station	5 spaces per 100m ² of total building floor area.

Table 2 - Off-Street Car Parking Requirements in Designated Areas

The following parking rates apply in any zone, subzone or other area described in the 'Designated Areas' column subject to the following:

- (a) the location of the development is unable to satisfy the requirements of Table 2 – Criteria (other than where a location is exempted from the application of those criteria)
- or
- (b) the development satisfies Table 2 – Criteria (or is exempt from those criteria) and is located in an area where a lawfully established carparking fund operates, in which case the number of spaces are reduced by an amount equal to the number of spaces offset by contribution to the fund.

Class of Development	Car Parking Rate		Designated Areas
	Minimum number of spaces	Maximum number of spaces	
Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.			
Development generally			
All classes of development	No minimum.	<p>No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:</p> <p>1 space for each dwelling with a total floor area less than 75 square metres</p> <p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than 150 square metres.</p> <p>Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.</p>	<p>Capital City Zone</p> <p>City Main Street Zone</p> <p>City Riverbank Zone</p> <p>Adelaide Park Lands Zone</p> <p>Business Neighbourhood Zone (within the City of Adelaide)</p> <p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>
Non-residential development			
Non-residential	3 spaces per 100m ² of gross	5 spaces per 100m ² of gross	City Living Zone

<p>development excluding tourist accommodation</p>	<p>leasable floor area.</p>	<p>leasable floor area.</p>	<p>Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone</p>
<p>Non-residential development excluding tourist accommodation</p>	<p>3 spaces per 100m² of gross leasable floor area.</p>	<p>6 spaces per 100m² of gross leasable floor area.</p>	<p>Strategic Innovation Zone Suburban Activity Centre Zone Suburban Business Zone Business Neighbourhood Zone Suburban Main Street Zone Urban Activity Centre Zone</p>
<p>Tourist accommodation</p>	<p>1 space for every 4 bedrooms up to 100 bedrooms plus 1 space for every 5 bedrooms over 100 bedrooms</p>	<p>1 space per 2 bedrooms up to 100 bedrooms and 1 space per 4 bedrooms over 100 bedrooms</p>	<p>City Living Zone Urban Activity Centre Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone</p>
<p>Residential development</p>			
<p>Residential component of a multi-storey building</p>	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling 1 bedroom dwelling - 0.75 spaces per dwelling 2 bedroom dwelling - 1 space per dwelling 3 or more bedroom dwelling - 1.25 spaces per dwelling 0.25 spaces per dwelling for visitor parking.</p>	<p>None specified.</p>	<p>City Living Zone Strategic Innovation Zone Urban Activity Centre Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone</p>
<p>Residential flat building</p>	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling 1 bedroom dwelling - 0.75 spaces per dwelling</p>	<p>None specified.</p>	<p>City Living Zone Urban Activity Centre Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone</p>

	2 bedroom dwelling - 1 space per dwelling		Urban Corridor (Living) Zone
	3 or more bedroom dwelling - 1.25 spaces per dwelling		Urban Corridor (Main Street) Zone
	0.25 spaces per dwelling for visitor parking.		Urban Neighbourhood Zone

Table 2 - Criteria:

The following criteria are used in conjunction with Table 2. The 'Exception' column identifies locations where the criteria do not apply and the car parking rates in Table 2 are applicable.

Criteria	Exceptions
<p>The designated area is wholly located within Metropolitan Adelaide and any part of the development site satisfies one or more of the following:</p> <ul style="list-style-type: none"> (a) is within 200 metres of any section of road reserve along which a bus service operates as a high frequency public transit service⁽²⁾ (b) is within 400 metres of a bus interchange⁽¹⁾ (c) is within 400 metres of an O-Bahn interchange⁽¹⁾ (d) is within 400 metres of a passenger rail station⁽¹⁾ (e) is within 400 metres of a passenger tram station⁽¹⁾ (f) is within 400 metres of the Adelaide Parklands. 	<ul style="list-style-type: none"> (a) All zones in the City of Adelaide (b) Strategic Innovation Zone in the following locations: <ul style="list-style-type: none"> (i) City of Burnside (ii) City of Marion (iii) City of Mitcham (c) Urban Corridor (Boulevard) Zone (d) Urban Corridor (Business) Zone (e) Urban Corridor (Living) Zone (f) Urban Corridor (Main Street) Zone (g) Urban Neighbourhood Zone

[NOTE(S): (1) Measured from an area that contains any platform(s), shelter(s) or stop(s) where people congregate for the purpose waiting to board a bus, tram or train, but does not include areas used for the parking of vehicles. (2) A high frequency public transit service is a route serviced every 15 minutes between 7.30am and 6.30pm Monday to Friday and every 30 minutes at night, Saturday, Sunday and public holidays until 10pm.]

Table 3 - Off-Street Bicycle Parking Requirements

The bicycle parking rates apply within designated areas located within parts of the State identified in the Schedule to Table 3.

Class of Development	Bicycle Parking Rate
	<p>Where a development comprises more than one development type, then the overall bicycle parking rate will be taken to be the sum of the bicycle parking rates for each development type.</p>
Consulting Room	1 space per 20 employees plus 1 space per 20 consulting rooms for customers.
Educational establishment	For a secondary school - 1 space per 20 full-time time employees plus 10 percent of the total number of employee spaces for visitors.

	For tertiary education - 1 space per 20 employees plus 1 space per 10 full time students.
Hospital	1 space per 15 beds plus 1 space per 30 beds for visitors.
Indoor recreation facility	1 space per 4 employees plus 1 space per 200m ² of gross leasable floor area for visitors.
Licensed Premises	1 per 20 employees, plus 1 per 60 square metres total floor area, plus 1 per 40 square metres of bar floor area, plus 1 per 120 square metres lounge and beer garden floor area, plus 1 per 60 square metres dining floor area, plus 1 per 40 square metres gaming room floor area.
Office	1 space for every 200m ² of gross leasable floor area plus 2 spaces plus 1 space per 1000m ² of gross leasable floor area for visitors.
Pre-school	1 space per 20 full time employees plus 1 space per 40 full time children.
Recreation area	1 per 1500 spectator seats for employees plus 1 per 250 visitor and customers.
Residential flat building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 for every 10 dwellings for visitors.
Residential component of a multi-storey building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 space for every 10 dwellings for visitors.
Shop	1 space for every 300m ² of gross leasable floor area plus 1 space for every 600m ² of gross leasable floor area for customers.
Tourist accommodation	1 space for every 20 employees plus 2 for the first 40 rooms and 1 for every additional 40 rooms for visitors.

Schedule to Table 3

Designated Area	Relevant part of the State
	The bicycle parking rate applies to a designated area located in a relevant part of the State described below.
All zones	City of Adelaide
Business Neighbourhood Zone	Metropolitan Adelaide
Strategic Innovation Zone	
Suburban Activity Centre Zone	
Suburban Business Zone	

Suburban Main Street Zone
Urban Activity Centre Zone
Urban Corridor (Boulevard) Zone
Urban Corridor (Business) Zone
Urban Corridor (Living) Zone
Urban Corridor (Main Street) Zone
Urban Neighbourhood Zone

Waste Treatment and Management Facilities

Assessment Provisions (AP)

Desired Outcome	
DO 1	Mitigation of the potential environmental and amenity impacts of waste treatment and management facilities.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting	
PO 1.1 Waste treatment and management facilities incorporate separation distances and attenuation measures within the site between waste operations areas (including all closed, operating and future cells) and sensitive receivers and sensitive environmental features to mitigate off-site impacts from noise, air and dust emissions.	DTS/DPF 1.1 None are applicable.
Soil and Water Protection	
PO 2.1 Soil, groundwater and surface water are protected from contamination from waste treatment and management facilities through measures such as: <ul style="list-style-type: none"> (a) containing potential groundwater and surface water contaminants within waste operations areas (b) diverting clean stormwater away from waste operations areas and potentially contaminated areas (c) providing a leachate barrier between waste operations areas and underlying soil and groundwater. 	DTS/DPF 2.1 None are applicable.

PO 2.2 Wastewater lagoons are set back from watercourses to minimise environmental harm and adverse effects on water resources.	DTS/DPF 2.2 Wastewater lagoons are set back 50m or more from watercourse banks.
PO 2.3 Wastewater lagoons are designed and sited to: (a) avoid intersecting underground waters; (b) avoid inundation by flood waters; (c) ensure lagoon contents do not overflow; (d) include a liner designed to prevent leakage.	DTS/DPF 2.3 None are applicable.
PO 2.4 Waste operations areas of landfills and organic waste processing facilities are set back from watercourses to minimise adverse impacts on water resources.	DTS/DPF 2.4 Waste operations areas are set back 100m or more from watercourse banks.
Amenity	
PO 3.1 Waste treatment and management facilities are screened, located and designed to minimise adverse visual impacts on amenity.	DTS/DPF 3.1 None are applicable.
PO 3.2 Access routes to waste treatment and management facilities via residential streets is avoided.	DTS/DPF 3.2 None are applicable.
PO 3.3 Litter control measures minimise the incidence of windblown litter.	DTS/DPF 3.3 None are applicable.
PO 3.4 Waste treatment and management facilities are designed to minimise adverse impacts on both the site and surrounding areas from weed and vermin infestation.	DTS/DPF 3.4 None are applicable.
Access	
PO 4.1 Traffic circulation movements within any waste treatment or management site are designed to enable vehicles to enter and exit the site in a forward direction.	DTS/DPF 4.1 None are applicable.
PO 4.2 Suitable access for emergency vehicles is provided to and within waste treatment or management sites.	DTS/DPF 4.2 None are applicable.
Fencing and Security	
PO 5.1 Security fencing provided around waste treatment and management facilities prevents unauthorised access to operations and potential hazard to the public.	DTS/DPF 5.1 Chain wire mesh or pre-coated painted metal fencing 2m or more in height is erected along the perimeter of the waste treatment or waste management facility site.
Landfill	

PO 6.1 Landfill gas emissions are managed in an environmentally acceptable manner.	DTS/DPF 6.1 None are applicable.
PO 6.2 Landfill facilities are separated from areas of environmental significance and land used for public recreation and enjoyment.	DTS/DPF 6.2 Landfill facilities are set back 250m or more from a public open space reserve, forest reserve, national park or Conservation Zone.
PO 6.3 Landfill facilities are located on land that is not subject to land slip.	DTS/DPF 6.3 None are applicable.
PO 6.4 Landfill facilities are separated from areas subject to flooding.	DTS/DPF 6.4 Landfill facilities are set back 500m or more from land inundated in a 1% AEP flood event.
Organic Waste Processing Facilities	
PO 7.1 Organic waste processing facilities are separated from the coast to avoid potential environment harm.	DTS/DPF 7.1 Organic waste processing facilities are set back 500m or more from the coastal high water mark.
PO 7.2 Organic waste processing facilities are located on land where the engineered liner and underlying seasonal water table cannot intersect.	DTS/DPF 7.2 None are applicable.
PO 7.3 Organic waste processing facilities are sited away from areas of environmental significance and land used for public recreation and enjoyment.	DTS/DPF 7.3 Organic waste processing facilities are set back 250m or more from a public open space reserve, forest reserve, national park or a Conservation Zone.
PO 7.4 Organic waste processing facilities are located on land that is not subject to land slip.	DTS/DPF 7.4 None are applicable.
PO 7.5 Organic waste processing facilities separated from areas subject to flooding.	DTS/DPF 7.5 Organic waste processing facilities are set back 500m or more from land inundated in a 1% AEP flood event.
Major Wastewater Treatment Facilities	
PO 8.1 Major wastewater treatment and disposal systems, including lagoons, are designed to minimise potential adverse odour impacts on sensitive receivers, minimise public and environmental health risks and protect water quality.	DTS/DPF 8.1 None are applicable.
PO 8.2 Artificial wetland systems for the storage of treated wastewater are designed and sited to minimise potential public health risks arising from the breeding of mosquitoes.	DTS/DPF 8.2 None are applicable.

