



I hereby give notice that the Council Assessment Panel Meeting will be held on:

Date: Tuesday, 25 July 2023
Time: 9.30am
Location: Council Chambers
Minlaton Town Hall
57 Main Street
Minlaton

AGENDA

Council Assessment Panel Meeting

25 July 2023

A handwritten signature in black ink, appearing to read 'Dustin Guthberg', with a long, sweeping underline.

Dustin Guthberg
ASSESSMENT MANAGER

**Yorke Peninsula Council
Assessment Panel Membership**

Debra Agnew – Presiding Member

Ben Green

Peter Allen

Stephen Horsell

Jordan Hunt

Richard Carruthers

Kylie Gray

CONFLICT OF INTEREST

Council Assessment Panel Members are reminded of the requirements for disclosure by Members of direct or indirect personal or pecuniary interest in an item listed for consideration on the Agenda. Under the Planning, Development and Infrastructure Act 2016, the Ministers Code of Conduct requires that Members declare any interest and provide full and accurate details of the relevant interest to the Council Assessment Panel prior to consideration of that item on the Agenda.

Each Member of a Council Assessment Panel has a duty to vote at all meetings unless excepted by legislation.

The major exception being where a Member has a conflict of interest.

Agenda

1	Welcome by Presiding Member.....	5
2	Present.....	5
3	Gallery.....	5
4	Apologies.....	5
5	Leave of Absence	5
6	Minutes of Previous Meeting – for Confirmation.....	5
7	Conflict of Interest	5
8	Visitors to the Meeting	5
	REPORTS.....	7
9	Development Applications.....	8
9.1	23009428 - 6 Warrawee Road Stansbury.....	8
9.2	23006470 - Lot 9 Curly Hollow Road White Hut	38
10	Matters Deferred	140
	Nil	
11	Review of Decision of Assessment Manager.....	140
	Nil	
12	ERD Court Matters	140
	Nil	
13	Concurrence Approvals	140
14	Procedural Matters	140
	Nil	
15	Next Meeting.....	140
	Tuesday 22 August 2023	
16	Closure.....	140

1 WELCOME BY PRESIDING MEMBER

Meeting declared open

2 PRESENT

3 GALLERY

4 APOLOGIES

Nil

5 LEAVE OF ABSENCE

Nil

6 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

Council Assessment Panel Meeting - 18 May 2023

7 CONFLICT OF INTEREST

8 VISITORS TO THE MEETING

Report Item 9.1 - 23009428 - 6 Warrawee Road Stansbury

Representor wishing to be heard: Diedre Dry

Applicant to respond: Gareth Harrison

Report Item 9.2 - 23006470 - Lot 9 Curly Hollow Road White Hut

Representors wishing to be heard:

Formby Bay Environmental Group and Daly Head National Surfing Reserve Committee
(represented by Geoff Rogers)

Deborah Furbank

Philip Koch

Denise Lehmann

Scot Nadebaum

Lucy Nadebaum

Natalie Nadebaum

Edward Satanek

Applicant to respond: Australian Coastal Flora represented by Damian Dawson from Planning

REPORTS

REPORTS

9 DEVELOPMENT APPLICATIONS**9.1 23009428 - 6 WARRAWEE ROAD STANSBURY****Document #:** 23/66767**Department:** Development Services**PROPOSAL OUTLINE****Author:** Jodie Terp**Application No.:** 23009428**Applicant:** Gareth Harrison**Owner:** Guido Varricchio**Development Proposal:** Variation to Development Application 21040429 – Increase carport height and clad boundary side of carport down to the fence line.**Lodgement Date:** 6 April 2023**Subject Land:** 6 Warrawee Road Stansbury**Zone:** Neighbourhood**Nature of Development:** Code Assessed - Performance Assessed**Public Notification:** Yes**Representations:** 2 – 1 to be heard**Referrals:** Nil**Development Plan Version:** Planning & Design Code – 30 March 2023 - V2023.5**Development Legislation:** Planning, Development and Infrastructure Act 2016**RECOMMENDATION**

A. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

B. Development Application Number 23009428, by Gareth Harrison is granted Planning Consent subject to the following conditions:

Condition 1

The development shall be undertaken in accordance with the plans and documentation (as amended) accompanying the application, except where varied by any conditions herein, and at all times thereafter shall be maintained to the satisfaction of the relevant authority.

Condition 2

Stormwater run-off, including surface stormwater generated by the development, shall be managed on site or directed to the street water table so as not to trespass on to adjoining properties, lie against any building or create unsanitary conditions. All associated works shall be to the satisfaction of the relevant authority.