Workers' accommodation and Settlements

Assessment Provisions (AP)**Desired Outcome**

DO 1	Appropriately designed and located accommodation for seasonal and short-term workers in rural areas that minimises environmental and social impacts.
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Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Workers' accommodation and settlements are obscured from scenic routes, tourist destinations and areas of conservation significance or otherwise designed to complement the surrounding landscape.	DTS/DPF 1.1 None are applicable.
PO 1.2 Workers' accommodation and settlements are sited and designed to minimise nuisance impacts on the amenity of adjacent users of land.	DTS/DPF 1.2 None are applicable.
PO 1.3 Workers' accommodation and settlements are built with materials and colours that blend with the landscape.	DTS/DPF 1.3 None are applicable.
PO 1.4 Workers' accommodation and settlements are supplied with service infrastructure such as power, water and effluent disposal sufficient to satisfy the living requirements of workers.	DTS/DPF 1.4 None are applicable.

No criteria applies to this land use. Please check the definition of the land use for further detail.

ATTACHMENT F

Site and Contour Plan

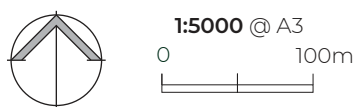


 Subject Site
 Contours

Site and Contour Plan

327 DECRES BAY ROAD
CEDUNA

FOR SUBMISSIONS SA



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 **MASTERPLAN**
TOWN + COUNTRY PLANNERS

ATTACHMENT G

Native Vegetation Clearance Report provided by GFE

Native Vegetation Clearance

327 Decres Bay Road, Ceduna SA

Draft Data Report

Clearance under Section 28 of the Native Vegetation Act 1991

July 2021

Prepared by Grant Fleming Environmental



Table of contents

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 - 4.4 Principles of clearance
 - 4.5 Addressing the Mitigation hierarchy
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6. Significant environmental benefit
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 - 7.2 Bushland, Rangeland or Scattered Tree Vegetation Assessment Scoresheets (to be submitted in Excel format).
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 - 7.4 SEB Management Plan (where applicable)

1. Application information

Application Details

Applicant:	Chris Lines		
Key contact:	Chris Lines. Email: Chrislines33@gmail.com Mobile: 0428739364		
Landowner:	Chris Lines 12 Ashwin Street, Alice Springs 0870		
Site Address:	327 Decres Bay Road, Ceduna, South Australia, 5690		
Local Government Area:	Ceduna District Council	Hundred:	Bonython (660300)
Title ID:	CT/5296/284	Parcel ID	F300A1

Summary of proposed clearance

Purpose of clearance	<p>Clearance is required for the construction of two residential properties and an access road and subdivision of agricultural paddocks to provide rural living allotments.</p>
Description of the vegetation under application	<p>Three vegetation associations are present at the property, see Figure 2. The western half of the property supports a Low Open Shrubland vegetation association (NatureMaps mapped as NU0009) that was assessed as a +/- <i>Atriplex vesicaria</i> +/- <i>Maireana erioclada</i> +/- <i>Nitraria billardierei</i> Low Open Shrubland over <i>Sclerolaena obliquicuspis</i>, +/- <i>Vittadinia gracilis</i>, +/- <i>Austrostipa nitida</i> that occupies 33.174 ha. This vegetation association has been subject to grazing by agisted stock. The ground layer was dominated by <i>*Carrichtera annua</i> (Ward's weed) with patches of <i>*Mesembryanthemum crystallinum</i> (Ice plant) indicating disturbance.</p> <p>The eastern half of the property is comprised of three agricultural paddocks that have been tilled and do not support native vegetation.</p> <p>A narrow band, approximately 2 m wide of native vegetation occurs along the entire fence line between the southern and central paddocks, Figure 2. The association also extends along the western fence line of the central and northern agricultural paddocks and part way along the northern fence line of the northern agricultural paddock, Figure 2. This vegetation association does not occur along the fence line between the central and northern agricultural paddocks.</p> <p>This Open Shrubland vegetation association was assessed to be a <i>Nitraria billardierei</i> Open Shrubland over +/- <i>Maireana brevifolia</i>, +/- <i>Scaevola spinescens</i> over +/- <i>*Carrichtera annua</i>, +/- <i>Salsola australis</i> and <i>Austrostipa nitida</i>. All strata of this vegetation association had been heavily impacted by grazing and agricultural practices and the native vegetation present varied in density across the association. This community is considered to be highly degraded as evident by the high percentage cover of <i>*Carrichtera annua</i> (Ward's weed), unknown pasture grass (dead at the time of the assessment) and <i>Salsola australis</i> (Roly Poly) within the ground layer at the time of the assessment.</p> <p>The very north eastern corner of the northern agricultural paddock of the property supports a highly degraded native vegetation community that was assessed as a <i>Melaleuca lanceolata</i>, +/- <i>Eucalyptus gracilis</i> Mallee over +/- <i>Nitraria billardierei</i>, +/- <i>Maireana erioclada</i>, <i>*Carrichtera annua</i> and +/- <i>*Mesembryanthemum crystallinum</i>. The understory of this vegetation association was largely absent, being reduced to isolated shrubs with large areas of bare sandy loam exposed. The area was used as a rubbish dump and as the only area affording stock shade within the paddock evidence suggested that stock</p>

	sheltered under the canopy.
Total proposed clearance - area (ha) and number of trees	<p>Two homes are proposed to be located within the Low Open Shrubland association, although one house location is unlikely to require vegetation removal as it is to replace the existing disused abattoir buildings. There is an existing access road to the abattoir buildings. The other proposed house location is at the northwestern corner of the property and will require vegetation clearance approval for the house footprint and access road.</p> <p>The areas proposed to be cleared include an allowance of 0.02 ha (for the house footprint and 0.14 ha for the access road to the house that equates to a 140 m long and 5 m wide access road. That is, the total area of Low Open Shrubland proposed to be cleared is 0.16 ha. This area would require adjustment once the house location and access road position has been finalised.</p> <p>Total area of vegetation proposed to be cleared is 0.16 ha of Low Open Shrubland. No trees are present within this community.</p> <p>If the subdivision of the three paddocks requires Open Shrubland to be cleared this will need to be added to this total.</p>
Level of clearance	Level 2.
Overlay (Planning and Design Code)	<p>The Coastal Conservation Assessment Boundary extends approximately halfway through the property in a north-south alignment (Figure 1), aligning approximately with the Open Low Shrubland community.</p> <p>The property is zoned <i>Rural</i> and will need a Code Amendment to reclassify the land as <i>Rural Living</i> to enable the subdivision to provide 2 ha rural living allotments.</p>
<p>The site map of the proposed clearance area (Figure 2) shows:</p> <ul style="list-style-type: none"> • location of the proposed houses and access tracks • extent of native vegetation associations at the site • coastal assessment boundary • surrounding land 	
Seriously at variance with the Principles of clearance?	No native vegetation proposed to be cleared under this application is deemed to be seriously at variance with the principles of clearance.

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**VEGETATION ASSESSMENT,
327 DECRES BAY RD,
CEDUNA SA 5690**

MASTERPLAN

SITE LOCATION PLAN

Legend

-  Road
-  Cadastral Boundary
-  Site Boundary

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1. Aerial image sourced from Mertomap, aerial dated 09.02.2021, sourced 18.07.2021.
2. Cadastral data sourced from Masterplan, sourced 25.05.2021.
3. Roads data sourced from SA Data, sourced 25.05.2021.

0 250 500 750 1,000 m

SCALE (at A3): 1:20,000
 PROJECTION: GDA2020 / MGA zone 53
 DRAWING NO: GFE-010-F0001-Rev0.qgs
 DATE: 18/07/2021
 DRAWN: KB
 CHECKED: GF



FIGURE 1



374000 375000 376000 377000 378000 379000



**VEGETATION ASSESSMENT,
327 DECRES BAY RD,
CEDUNA SA 5690**

MASTERPLAN

SITE PLAN

- Legend**
- GPS Location Point (Collected by GFE May 2021)
 - Coastal Assessment Boundary
 - Road
 - Cadastral Boundary
 - Proposed House Location and Access Track
 - Site Boundary
- SA Vegetation Associations**

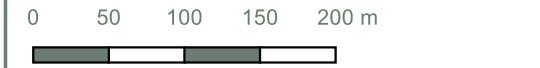
Site A1 - +/- *Atriplex vesicaria*
+/- *Maireana erioclada* +/- *Nitraria billardierei* Low Open Shrubland over *Sclerolaena obliquicuspis*, +/- *Vittadinia gracilis*, +/- *Austrostipa nitida*.

Site B1 - *Melaleuca lanceolata*, +/- *Eucalyptus gracilis* Mallee over +/- *Nitraria billardierei*, +/- *Maireana erioclada*, **Carrichtera annua* and +/- **Mesembryanthemum crystallinum*.

Site C1 - *Nitraria billardierei* Open Shrubland over +/- *Maireana brevifolia*, +/- *Scaevola spinescens* over +/- **Carrichtera annua*, +/- *Salsola australis* and *Austrostipa nitida*.

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1. Aerial image sourced from Metromap, aerial dated 09.02.2021, sourced 18.07.2021.
2. Cadastral data sourced from Masterplan, sourced 25.05.2021.
3. Roads data sourced from SA Data, sourced 25.05.2021.



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PROJECTION: GDA2020 / MGA zone 53
DRAWING NO: GFE-012-F0002-Rev0.qgs
DATE: 04/08/2021
DRAWN: KB
CHECKED: GF

FIGURE 2



Substantially intact	<p>The proposed houses and associated access road alignment do not pass through any native vegetation considered substantially intact.</p> <p>The subdivision of the agricultural paddocks would not impact upon native vegetation considered to be substantially intact.</p>
Mitigation hierarchy	<p>A single residential dwelling is proposed to be located within the <i>Atriplex vesicaria</i> Low Open Shrubland that would require clearance of native vegetation. The proposed location of a second dwelling within the footprint of the existing infrastructure at the site and utilisation of the existing access track avoids the necessity to clear native vegetation. The decision to subdivide the agricultural paddocks that do not support native vegetation into Rural Living allotments rather than subdividing the section of the property covered by Low Open Shrubland avoids significant native vegetation clearance.</p>
SEB Offset proposal	<p>Payment of \$3,015.75 (ex GST)</p>

2. Purpose of clearance

2.1 Description

Grant Fleming Environmental (GFE) was engaged to conduct a native vegetation due diligence assessment for the proposed development of the site to establish rural living allotments within the three agricultural paddocks of approximately 2 ha in size. The proposed development includes the establishment of a residence at the site of the disused abattoir and an additional dwelling on the high ground towards the northwest corner of the site. An access road would be required to be established across native vegetation to the dwelling in the northwest. The existing access road would be utilised for the dwelling replacing the abattoir infrastructure.

The access road to the proposed house within the northwest corner of the property has been based upon an allowance of 140 m length and 5 m width. Once the footprint of the residence has been determined the alignment of the access road can be confirmed and the clearance application adjusted accordingly. Similarly, should the subdivision of the paddocks area require clearance of any of the Open Shrubland the clearance area would also require an adjustment. Where possible, access to the proposed paddock allotments should utilize the existing tracks to avoid the requirement to clear additional native vegetation.

2.2 Background

The property has been used to agist stock, principally horses and sheep and historically has been used as an abattoir. The three cleared paddocks have been cropped and had been tilled at the time the site was visited with stubble present.

The surrounding land use consists of *Rural Living* allotments to the north of the site, agricultural land, zoned *Rural* to the northeast and east. To the south of the property is the Ceduna Waters residential development with houses constructed at numerous allotments within the *Rural Living* Zone of Ceduna District Council. To the southwest of Decres Bay Road is coastal shrubland, zoned *Conservation* and west of the property is the Ceduna Racecourse, zoned *Recreation*. The development proposal for the property involves the creation of rural living allotments within the three paddocks and two residences within the low open shrubland community.

The property occurs within the Eyre York Block (EYB) IBRA Region 7.0 that occupies 6,120,409 hectares and retains a native vegetation cover of 11 – 40 % and the Eyre Mallee (EYB05) IBRA Subregion 7.0 that occupies 2,319,398 hectares with a subregional reservation vegetation cover >10% and vegetation cover of 11 – 40 % (NatureMaps 2021).

The property occurs within the South Australian IBRA Association 7.0 of Ceduna that has a native vegetation cover of 41 – 90% and a reservation value of >10% (NatureMaps 2021).

2.3 General location map

The regional location map is provided in Figure 1 and the detailed property map is provided in Figure 2.

2.4 Details of the proposal

Two residences are proposed to be built within the *Atriplex vesicaria* Low Open Shrubland vegetation association that occupies the western half of the property. One residence is proposed to be constructed at the site of the disused abattoir and will utilize the existing access track avoiding the necessity to undertake any native vegetation clearance. The location of a residence at the site of the disused abattoir and surrounding infrastructure avoids the necessity to clear native vegetation for this residence.

The second residence will be located within the northwestern corner of the property at a high point and will require the removal of 0.02 ha of *Atriplex vesicaria* Low Open Shrubland for the house footprint. An access track to the residence will also require the removal of *Atriplex vesicaria* Low Open Shrubland and an allowance of 0.14 ha has

been allowed to establish the access track from the closest appropriate existing access track or road. A total of 0.16 ha of *Atriplex vesicaria* Low Open Shrubland will require clearance approval.

The creation of rural living allotments within the cleared agricultural paddocks that occupy the eastern half of the site avoids the necessity to undertake any additional clearance within the *Atriplex vesicaria* Low Open Shrubland. It is proposed that the existing network of access tracks be utilised to the extent possible in order to provide access to the allotments created.

Once the precise access track alignment for the house has been determined the native vegetation clearance requirement can be revised.

Detailed design plans for the subdivision and location of the residences and access road will be required to be added to this report prior to submission to the NVC for approval.

If the proposed subdivision of the three paddocks impacts upon the Open Shrubland present between the southern and central paddock then this Data Report will require amendment to incorporate the additional vegetation clearance component.

2.5 Approvals required or obtained

Native Vegetation Act 1991

Consent to clear native vegetation under the *Native Vegetation Act 1991* is subject to this application and data report. Any additional requirement to clear native vegetation at the site will require amendment of this Data Report and clearance application under the *Native Vegetation Act 1991*.

Planning, Development and Infrastructure Act 2016

The property is presently zoned *Rural* and a Development Plan Amendment Report would be required to have the property re-zoned as *Rural Living* with Ceduna District Council.

Water Resources Act 1997

The proposed development does not involve activities that require a water licence.

Environment Protection and Biodiversity Conservation Act 1999

No direct impacts upon matters of national significance have been identified associated with the proposed clearance.

National Parks and Wildlife Act 1972

Formal fauna surveys were not required for a Level 2 clearance application. A search of the BDBSA records for flora and fauna did not return any records of rated species present within the site. No flora or fauna were identified pertaining to the *National Parks and Wildlife Act 1972* within the site during the vegetation assessment.

Landscape South Australia Act 2019.

The site is located within the Eyre Peninsula Landscape Management Region. The proposed development does not involve a water affecting activity.

Coast Protection Act 1972

The Coastal Conservation Assessment Boundary extends approximately halfway through the site perpendicular to the coastline (Figure 1), incorporating the Low Open Shrubland vegetation association. The development application will be required to be referred to the Coast Protection Board. The coastal landscape for the site is summarized as non-natural with the northwestern corner of the site classified as semi-developed (NatureMaps 2021).

Aboriginal Heritage Act 1988

There are no known Aboriginal heritage sites located within the site (NatureMaps 2021). There remains the potential for cultural artefacts to be located within the property. The few trees present at the property did not contain scars consistent with Aboriginal use. The Far West Coast Native Title Settlement Indigenous Land Use Agreement (ILUA) exists across the site (NatureMaps 2021).

2.6 Development Application information (if applicable)

The property is zoned *Rural* and will need a Code Amendment to reclassify the land as *Rural Living* to enable the subdivision to provide 2 ha rural living allotments.

A development application will be required to be submitted to Ceduna District Council for approval to construct the proposed houses and associated access road after the re-zoning has been approved. A native vegetation overlay applies to the site.

3. Method

3.1 Flora assessment

The desktop assessment of flora, fauna and/or habitats of conservation significance included the following database searches:

- A search for matters of National importance under the *EPBC Act 1999* within a 5 km radius from the proposed development site, with marine results excluded.
- A threatened species report utilising the Biological Database of South Australia (BDBSA) for the site with a 5 km buffer applied from NatureMaps SA, with marine results excluded.
- A search for nearby biological monitoring sites and mapped SA vegetation associations was conducted to establish an indicative species list of flora prior to undertaking the fieldwork.

The desktop assessment of native vegetation at the site indicated that three areas of native vegetation may occur at the site, namely:

- NU0009 Low Open Shrubland described as *Atriplex vesicaria ssp.*, +/- *Tecticornia disarticulata*, +/- *Frankenia sessilis*, +/- *Maireana erioclada*, +/- *Salsola tragus*, low open shrubland over +/- *Austrostipa nitida*, +/- *Sclerolaena obliquicuspis*, +/- *Sclerolaena patenticuspis*, +/- *Austrodanthonia caespitosa*, +/- *Carrichtera annua*.
- EP1603 Mid Mallee Woodland described as *Eucalyptus brachycalyx*, *Eucalyptus oleosa ssp.* mid mallee woodland over +/- *Melaleuca pauperiflora ssp. mutica*, +/- *Melaleuca lanceolata* tall shrubs over +/- *Olearia muelleri*, +/- *Maireana erioclada* low shrubs
- Assessment of aerial imagery indicated that a native vegetation Open Shrubland association may occur between the southern and central paddocks along the fence line, although this area was not mapped (NatureMaps 2021) as supporting native vegetation.

The property was assessed on 2 May 2021 in accordance with the Native Vegetation Council (NVC) (2019) Bushland Assessment Manual for sites >0.5 ha (Site A1) and small sites <0.5 ha (Sites B1 and C1), Figure 2.

Site A1 was located within the NU0009 Low Open Shrubland area, extending from an access track towards the centre of the paddock within an area that was considered representative of the native vegetation association present. A walkover of the area surrounding the assessed hectare was conducted to identify any additional species located outside of the assessed area or any matters of significance. Site A1 was assessed utilizing the Bushland Assessment method for sites >0.5 ha. .

Site B1 was located within the EP1603 Mid Mallee Woodland in the northeast of the paddocks. Due to the narrow linear corridor of this vegetation a Bushland Assessment method for sites <0.5 ha was conducted. A walkover assessment of vegetation outside of Site B1 was conducted in order to check for additional native species or other matters of significance.

Site C1 was located along the northern fence line of the paddock area, along the fence line adjacent to the Low Open Shrubland vegetation association, with the fence providing the demarcation between these two vegetation associations. The vegetation that was present between the southern and central paddocks along the fence line was also considered to form the same vegetation association and was included in this assessment. The length of the vegetation association was driven, with vehicle stops to record relevant information including to take voucher specimens or to check plant identities. This area was not mapped as supporting native vegetation on NatureMaps, however a *Nitraria billardierei* Open Shrubland native vegetation association was determined by GFE to exist. Due to the narrow linear corridor of this vegetation association a Bushland Assessment method for sites <0.5 ha was conducted. A visual assessment of vegetation outside of Site C1 was conducted in order to check for additional native species or other matters of significance.

3.2 Fauna assessment

While a formal fauna assessment is not required due to the level 2 risk category and was not conducted at the property, no native fauna were observed at the time the property was visited.

A search of the EPBC MNES was conducted as part of the due diligence exercise and BDBSA records of fauna within 5 km was also conducted.

4. Assessment Outcomes

4.1 Vegetation Assessment

General description of the vegetation, the site and matters of significance

The property is a broadly undulating coastal plain with low mounds in the western half of the property occupied by the *Atriplex vesicaria* Low Open Shrubland. The eastern half of the property has been utilised for pastoral cropping with *Nitraria billardiarei* Open Shrubland present on some of the paddock margins. Soils across the property vary slightly from sandy/loam in the cropped areas to sand in the Mallee area in the far northeastern corner. Crop stubble was present in paddocks at the time the property was visited, although paddocks appeared to have been fallow for more than a year given the size of small shrubs and weeds present. A small number of sheep and horses were present at the time the site was visited. There was evidence that stock had used the Mallee area to rest in, as the ground cover layer and low shrubs were largely absent with soil crust absent and stock tracks evident.

The only landform features of some note are the raised mounds within the western half of the property that support the Low Open Shrubland vegetation association.

The native vegetation mapped as NU0009 Low Open Shrubland (NatureMaps 2021) was not continuous with the coastal vegetation that is within a conservation zone due to the presence of Decres Bay Road to the south west and the Ceduna Waters housing Estate to the south of the property.

The vegetation mapped as NU0009 Low Open Shrubland was assessed (Site A1) differs slightly in composition from that mapped by NatureMaps (2021) and was determined to be an *Atriplex vesicaria* ssp., +/- *Maireana erioclada*, +/- *Nitraria billardiarei*, low open shrubland over *Carrichtera annua* +/- *Austrostipa nitida*, +/- *Sclerolaena obliquicuspis*, +/- *Mesembryanthemum crystallinum*. An entire species list is provided within the Appendix 2. The presence of a number of weed species such as *Carrichtera annua*, *Conzua bonariensis*, *Lycium ferocissimum*, *Mesembryanthemum crystallinum* and *Psilocaulon granulicaule* and pasture grasses such as *Avena fatua* indicates that the ground layer of this vegetation association has been subjected to disturbance, most likely due to grazing pressure. This association is naturally treeless and appears homogenous with widely scattered larger *Nitraria billardiarei* shrubs present.