NATURE OF THE DEVELOPMENT

The proposal is a form of development, being a carport, that would not normally fall within the realm of a Council Assessment Panel (CAP) decision, however it was subject to public notification and two representations were received. As one of the representors wished to speak to their representation under the relevant delegations pursuant to the Planning, Development and Infrastructure Act the Relevant Authority in this instance is the CAP.

DESCRIPTION OF THE PROPOSAL

The proposal seeks to vary the previous Development Authorisation 21040429 by increasing the post heights and overall height of the previously approved carport and by adding cladding along the top section of the southern boundary side to align with the existing fence height.

The variation is being sought retrospectively as construction of the carport is almost complete apart from the panel lift door. The need for the increase in overall heights has been explained as being necessary to accommodate the higher panel lift door which was originally proposed at 2.6 metres high but then was discovered that a 3-metre-high door was required.

The carport is situated on the southern side between the existing dwelling and the boundary fence. It is setback approximately 4.3 metres behind the building line of the dwelling and 13.5 metres from the front property boundary and extends 14.9 metres to the rear joining up with the existing garage.





SUBJECT LAND AND LOCALITY

Site Description

Location reference: 6 WARRAWEE RD STANSBURY SA 5582

Title ref.: CT 5073/372 **Plan Parcel:** F18474 AL54 **Council:** YORKE PENINSULA COUNCIL

The subject land is a large rectangular allotment with a street frontage to Warrawee Road, Stansbury of approximately 22 metres and a depth of approximately 52 metres on the northern boundary and 56 metres on the southern boundary with an overall site area of 1169 square metres.

The site is level and comprises of an existing single storey detached dwelling, garage, inground pool and freestanding verandah.

Locality

The locality is residential in nature and comprises predominantly low-density single storey detached dwellings with generally uniform setbacks.

PUBLIC NOTIFICATION

Reason

Table 5 Procedural Matters, pursuant to section 107(6) of the *Planning, Development, and Infrastructure Act 2016*, lists classes of development which are excluded from notification of which carport is listed however it also lists exceptions to this being development that:

involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and:

- a) *the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or*
- b) *the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).*

The proposal met both exceptions being a structure 14.9 metres abutting the boundary and with a height of 3.35 metres.

Public Notification

Public Notification was undertaken from the 5 May 2023 - 25 May 2023 and two written representations were received as listed below:

Name	Address	Position	Wishes to be heard	Represented By
Deidre Dry	8 Warrawee Road Stansbury	Support with concerns	Yes	Self
Peter Smith	4 Warrawee Road Stansbury	Support	No	

Summary

Support

“I believe the planning consent should be granted as it does not affect me at all, it is not visible from my dwelling and I understand it was to be built to provide cover for a boat and caravan so the height is required to achieve this result and I feel the cladding to the fence would be a weather protection”

Support with some concerns

“Natural Light and Ventilation

This structure is situated on north side of my property at 8 Warrawee Rd Stansbury. At 14.0 mm + 3.35 m it overshadows my entire yard nearest my house + carport. Adding additional cladding will further escalate the growth of moss on cement + paving creating a safety issue.

Storm Water

The roof on slant being an area of approx. 89 sq. m. and there not being a functional existing way to collect water means a huge amount of water will be directed to the street.”

Response

“1. Natural Light & Ventilation

- *The proposed carport structure built along the Southern property boundary will be abutting structures on the neighboring Northern boundary, such as an existing carport, lemon tree, rainwater tanks and tool shed. These existing structures will create a visual screen for the majority of the proposed carport and already provide shading to the neighboring land.*
- *The proposed carport has a low pitch of 10 degrees to reduce the height of the peak of the roof to limit any shadowing and visual dominance.*
- *The existing the lemon tree has been viewed since the proposed carport has been constructed and it still receives sunlight.*

- *The cladding to the side of the proposed carport is for privacy and weather protection reasons. It will not impact on the amount of natural light entering the neighboring property and will provide privacy screening for the toilet and shower windows.*
- *Due to this, I believe the proposed carport will not provide any additional significant shadowing of the neighboring property and unreasonably impact the enjoyment of the land.*

2. Stormwater

- *The proposal includes a guttering and downpipe system to capture the stormwater landing on the roof for reuse within the dwelling, with excess stormwater overflow to be directed to the street. I believe this is the most appropriate way to manage stormwater and will significantly reduce the amount of unmanaged stormwater currently landing on the paved driveway, therefore reducing the risk of stormwater impacting on the neighbor's property".*

CONSULTATION

Nil

ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, Attachment 1 and specifically the following:

Neighbourhood Zone

Performance Outcome 3.1

Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.