This *Atriplex vesicaria* Low Open Shrubland vegetation association occupies the entire western half of the property and is intersected by a network of unsealed access tracks. The disused abattoir that is comprised of three main buildings, a parking area and stock yards is located in the southern portion of this vegetation association. A residence is proposed to replace the existing infrastructure of the abattoir and will not require any additional vegetation clearance. The existing access track to the disused abattoir will be utilised to provide access to the proposed residence again avoiding vegetation clearance.

An additional residence is proposed to be located within the northwest corner of the site within the *Atriplex vesicaria* Low Open Shrubland vegetation association and will require the clearance of 0.02 ha for the house footprint and a further allowance has been made to clear 0.14 ha to provide an access to this house, most likely from Hasting Road that extends along the northwestern edge of the property from Decres Bay Road. The total native vegetation clearance that is subject to this proposal is 0.16 ha and is entirely within the *Atriplex vesicaria* Low Open Shrubland vegetation association.

Two additional native vegetation associations are present at the property, Figure 2.

A very small patch of Mallee is located within the northeastern corner of the property. This association was identified as a *Melaleuca lanceolata* +/- *Eucalyptus gracilis* Mallee over *Nitraria billardiarei*, shrubs and *Carrichtera annua* and +/- *Mesembryanthemum crystallinum*. A band of this vegetation association appears to have been planted on the neighbouring property against the eastern fence line, Figure 2. It is important to note that this area of Mallee has been utilised as a rubbish dump, including the construction of a pit and building materials and refuse was strewn throughout the area. The ground layer under the canopy was largely non-existent with large areas of bare ground and only scattered *Nitraria billardiarei* (Nitre bush) shrubs and patches of *Mesembryanthemum crystallinum* (Iceplant) and *Carrichtera annua* (Ward's weed) throughout.

A highly degraded native vegetation association of *Nitraria billardierei* Open Shrubland occurs along the fence line between the southern and central paddocks as an isolated patch surrounded by agricultural land. This association also occurs between the *Atriplex vesicaria* Low Open Shrubland and central and northern paddocks along the western side of the paddocks and is delineated by the fence line and also extends along the northern margin of the northern paddock to the Mallee association in the far northeastern corner. This *Nitraria billardierei* Open Shrubland association is dominated by *Nitraria billardierei*, throughout with an understorey that varies from being absent with only *Carrichtera annua*, pasture grasses and *Salsola australis* as the dominant ground layer to areas along the northern boundary where scattered shrubs including *Maireana brevifolia* and *Scaevola spinescens* were present.

There are no Heritage Agreements within 5 km of the property.

The closest conservation area is Wittelbee Conservation Park is situated on the coast 3.7 km south from the property at the closest point.

There are two records of *Leiocarpa pluriseta* (Cypress daisy bush) occurring approximately 4 km northwest of the site at the nearest point within the township of Ceduna, recorded in 2008 and 2009. While unlikely there remains the potential for this species to occur at the site within the *Atriplex vesicaria* Low Open Shrubland community.

Details of the vegetation associations proposed to be impacted

The native vegetation association *Atriplex vesicaria* Low Open Shrubland, Figure 2, assessed at Site A1 is to be impacted by the proposed access road and residence footprint in the northwestern corner of the property. The second property within the *Atriplex vesicaria* Low Open Shrubland is to be located at the site of the disused abattoir and will not involve additional vegetation clearance.

Should the subdivision of the three paddocks require clearance of the Open Shrubland along the fence line between the southern and central paddocks additional native vegetation impacts will be required to be incorporated into this application and determination of the SEB.

Vegetation Association	Site A1: Low Open Shrubland - ^ <i>Atriplex vesicaria</i> ssp., +/- <i>Maireana erioclada</i> , +/- <i>Nitraria billardierei</i> , low open shrubland over ^ <i>Carrichtera annua</i> +/- <i>Austrostipa nitida</i> , +/- <i>Sclerolaena obliquicuspis</i> , +/- <i>Mesembryanthemum crystallinum</i> .
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Representative photo(s) of Site A1



Photo 1 Site A1 NW corner of quadrat (Fig. 2) view to South towards Decres Bay Road and Ceduna Waters housing estate.



Photo 2. Site A1 NE corner of quadrat (Fig. 2) view to south, shows dominance of **Carrichtera annua* in ground layer.



Photo 3. Site A1 SE corner of quadrat (Fig. 2) view to West to proposed house site on top of rising ground.

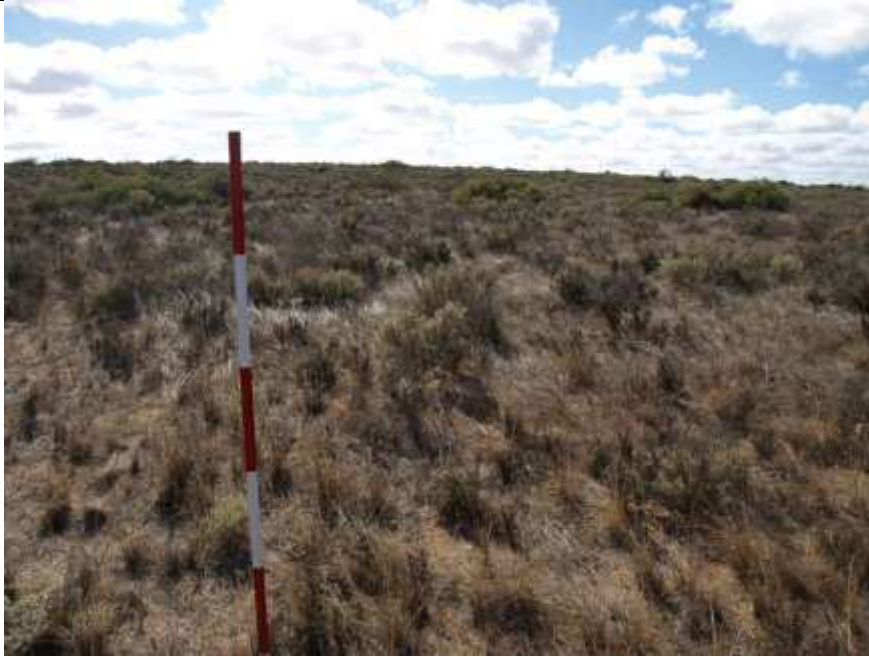


Photo 4. Site A1 SW corner of quadrat (Fig. 2) view to North to proposed house site on top of rising ground.

<p>General description</p>	<p><i>Atriplex vesicaria</i> (bladder saltbush) was the dominant shrub with a cover rating of between 26 – 50%. <i>Maireana erioclada</i> occurred with a cover rating of between 6 to 25%. <i>Nitraria billardierei</i> was another widespread shrub that typically occurred in depressions or clumps, possibly within areas previously disturbed by rabbits, possibly warrens. The two species of <i>Sclerolaena</i> present <i>Sclerolaena obliquicuspis</i> and <i>S. patentiscuspis</i> were widespread amongst the ground layer. The grasses within the ground layer were dormant/dead and included <i>Austrostipa nitida</i>, <i>Austrostipa sp</i> and <i>Rytidosperma sp</i>. *<i>Carrichtera annua</i> (Ward’s weed) was the dominant ground cover species with a cover rating of between 51 – 75%. Patches of *<i>Mesembryanthemum crystallinum</i> was an indicator of dryland salinity and/or disturbance. The highly invasive rangeland weed *<i>Psilocaulon granulicaule</i> was also present. A large number of land snail shells (2 species) were present on the ground. The low open shrubland had a high proportion of dead plant material present.</p>				
<p>Threatened species or community</p>	<p>No threatened flora or fauna or community listed under the NP&W Act or EPBC Act listed species were located at the site.</p>				
<p>Landscape context score</p>	<p>1.11</p>	<p>Vegetation Condition Score</p>	<p>46.91</p>	<p>Conservation significance score</p>	<p>1.00</p>
<p>Unit biodiversity Score</p>	<p>45.10</p>	<p>Area (ha) Area (clearance)</p>	<p>33.174 ha 0.16 ha</p>	<p>Total biodiversity Score</p>	<p>7.22</p>

Site map showing areas of proposed impact

The site map showing the areas of native vegetation impacted by the proposed house location is presented in Figure 2.

Photo log – additional photos are located within the previous section describing the native vegetation association impacted by the proposed access road and house location.



View west from Mark428, Figure 2. Small sand mound shown, potentially resulting from rabbit activity. Coastal dune in the distance is beyond the property boundary.



View east from Mark 427, Figure 2.

4.2 Threatened Species assessment

No threatened flora or fauna species were located during the assessment of vegetation at the site. The buffered search for threatened flora species conducted using NatureMaps (2021) identified two records of *Leiocarpa pluriseta* threatened plant species listed as rare within South Australia within a 5 km buffered area from the property from the last 25 years. Both records from 2008 and 2009 were located within the township of Ceduna, approximately 4 km from the site.

The threatened EPBC Act (listed as Vulnerable) ecological community 'Subtropical and Temperate Coastal Saltmarsh' does not occur at the property. Two Weeds of National Significance (WoNS) were identified as being present on the property including **Carrichtera annua* (Ward's weed) and **Lycium ferrocissimum* (African Boxthorn), with the former being widespread and dominant.

The EPBC Act Protected Matters Report for the property with a 5 km buffer applied was restricted to those *species or species habitat known to occur in the area*. Furthermore, as the buffered search area includes the southern ocean any marine species e.g. whales, turtles etc were also removed from the list. Sea birds and shore birds that are known to be restricted to the ocean or shoreline were also removed as they are considered unlikely to utilize any of the vegetation under this assessment even though species or species habitat was identified in the MNES report findings, as the 5km buffer area included the ocean and shore. This included the Red Knot, Curlew Sandpiper, Great Knot, Greater Sand Plover and other migratory wetland species such as the Ruddy Turnstone, Oriental Plover and Eastern Curlew amongst others.

It is considered unlikely that flora or fauna listed as threatened would occur within the alignment of the proposed access road or on the broader property.

Criteria for the likelihood of occurrence of species within the Study area.

Likelihood	Criteria
Highly Likely/Known	Recorded in the last 10 years, the species does not have highly specific niche requirements, the habitat is present and falls within the known range of the species distribution or; The species was recorded as part of field surveys.
Likely	Recorded within the previous 20 years, the area falls within the known distribution of the species and the area provides habitat or feeding resources for the species.
Possible	Recorded within the previous 20 years, the area falls inside the known distribution of the species, but the area provide limited habitat or feeding resources for the species. Recorded within 20 -40 years, survey effort is considered adequate, habitat and feeding resources present, and species of similar habitat needs have been recorded in the area.
Unlikely	Recorded within the previous 20 years, but the area provide no habitat or feeding resources for the species, including perching, roosting or nesting opportunities, corridor for movement or shelter. Recorded within 20 -40 years; however, suitable habitat does not occur, and species of similar habitat requirements have not been recorded in the area. No records despite adequate survey effort.

4.3 Presence of Substantially Intact Vegetation

If the vegetation is considered to represent a substantially intact stratum, the NVC cannot approve clearance, unless for the purpose of harvesting native vegetation (section 27(3)).

Provide information on whether the native vegetation constitutes a continuous intact stratum.

The *Atriplex vesicaria* Low Open Shrubland association is isolated to the western side of the property within a fenced paddock. The native plant species diversity remains high, although it was noted that many of the plants present were small and may be an indication of recovery following stock removal.

The *Atriplex vesicaria* Low Open Shrubland vegetation community is exposed to grazing pressure by rabbits, while a small number of sheep and horses were present at the site at the time the vegetation assessment was conducted. It is considered that the past disturbance by stock and the ongoing presence of rabbits within the *Atriplex vesicaria* Low Open Shrubland has impacted upon the species composition and cover rating of the ground layer. The weed score for this community is medium with several weed species having a coverage of < 5%, including **Lycium ferrocissimum* (African Boxthorn) a Weed of National Significance (WoNS). **Carrichtera annua* (Ward Weed) also a WoNS was dominant amongst the ground layer with a cover rating of 51 – 75%. The presence of patches of **Mesembryanthemum crystallinum* and **Psilocaulon granulicaule* are considered to be indicators of dryland salinity and/or disturbance.

The ratio of native to exotic understorey is >20 – 40% supporting the finding that the *Atriplex vesicaria* Low Open Shrubland vegetation association has been impacted by historic grazing pressure and does not constitute a continuous intact stratum.

The *Atriplex vesicaria* Low Open Shrubland vegetation association that is the subject of this vegetation clearance application does not constitute a continuous intact stratum.

The Mallee vegetation association in the northeastern corner of the property has been severely impacted by grazing and human activity in the form of rubbish dumping, to the extent that the shrub layer has been reduced to scattered individual plants and the ground layer practically removed.

The *Nitraria billardierei* Open Shrubland vegetation association that is restricted to the borders of the cleared paddocks has also been severely impacted by grazing pressure and is dominated by *Nitraria billardierei* with species diversity drastically reduced and the understorey replaced by weeds and pasture species.

Provide information on whether the native vegetation has been subject to degradation within the past 20 years.

The property was historically utilised as an abattoir and a small number of stock, (horses and sheep) were agisted on the property at the time of the vegetation assessment. The three paddocks that comprise the eastern half of the property have been cereal cropped and are clear of native vegetation other than between the southern and central paddocks along the fence line. This *Nitraria billardierei* Open Shrubland is not subject to this clearance application and also occurs on the northern boundary of the northern paddock and the western boundary of the central and northern paddocks extending from the access track to the fence lines. The *Nitraria billardierei* Open Shrubland has been subject to grazing pressure that remains, although at a very low stock intensity at the time of the vegetation assessment. The native vegetation ground layer was absent and has been replaced by pasture grass and weed species.

The Mallee association in the northeast corner of the property (shown below) had been used as a rubbish dump, including an excavated dump area. The rubbish included chemical drums, corrugated iron, household appliances,



clothing, toys and fencing materials amongst other items. There was evidence that stock at the property used the Mallee area as a shelter as the ground layer was largely removed with *Carrichtera annua* dominant along with *Mesembryanthemum crystallinum* an indicator of disturbance and soil salinity. The Mallee vegetation association is not the subject of this application and is not proposed to be cleared.

Provide a key finding on whether any or all of the area of impact could be considered as substantially intact.

The proposed location of two residences and subdivision of the cleared paddocks does not impact upon any native vegetation that could be considered to be substantially intact.

4.4 Principles of Clearance (Schedule 1, Native Vegetation Act 1991)

If the clearance is seriously at variance with one or more of the principles, the NVC cannot approve clearance, however, the Act provides the NVC with a degree of discretion in certain situations

Principle of Clearance	Considerations
<p>Principle 1a - it comprises a high level of diversity of plant species</p>	<p><u>Relevant information</u> <i>Atriplex vesicaria</i> Low Open Shrubland was comprised of 18 native species and 6 weed species, including two species listed as WoNS that equates to a native plant species diversity that is considered high (a native plant lifeforms score of 12/20). This vegetation association lacked complexity within the ground layer that was dominated by <i>*Carrichtera annua</i>. It was also noted that while species diversity was relatively high, the cover rating associated with numerous species was low (<1% cover or few species present). Native Plant Species Diversity Score was 28.</p>
	<p><u>Assessment against the principles</u> <u>Seriously at Variance</u> - <i>Atriplex vesicaria</i> Low Open Shrubland; (33.174 ha) with a Native Plant Species Diversity Score of 28 is considered to be Seriously at Variance. Refer to moderating factors. <u>At Variance</u></p>
	<p><u>Moderating factors that may be considered by the NVC</u> The amount of clearance required for the residence and associated access track is 0.16ha that represents 0.48% of the <i>Atriplex vesicaria</i> Low Open Shrubland present on the property and 0.26% of the chenopod shrubland vegetation association within 5 km of the site. The amount to be cleared represents less than 0.25% of the native vegetation (all association types) within 5 km of the site. It is therefore considered that the requested clearance of 0.16 ha is a small area of impacted vegetation relative to the amount of native vegetation within the local vicinity and therefore the impact may be reduced from <u>Seriously at Variance</u> to <u>At Variance</u>.</p>
<p>Principle 1b - significance as a habitat for wildlife</p>	<p><u>Relevant information</u> The <i>Atriplex vesicaria</i> Low Open Shrubland is surrounded by predominantly agricultural land on three sides and is separated from the coastal vegetation associations to the west by Decres Bay Road. Even though the road separates these vegetation associations the presence of the 33.17ha of <i>Atriplex vesicaria</i> Low Open Shrubland adjacent to the coastal native vegetation provides a degree of buffering between the surrounding agricultural land and the coastal vegetation and is a locally significant habitat in an area that is shifting from rural to rural living. The value of the <i>Atriplex vesicaria</i> Low Open Shrubland is likely to be increased by the removal of stock. This vegetation association was assessed as not supporting threatened plants or fauna and is not a threatened vegetation community. The <i>Atriplex vesicaria</i> Low Open Shrubland provides habitat for local (non-threatened) birds, reptiles and kangaroos. This community is assessed to be <u>Not At Variance</u>.</p> <p>Threatened Fauna Score – 0 Threatened Flora Score - 0 Unit biodiversity Score – 45.10</p>

	<p><u>Assessment against the principles</u> <u>Seriously at Variance</u> No Vegetation Associations</p> <p><u>At Variance</u> – No Vegetation Associations</p> <p><u>Moderating factors that may be considered by the NVC</u> Historic grazing appears to have had a negative impact upon the ground layer of this vegetation association and most likely regeneration and removal of stock from the property may enhance the conservation value of this vegetation association. The area of native vegetation subject to this application is small 0.16 ha and is unlikely to be considered essential habitat to maintain local populations.</p>
<p>Principle 1c - plants of a rare, vulnerable or endangered species</p>	<p><u>Relevant information</u> No threatened species were recorded within the <i>Atriplex vesicaria</i> Low Open Shrubland or were likely to be present but undetectable at the time of assessment (e.g. orchids).</p> <p>Threatened Flora Score(s) – 0</p>
	<p><u>Assessment against the principles</u> The <i>Atriplex vesicaria</i> Low Open Shrubland is considered to be <u>Not At Variance</u>.</p>
	<p><u>Moderating factors that may be considered by the NVC</u></p>
<p>Principle 1d - the vegetation comprises the whole or part of a plant community that is Rare, Vulnerable or endangered:</p>	<p><u>Relevant information</u> The three vegetation associations present at the property are not threatened communities under the EPBC Act or threatened ecosystems under the DEW Provisional list of threatened ecosystems.</p> <p>Threatened Community Score – 1 (Default)</p>
	<p><u>Assessment against the principles</u> The 3 vegetation associations present at the property are <u>Not At Variance</u>.</p>
	<p><u>Moderating factors that may be considered by the NVC</u></p>
<p>Principle 1e - it is significant as a remnant of vegetation in an area which has been extensively cleared.</p>	<p><u>Relevant information</u> The Native vegetation remnancy figures for IBRA Association – Ceduna is 46% and for the IBRA Subregion – Eyre Mallee it is 38%.</p> <p>The Total Biodiversity Score for the <i>Atriplex vesicaria</i> Low Open Shrubland is 7.22 that in accordance with Table 8 indicates that this association is <u>At Variance</u> at both the IBRA Association and IBRA Subregion levels.</p> <p>The <i>Atriplex vesicaria</i> Low Open Shrubland has been impacted by grazing pressure due to the adjustment of stock and historically due to stock held for processing at the abattoir. Rabbits were also present at the property and would continue to apply grazing pressure and may reduce the potential for perennial shrubs to regenerate.</p> <p>The small size of many plants associated with low coverage rating for many species suggests that the <i>Atriplex vesicaria</i> Low Open Shrubland in the absence of obvious regeneration may be senescing and in a gradual decline. The dominance of a WoNS, <i>*Carrichtera annua</i> within the ground layer amongst other weeds and pasture grasses is indicative of disturbance and without intervention (active management) this situation is unlikely to improve naturally.</p>

	<p>As the property is proposed to be zoned Rural Living it is likely that disturbance pressure will continue, although it is likely to change in nature. The nature of the pressure exerted upon the native vegetation will be subject to conditions imposed upon the development of the subdivided property. For example, if stock are permitted or off road bikes the shrubland will continue to be impacted and potentially at an increased intensity. Impacts may be reduced within the shrubland if stock are removed and not permitted under the Rural Living subdivision. Under these circumstances the vegetation condition is likely to improve as recruitment of regenerating perennial shrubs is likely to be more successful with stock grazing removed.</p>
	<p><u>Assessment against the principles</u> <u>Seriously at Variance</u> None <u>At Variance</u> <i>Atriplex vesicaria</i> Low Open Shrubland</p>
	<p><u>Moderating factors that may be considered by the NVC</u> The area subject to this clearance application for a house and access track is comparatively small (0.16 ha) and is considered unlikely to significantly impact the <i>Atriplex vesicaria</i> Low Open Shrubland. The location of a house at the disused abattoir is not likely to have any impact upon the <i>Atriplex vesicaria</i> Low Open Shrubland as the area is already cleared and the existing access road is to be utilised. Subdivision of the cleared paddocks for rural living allotments is unlikely to have an impact upon the <i>Atriplex vesicaria</i> Low Open Shrubland to any greater extent.</p>
<p>Principle 1f - it is growing in, or in association with, a wetland environment.</p>	<p><u>Relevant information</u> None of the vegetation associations present are associated with a wetland. No wetlands are present on the property.</p>
	<p><u>Assessment against the principles</u> Not at Variance</p>
	<p><u>Moderating factors that may be considered by the NVC</u></p>
<p>Principle 1g - it contributes significantly to the amenity of the area in which it is growing or is situated.</p>	<p><u>Relevant information</u> The <i>Atriplex vesicaria</i> Low Open Shrubland is within a property presently zoned Rural with an application pending to change the planning zone to Rural Living. The native vegetation is surrounded on three sides by a mix of agricultural land and rural living allotments. This vegetation association has been previously grazed by stock as part of the abattoir.</p>
	<p>The proposed development of a residence at the site of the abattoir buildings can be argued to enhance the visual amenity given the state of the infrastructure present and the access track is already present. The development of an additional residence with a new access track is in fitting with the rural living allotments of much of the surrounding landscape. The planned retention of the <i>Atriplex vesicaria</i> Low Open Shrubland will preserve the existing local amenity values as the majority of the <i>Atriplex vesicaria</i> Low Open Shrubland will remain unaffected by the proposed development. Vegetation adjacent Decres Bay Road will be retained and the development of the two homes will have a negligible impact upon the visual amenity of the area and may be considered to improve the visual amenity with the removal of the abattoir infrastructure.</p> <p>No cultural or heritage values were identified although cultural artefacts may be present. The proposed subdivision of the paddocks into rural living allotments is consistent with the surrounding rural living developments such as Ceduna Waters.</p>
	<p>N/A</p>

Moderating factors that may be considered by the NVC

The proposed residence and associated access track does not involve the clearance of a large area of native vegetation.

Principles of Clearance (h-m) will be considered by comments provided by the local NRM Board or relevant Minister. The Data Report should contain information on these principles where relevant and where sufficient information or expertise is available.

4.5 Address the Mitigation Hierarchy

The Native Vegetation Council will consider if the applicant has avoided and minimized the clearance of native vegetation as much as practically possible.

a) Avoidance

The agricultural paddocks will be developed into housing allotments largely avoiding the requirement to clear the *Atriplex vesicaria* Low Open Shrubland present at the property, with only a single residence proposed to be located within this vegetation association. The location of a residence at the site of the existing abattoir buildings on the property further avoids the necessity to clear native vegetation.

Construction laydown/stockpile areas will be located within the cleared paddocks present at the property avoiding native vegetation. Similarly, heavy vehicle movements will be restricted to the access road alignment or cleared paddock areas with no native vegetation.

b) Minimization

A single residential property is to be located within the block of native vegetation while the location of a residence at the site of the disused infrastructure (abattoir) present at the property avoids the necessity to undertake additional native vegetation clearance. The subdivision of the cleared agricultural land on the eastern side of the property further minimizes the amount of native vegetation clearance required.

Where possible the access roads should be aligned with existing tracks to avoid native vegetation clearance and otherwise be kept as short as practicable to minimize native vegetation clearance.

c) Rehabilitation or restoration

Following road construction the road verge – area trafficked by heavy machinery during road construction will be reinstated and consolidated. The rehabilitation of part of the proposed access road alignment will reduce the overall footprint of the access road.

Consolidated road verge areas may be allowed to naturally revegetate following construction, or areas may be direct seeded. Road verge areas may be tilled to produce shallow furrows in order to promote seed collection and accumulation of organic matter.

d) Offset – any adverse impact on native vegetation that cannot be avoided or further minimized should be offset by the achievement of a significant environmental benefit that outweighs that impact.

The SEB offset will be met by payment into the NVC fund.

The potential exists on the property for the owner to create an on-site offset (SEB) or SEB credit for the clearance associated with the house site, avoiding the necessity to pay into the NVC fund.

4.6 Risk Assessment

Determine the level of risk associated with the application

Total clearance	No. of trees	0
	Area (ha)	0.16
	Total biodiversity Score	7.22
Seriously at variance with principle 1(b), 1(c) or 1 (d)	None	
Risk assessment outcome	Level 2	

5. Clearance summary

Clearance Area(s) Summary table

Block	Site	Species diversity score	Threatened Ecological community Score	Threatened plant score	Threatened fauna score	UBS	Area (ha)	Total Biodiversity score	Loss factor	Loadings	Reductions	SEB Points required	SEB payment	Admin Fee
A	A1	28	1	0	0	45.10	0.16	7.22	1	0	0	7.58	\$2,858.53	\$157.22
						Total	0.16	7.22				7.58	\$2,858.53	\$157.22

Totals summary table

	Total Biodiversity score	Total SEB points required	SEB Payment	Admin Fee	Total Payment
Application	7.22	7.58	\$2,858.53	\$157.22	\$3,015.75

Economies of Scale Factor Site A1	0.5
Rainfall (mm)	286

6. Significant Environmental Benefit

A Significant Environmental Benefit (SEB) is required for approval to clear under Division 5 of the *Native Vegetation Regulations 2017*. The NVC must be satisfied that as a result of the loss of vegetation from the clearance that an SEB will result in a positive impact on the environment that is over and above the negative impact of the clearance.

ACHIEVING AN SEB

Indicate how the SEB will be achieved by ticking the appropriate box and providing the associated information:

- Establish a new SEB Area on land owned by the proponent.
- Use SEB Credit that the proponent has established. Provide the SEB Credit Ref. No. _____
- Apply to have SEB Credit assigned from another person or body. The [application form](#) needs to be submitted with this Data Report.
- Apply to have an SEB to be delivered by a Third Party. The [application form](#) needs to be submitted with this Data Report.
- Pay into the Native Vegetation Fund.

PAYMENT SEB

If a proponent proposes to achieve the SEB by paying into the Native Vegetation Fund, summary information must be provided on the amount required to be paid and the manner of payment:

- Total SEB amount (including administration fee) is **\$3,015.75 (ex GST)**

7. Appendices

Appendix 1. Bushland Assessment Scoresheets associated with the proposed clearance (submitted in Excel format)

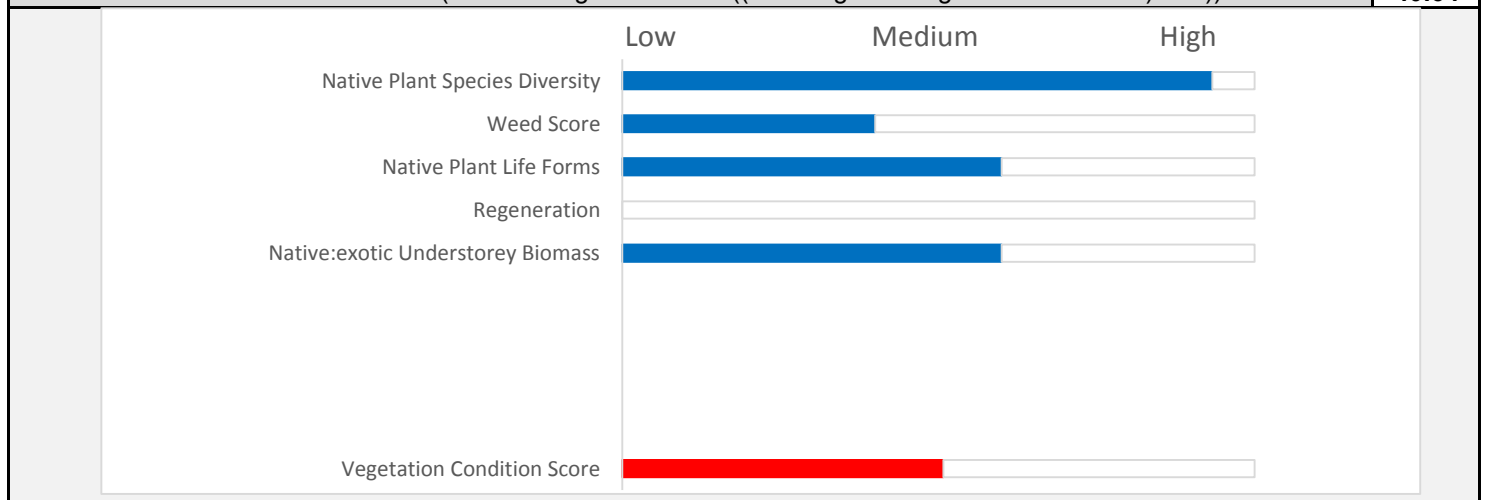
Vegetation Condition Scores

SITE:	A1 Low Open Shrubland
BCM COMMUNITY	EP 9.2 Chenopod Open Shrublands
VEGETATION ASSOCIATION DESCRIPTION	Atriplex vesicaria Low Open Shrubland
SIZE OF SITE (Ha)	0.16

Benchmarked attributes (Scores determined by comparing to a Benchmark community)				Native Plant Life Forms	Cover rating
Number of Native Species (Minus herbaceous annuals for spring Surveys)	18			Trees > 15m	
Native Plant Species Diversity Score (max 30) from benchmark score <i>weighted by a factor of 2</i>	28.0			Trees 5 - 15 m	
				Trees < 5m	
				Mallee > 5m	
				Mallee < 5m	
Number of regenerating native species	0			Shrubs > 2m	
Regeneration Score (max 12) from benchmark community weighted by a factor of 1.5	0			Shrubs 0.5 - 2m	2
				Shrubs < 0.5	3
				Forbs	
				Mat Plants	
Weed species (Top 5 Cover x Invasiveness)	Cover (max 6)	Weed Threat Rating (max 5)	C x I	Grasses > 0.2m	2
Carrichtera annua	5	2	10	Grasses < 0.2m	
Mesembryanthemum crystallinum	2	2	4	Sedges > 1m	
Avena spp.	1	2	2	Sedges < 1m	
Psilocaulon granulicaule	1	1	1	Hummock grasses	
Lycium ferocissimum	1	4	4	Vines, scramblers	
	Cover x Threat		21	Mistletoe	
Weed Score (max 15) from benchmark community			6	Ferns	
				Grass-tree	
				Total	7
Native Plant Life Forms (max 20) from benchmark score weighted by a factor of 2					12.0

Non-Benchmarked Attributes (Scores determined from direct field observations)		<i>Is the community naturally treeless?</i>	<input checked="" type="checkbox"/>
Native:exotic Understorey biomass Score (max 5)	3	<i>Tree attributes not scored for treeless communities or communities with only emergent trees</i>	

Vegetation Condition Score calculation	
Positive Vegetation Attributes Score = Native species diversity + Regeneration + Native Plant Life Forms Fallen timber/debris + Hollow-bearing trees - If the community Score is Not Benchmarked (SNB) for regeneration this score is multiplied 1.24 - If the community is naturally treeless this score is multiplied by 1.29	51.60
Negative Vegetation Attributes Score = (15 - Weeds) + ((10 - (Biomass score x 2))exp2/2)	17.00
VEGETATION CONDITION SCORE (Positive veg attributes x ((80 - Negative vegetation attributes) / 80))	40.64



Conservation Significance Score

Is the vegetation association considered a Threatened Ecological community or Ecosystem?	Yes/No
State (Provisional List of Threatened Ecosystems of SA) Rare community (0.1 pt)	<input type="checkbox"/>
State (Provisional List of Threatened Ecosystems of SA) Vulnerable community (0.2 pts)	<input type="checkbox"/>
State (Provisional List of Threatened Ecosystems of SA) Endangered community (0.3 pts)	<input type="checkbox"/>
Nationally (EPBC Act) Vulnerable community (0.35 pts)	<input type="checkbox"/>
Nationally (EPBC Act) Endangered or Critically Endangered community (0.4 pts)	<input type="checkbox"/>
<i>Note: all sites will score a minimum Conservation Significance Score of 1</i>	
Threatened Community Score	1
Number of Threatened Flora Species recorded for the site (within the site)	Number
<i>*If a species has both a State (NP&W Act) and National (EPBC Act) rating, it's only recorded for its National rating.</i>	
State Rare species recorded (1 pt each)	0
State Vulnerable species recorded (2.5 pt each)	0
State Endangered recorded (5 pts each)	0
Nationally Vulnerable species recorded (10 pts each)	0
Nationally Endangered or Critically endangered species recorded (20 pts each)	0
0 = 0 pts; <2 = 0.04 pts; 2 - <5 = 0.08 pts; 5 - <10 = 0.12 pts; 10 - <20 = 0.16 pts; 20 or > = 0.2 pts	0
Threatened Flora Score	0
Potential habitat for Threatened Fauna Species (number observed or previously recorded)	Number
<i>*If a species has both a State (NP&W Act) and National (EPBC Act) rating, it's only recorded for its National rating.</i>	
State Rare species observed or locally recorded (1 pt each)	0
State Vulnerable species observed or locally recorded (2.5 pt each)	0
State Endangered species observed or locally recorded (5 pt each)	0
Nationally Vulnerable species observed or locally recorded (10 pts each)	0
Nationally Endangered or Critically endangered species observed or locally recorded (20 pts each)	0
0 = 0 pts; <2 = 0.02 pts; 2 - <5 = 0.04 pts; 5 - <10 = 0.06 pts; 10 - <20 = 0.08pts; 20 or > = 0.1 pts	0
Threatened Fauna Score	0
CONSERVATION SIGNIFICANCE SCORE	1

Total Scores for the Site

	Score	Vegetation Condition x Landscape Context x Conservation Significance =	
LANDSCAPE CONTEXT SCORE	1.11	UNIT BIODIVERSITY SCORE	45.10
VEGETATION CONDITION SCORE	40.64	Total Biodiversity Score	
CONSERVATION SIGNIFICANCE SCORE	1.00	(Biodiversity Score x hectares)	7.22

Photo Point and Vegetation Survey Location	Direction of the Photo	
	South	
	GPS Reference	
	Datum	WGS84
	Zone (52, 53 or 54)	53
	Easting (6 digits)	377100
	Northing (7 digits)	6442020
Description		
View south from the NW corner of the quadrat. Refer to Figure 2.		

What is the purpose of Assessment?

Clearance

SEB Area

Other

Assessment for Clearance

Loss Factor	1.0	Approximate hectares required	0.95
Loadings for clearance of protected areas		Economies of Scale Factor	0.5
Reductions for rehabilitation of impact site		Mean Annual rainfall for the site (mm)	286
SEB Points required	7.58	Payment into the fund (GST Exclusive)	\$2,858.53
		Administration fee (GST Inclusive)	\$157.22

Appendix 2. Flora Species List

Species Name	Common Name	Site A1	Site B1	Site C1
<i>Atriplex vesicaria</i>	Bladder Saltbush	*	*	
<i>Austrostipa nitida</i>	Balcarra grass	*	*	*
<i>Austrostipa sp.</i>	Spear grass	*		
* <i>Avena fatua</i>	Wild Oat	*		
* <i>Brassica tournefortii</i>	Wild Turnip	*	*	
<i>Carpobrotus rossii</i>	Native Pigface	*		
* <i>Carrichtera annua</i>	Wards Weed	*	*	*
* <i>Conzya bonariensis</i>	Flax leaf Fleabane	*		
<i>Einadia nutans</i>	Climbing saltbush		*	
<i>Enchylaena tomentosa var tomentosa</i>	Ruby Saltbush	*		
* <i>Eragrostis pilosa</i>	Soft Love Grass	*		
<i>Eremophila deserti</i>	Turkey Bush	*		
<i>Eucalyptus gracilis</i>	Yorrell		*	
* <i>Lycium ferocissimum</i>	African Boxthorn	*		
<i>Maireana brevifolia</i>	Small-leaf Bluebush			*
<i>Maireana erioclada</i>	Ruby Bluebush	*	*	
<i>Melaleuca lanceolata</i>	Dryland Tea Tree		*	*
* <i>Mesembryanthemum crystallinum</i>	Iceplant	*	*	
<i>Nitraria billardierei</i>	Nitre Bush	*	*	*
<i>Podotroche angustifolia</i>	Sticky Longheads	*		
* <i>Psilocaulon granulicaule</i>	Wiry Noon-flower	*		
<i>Rytidosperma sp</i>	Wallaby Grass	*		
<i>Salsola australis</i>	Roly Poly	*		*
<i>Scaevola spinescens</i>	Spiny Fanflower	*		*
<i>Sclerolaena obliquicuspis</i>	Limestone	*	*	*
<i>Sclerolaena patentispis</i>	Spear-fruit Copperburr	*		
<i>Senecio pinnatifolius</i>	Coast Groundsel	*		
<i>Suada australis</i>	Austral Seabite	*		
<i>Unknown pasture grass (dead)</i>		*	*	*
<i>Vittadinia gracilis</i>	Woolly New Holland Daisy	*		
<i>Westringia rigida</i>	Stiff Western Rosemary	*		

ATTACHMENT H

Timetable for Code Amendment



STEP	RESPONSIBILITY	TIMEFRAME
Approval of the Proposal to Initiate		
Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission.	AGD	1 week (includes lodgement and allocation + referral to Government Agencies within the first week)
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary).	AGD, Relevant Government Agencies	1 week
Consideration of Proposal to Initiate and advice to the Minister.	Commission (Delegate)	1 week
	Commission	1 week
Proposal to Initiate agreed to by the Minister.	Minister	1 week
Preparation of the Code Amendment		
Engagement Plan Prepared.	Designated Entity	2-4 weeks
Investigations conducted; Code Amendment Report prepared.	Designated Entity	4-8 weeks undertaken concurrently
The Drafting instructions and draft mapping provided to AGD.	Designated Entity	1 week undertaken concurrently
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes.	AGD	1 week
Preparation of Materials for Consultation.	Designated Entity	2 weeks
Engagement on the Code Amendment		
Code Amendment Report released for public consultation in accordance with the Community Engagement Charter and the prepared Community Engagement Plan.	Designated Entity	2-4 weeks



STEP	RESPONSIBILITY	TIMEFRAME
Consideration of Engagement and Finalisation of Amendments		
Submissions summarised; Amended drafting instructions provided, Engagement Report prepared and lodged with AGD.	Designated Entity	2 weeks
Assess the amendment and engagement. Prepare report to the Commission or delegate. Timeframe will be put on hold if further information is required, or if there are unresolved issues.	AGD	2 weeks
Consideration of Advice.	Commission (Delegate)	1 week (includes 1 week to process through Minister's office)
	Commission	2 weeks
Decision Process		
Minister considers the Code Amendment Report and the Engagement Report and makes decision.	Minister	1 week
Implementing the Amendment (operation of the Code Amendment)		
Go- Live- Publish on the PlanSA Portal.	AGD	1 week
Parliamentary Scrutiny		
Referral of approved Code Amendment to ERDC.	AGD	8 weeks



TO: MINISTER FOR PLANNING

RE: PROPOSAL TO INITIATE THE CEDUNA RURAL ZONE CODE AMENDMENT BY MR CHRIS LINES

PURPOSE

To recommend that you refuse the Proposal to Initiate the Ceduna Rural Zone Code Amendment (the Proposal).

BACKGROUND

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act) provides:

73 – Preparation and amendment

(2) A proposal to amend a designated instrument may be initiated by—

(b) with the approval of the Minister, acting on the advice of the Commission—

(vii) in relation to the Planning and Design Code or a design standard— a person who has an interest in land and who is seeking to alter the way in which the Planning and Design Code or a design standard affects that land.

Mr Chris Lines (the Proponent) (care of MasterPlanSA Pty Ltd) has lodged the Proposal to amend the Planning and Design Code (the Code) as it relates to the affected area (**Attachment 1**).

The State Planning Commission (the Commission) considered the Proposal to Initiate at its meeting of 18 August 2022 and resolved not to support the Code Amendment.

A summary of the role and responsibilities for you in regard to the Code Amendment is provided in **Appendix A**.

A flowchart of the Code Amendment process is provided in **Appendix B**.

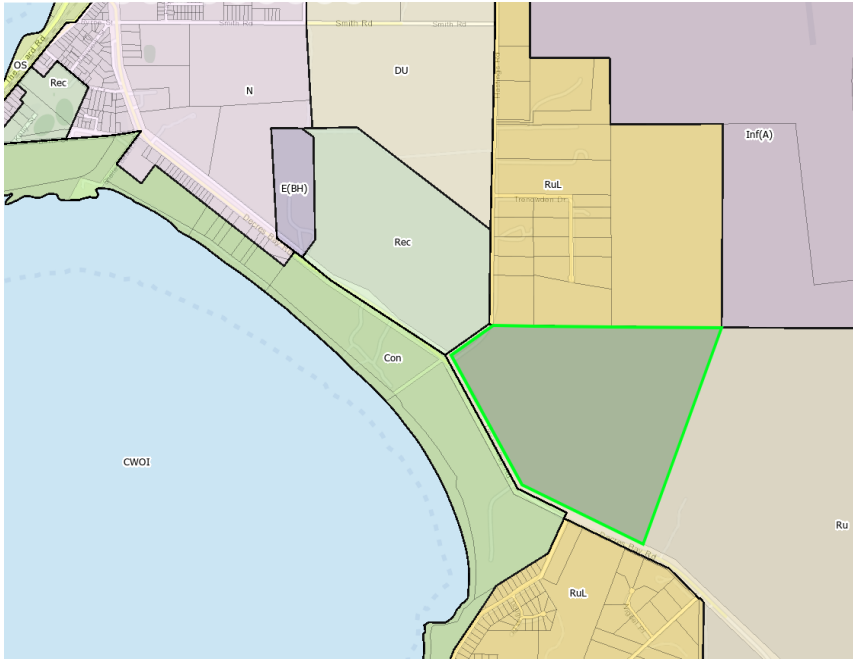
DISCUSSION

The following sets out the strategic, policy and procedural considerations in relation to the Proposal to Initiate, including conditions that are recommended should you agree to initiate the Code Amendment.

Proposal

The Proposal seeks to rezone 101.6 hectares of land at 327 Decres Bay Road, Ceduna from the Rural Zone to the Rural Living Zone, with a minimum site area of two hectares. The affected area is within the District Council of Ceduna (the Council), on Wirangu Country.

The affected area and current zoning are shown in the figure below.



Planning and Design Code Zoning

The affected area is located within the Rural Zone. The following Overlays apply to the land:

- Airport Building Heights (Regulated) - All structures over 45 metres
- Building Near Airfields
- Dwelling Excision
- Hazards (Bushfire - Regional)
- Hazards (Flooding - Evidence Required)
- Limited Land Division
- Native Vegetation.

TNVs

- Minimum dwelling allotment size is 300 ha.

The land surrounding the affected area is within the Rural Living Zone, Rural Zone, Conservation Zone and Recreation Zone (racecourse).

The Proponent was unable to gain a formal response from Council's Chief Executive Officer (CEO) on the Proposal, and as such, Planning and Land Use Services (PLUS) formally requested this advice to ensure compliance with *Practice Direction 2 – Preparation and Amendment of Designated Instruments*. A copy of Council's response is provided in **Appendix C**. Council's CEO advised that Council has no significant objection to the Proposal, or any specific matters contained in the Proposal, noting the following:

- Without objection, the minimum site area of two hectares proposed is larger than the minimum site area technical and numeric variation (TNV) of one hectare overlaying the Rural Living Zones immediately north of the subject land and part of the Rural Living Zone south of the subject land.
- There is no potable or mains water supply available at Ceduna Waters, as incorrectly indicated within the Proposal. SA Water has advised that a supply of mains potable water in this area is unavailable without significant upstream system augmentation.

It is also noted that Council's formal submission on Phase 2 of the Code (dated 29 November 2019), identified the affected area for transition to the Rural Living Zone rather than the Rural Zone (refer to Attachment D of the Proposal provided in **Attachment 1**). However, the rezoning was not supported by the Commission at the time as it was outside the scope of the Code implementation process and would require a future Code Amendment.

The Proponent has argued that the Proposal is consistent with the existing pattern of land use, providing for a continuous strip of rural living that will meet demand for additional rural living opportunities.

In summary, the Proposal seeks to investigate:

- Rezoning the affected area from the Rural Zone to the Rural Living Zone.
- Application of a minimum site area TNV of two hectares.

It is not proposed that the adjacent Animal Husbandry Subzone Overlay be extended over the affected area.

It is also noted that the affected area is located within the following overlays:

- Dwelling Excision Overlay – which seeks to limit the creation of allotments to accommodate existing dwellings to avoid undermining primary production.
- Limited Land Division Overlay – which seeks to limit fragmentation of land to avoid undermining primary production.

Both these overlays will need to be removed to facilitate future subdivision and development for rural living, together with the minimum dwelling allotment size TNV of 300 hectares.

Strategic considerations

The following sets out the strategic considerations relating to this proposal and rationale for the Commission recommending refusal of the Code Amendment.

More details of the Commission's strategic priorities are provided in **Appendix D**.

An assessment against the State Planning Policies (SPPs) and relevant Regional Plan are provided in **Appendix E**.

Strategic advice

The rezoning of land for rural living purposes is a complex planning issue. Rural living is a lifestyle preferred by many and, as a result, councils often support rural living rezonings as a strategy to increase population and economic activity in regional communities.

However, rural living development can have environmental, social and economic costs that are significantly higher than those of standard residential development. These areas can result in the inefficient delivery of services, removal or fragmentation of viable primary production land, and lead to conflict with more intense farming operations. Furthermore, rural living development can potentially constrain further densification and urban growth, impacting on the long-term sustainability of our land supply.

As a result, there has been opposition from previous State Governments (notably, the former Weatherill Government) in relation to such rezoning proposals.

However, rural living is a legitimate land use and housing choice, and it is possible that, as a result of the COVID-19 pandemic, we will see an increasing demand as people move away from our more urban areas (i.e. 'tree change'). The Commission is of the view that, subject to appropriate investigations being undertaken, there is a role for rural living development and has identified a number of principles to assist in assessing such rezoning proposals.

The proposed Code Amendment will provide an additional source of rural living land for the township and region that connects existing rural living land to the north and south of the affected area. The affected area has existing public road access and investigations undertaken by the Proponent indicate some infrastructure is available in the adjacent rural living areas which may be extended. Further, the proposed minimum allotment size would be sufficient to accommodate on site waste treatment.

The affected area is located within the *Eyre and Western Regional Plan (2012)*. Ceduna is the third largest service centre in the region. The Proponent has argued that the proposed Code Amendment:

- Will support the growth of Ceduna and link the existing Ceduna Waters rural living estate to the south with rural living land to the north.
- Will support housing diversity through the provision of additional rural living allotments which will be larger than allotments in the adjacent Ceduna Waters estate and without targeted policies for animal husbandry applicable to the north.
- Will not constrain future township expansion or fragment primary production land.
- Is arguably too small to support viable primary production and is largely underutilised, occupied for intermittent horse agistment.

Notwithstanding, the Commission has concerns in relation to the Proposal, namely:

- Significant rural living land supply exists, along with deferred urban land, which can accommodate any demand for residential development
- The location of the proposed rural living development will restrict the future growth / densification of Ceduna

On this basis, the Commission considers that the Proposal conflicts with the SPPs and the Commission's principles for rural living development.

Land use characteristics

The eastern portion of the affected area was cleared and has been used for low intensity cropping and grazing, while the western portion has generally been left undeveloped with areas of remnant vegetation. A former abattoir is located on the land.

Surrounding land use activities comprise rural living, primary production, recreation and conservation. Adjacent rural living land to the north, which is largely developed, is also located within the Animal Husbandry Subzone and provides for large-scale horse keeping and dog kennelling in association with detached dwellings on large allotments. Adjacent rural living land to the south is located within the partially developed Ceduna Waters estate and comprises smaller allotments.

Potential constraints and Investigations

Land supply and demand

While the location of the affected area integrates two existing rural living areas and provides a variation in allotment type to that adjoining, there is significant supply and demand for additional rural living land has not been demonstrated

Infrastructure, transport and access

The Proponent has identified that existing infrastructure is available for connection in the adjacent rural living areas and that the affected area has public road access with capacity to support the intended rural living allotments. However, Council has advised that potable water is not available.

Native vegetation

The affected area is located within the Native Vegetation Overlay which seeks to protect, retain and restore areas of native vegetation. Investigations undertaken by Grant Fleming Environmental (GFE) advised that the existing native vegetation would not represent an impediment to the development of rural living allotments, with native vegetation clearance determined to be Level 2 (Significant Environmental Benefit (SEB) payment anticipated).

Bushfire

The affected area is located within the Hazards (Bushfire – Regional) Overlay which seeks to ensure development is located to minimise the threat and impact of bushfires and facilitate emergency services access in regional areas.

Contamination

The land was previously subdivided from a larger adjoining land parcel for the establishment of an abattoir which ceased operation in 2001. A number of dilapidated structures remain from this operation. Investigations into site contamination are proposed as part of the Code Amendment and the Code also contains suitable policies to address any residual contamination and, where necessary, amelioration.

Land use conflict – rural and coastal

Potential land use conflict may occur with adjacent land zoned rural to the east. The affected area is also located adjacent to the Conservation Zone/Coastal Areas Overlay, with the potential for offsite rural living impacts on coastal dunes and vegetation.

Procedural considerations

The following sets out the key procedural considerations that satisfy the legislative requirements. Pursuant to section 73(5) of the Act, approval for a Proposal to Initiate may be given on conditions prescribed by the regulations (there are none at this time) or as specified by you, as Minister for Planning. As the Commission does not support initiation of the proposed Code Amendment, no conditions have been recommended.

Information requirements

Practice Direction 2 – Preparation and Amendment of Designated Instruments outlines the information requirements for a Proposal to Initiate and is provided in **Appendix F**.

The mandatory information requirements have been met and therefore the Proposal is of a suitable form to be considered by you.

Consistent with the State Planning Policies and Regional Plan

The Code must be consistent with the principles of the SPPs and should be consistent with the directions of the relevant Regional Plan, which, in this instance, is the *Eyre and Western Regional Plan (2012)*. This assessment is provided in **Appendix E** and a more detailed analysis is also located in the Proposal (**Attachment 1**).

In summary, the Proposal is considered to conflict with the SPPs and the Commission’s principles for rural living development (**Appendix G**).

Additional Resolution

Should you choose not to follow the Commission’s advice to not support the Proposal, it is recommended that you seek further advice from the Commission with regards to conditions to be applied to an approval of a proposal.

RECOMMENDATIONS

It is recommended that you:

1. Note the advice of the State Planning Commission provided to you as required under section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.
2. Agree to decline initiation of the Code Amendment, pursuant to section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*, on the grounds that it conflicts with the State Planning Policies and the State Planning Commission’s principles for rural living development. In particular, the proposed rezoning would unduly restrict the future growth of the Ceduna township, noting that there is a significant supply of rural living already available to accommodate any existing demand and a small supply of deferred urban land to accommodate township expansion.

NOTED / NOT NOTED

AGREED / NOT AGREED

3. Agree to sign the attached letters to Mr Chris Lines (**Attachment 2**) and the District Council of Ceduna (**Attachment 3**) advising of your decision.

AGREED / NOT AGREED

NICK CHAMPION MP
/ / 2022



CRAIG HOLDEN
Chair, State Planning Commission
07 / 09 / 2022

Attachments:

1. Proposal to Initiate the Ceduna Rural Zone Code Amendment (#19069630).
2. Suggested letter to the Designated Entity (#19166293).
3. Suggested letter to the District Council of Ceduna (#19166272).

Appendices:

- A. Summary of Roles and Responsibilities in the Code Amendment Process (#18725182).
- B. Process Flowchart – Code Amendments Initiated by Proponents (#18725198).
- C. Correspondence from Geoffrey Moffatt, CEO, District Council of Ceduna, 25 July 2022 (#18978806).
- D. State Planning Commission’s Strategic Priorities (#18725218).
- E. Assessment against the State Planning Policies and Regional Plan (#18725244).
- F. Extract from *Practice Direction 2 – Preparation and Amendment of Designated Instruments* (#18725284).
- G. State Planning Commission’s principles for rural living development (#19166474).

Contact: Nadia Gencarelli
Tel No: 08 7109 7036

Procedural Matters for the State Planning Commission (the Commission)

The Commission's role at Initiation, when the Commission is not the Proponent, is to:

- Provide advice to the Minister for his consideration in making a decision on initiation pursuant to section 73(2)(b) of the Act.
- Specify any person or body the Designated Entity must consult with under section 73(6)(e) of the Act, noting that the designated entity will also need to prepare an engagement plan in accordance with the Community Engagement Charter prior to consultation.
- Specify any investigations to be carried out and/or information to be obtained by the Designated Entity, in accordance with section 73(6)(f) of the Act.

The importance of the initiation process is two-fold:

- Firstly, it enables proposals considered to be significantly at odds with the State Planning Policies (SPPs) and relevant Regional Plan to be refused early in the process, minimising risk. This is because the decision to proceed is based on an assessment against these documents.

To that end, the Commission may also advise the Minister on how the proposal fits with its stated priorities, including:

- Technical amendments that enhance the operation of the Code.
- Bushfire policy in response to the Royal Commission and improved bushfire mapping data.
- Support land supply, including infill, master planned neighbourhoods and growth areas consistent with the Growth Management Programme.
- Support economic clusters such as agribusiness and value adding, defence industries, energy and resources, health and medical industries and knowledge and creative industries.
- Provide state-wide strategic benefit such as protection against environmental hazards.
- Secondly, the initiation process is the point at which the scope of the Code Amendment process, investigations and information requirements and the amendments are determined. This provides clarity and certainty for the proponents.

Approval of the Proposal to Initiate may be given on conditions prescribed by the regulations (there are none at this time) or as specified by the Minister. As such, conditions have been recommended by the Commission, to be made by the Minister.

The Commission has previously determined that (where possible) Code Amendments should be prepared and led by proponents themselves for the first 12 months following implementation of the Phase Three Code.

Code Amendments Initiated by Proponents

Section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*