The related designated performance feature gives a guide of 60% site coverage being the maximum to achieve the associated PO and with the proposed carport bringing the site coverage to only 35% it is considered this policy is satisfied.

Performance Outcome 10.1

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.

The related designated performance feature lists a number of quantitative guidelines for ancillary structures (outbuildings/carports) which provides for a floor area not exceeding 80m², a total height not exceeding 5 metres, a wall height not exceeding 3 metres, and built form on the boundary as long as the total length does not exceed 11 metres and the height does not exceed 3 metres.

The proposed carport satisfies this in regard to the overall height being less than the 5 metres at 4.35 metres, however, is at variance in that the floor area is 105 square metres, the height of the structure adjacent the boundary is 3.35 metres and the length is 14.9 metres. The floor area is considered acceptable given the site coverage is only 35%. The height on the boundary which has been proposed to be increased to accommodate the larger door and provide clearance for boats, caravans etc. is considered satisfactory as it is not causing any overshadowing of habitable room or private open space and is commensurate with the height of existing vegetation on the neighbouring property.

The setback of the outbuilding behind the face of the dwelling and also behind existing gates serves to soften the appearance from the streetscape and the overall height is consistent with other built forms in the street. The length on the boundary is considered to also be satisfactory given the positioning of existing screening along the carport, vegetation, sheds and rainwater tanks on the adjacent property which serves to soften any visual impact.

General Development Policies

Design

Desired Outcome 1

Development is:

- 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 technologies into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity to minimise energy consumption.*

It is considered the proposal satisfies the desired outcome in regard to design in that it positively contributes to the character of the immediate area and will be fit for purpose, adaptable and long lasting.

CONCLUSION

Whilst the proposed development departs from some of the designated performance features, the proposed development is considered to achieve the intent of the performance outcomes for the Neighbourhood Zone, therefore the application is considered to have sufficient merit to warrant consent.

ATTACHMENTS

1. **Attachment 1 - P & D Code Rules - 23009428**
2. **Attachment 2 - Site and Location Map - 23009428**
3. **Attachment 3 - Plans - 23009428**
4. **Attachment 4 - Approved Plans - 21040429**
5. **Attachment 5 - Representations - 23009428**
6. **Attachment 6 - Response to Representations - 23009428**

Policy24 P&D Code (in effect) Version 2023.5 30/03/2023

6 WARRAWEE RD STANSBURY SA 5582

Address:

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

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



Property Zoning Details

Zone

Neighbourhood

Overlay

Affordable Housing

Hazards (Bushfire - Urban Interface)

Hazards (Flooding - Evidence Required)

Native Vegetation

Local Variation (TNV)

Finished Ground and Floor Levels (*Minimum finished ground level is 2.65m AHD; Minimum finished floor level is 2.9m AHD*)

Maximum Building Height (Metres) (*Maximum building height is 8m*)

Minimum Frontage (*Minimum frontage is 15m*)

Minimum Site Area (*Minimum site area is 450 sqm*)

Selected Development(s)

Outbuilding

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

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

Property Policy Information for above selection

Outbuilding - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Site coverage	
PO 3.1 Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.	DTS/DPF 3.1 The development does not result in site coverage exceeding 60% of the site area.
Ancillary Buildings and Structures	
PO 10.1 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.	DTS/DPF 10.1 Ancillary buildings and structures: (a) are ancillary to a dwelling erected on the site (b) have a floor area not exceeding: (i) 60m ² on sites less than 800m ² (ii) 80m ² on sites 800m ² or more (c) are not constructed, added to or altered so that any part is situated: (i) in front of any part of the building line of the dwelling to which it is ancillary (ii) within 5.5m from the boundary of the primary street (iii) within 900mm of a boundary of the allotment with a secondary street (d) in the case of a garage or carport, do not exceed 7m or 50% of the site frontage (whichever is the lesser) when

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	<p>facing a primary street or secondary street</p> <p>(e) if situated on a boundary (not being a boundary with a primary street or secondary street) do not exceed 11m unless:</p> <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 (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>(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 do 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 abut the proposed wall or structure</p> <p>(h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)</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, are 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> <ul style="list-style-type: none"> (i) a total area as determined by the following table: <table border="1" data-bbox="898 1061 1385 1433"> <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>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 10.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements and do not result in over-development of the site.</p>	<p>DTS/DPF 10.2</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 Table 1 - Private Open Space (b) less 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 to the nearest whole number 										

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
	(c) site coverage exceeding 60%.

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

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

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

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. All development undertaken by: <ul style="list-style-type: none"> (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. 	Except development involving any of the following: <ul style="list-style-type: none"> 1. residential flat building(s) of 3 storeys or greater 2. the demolition of a State or Local Heritage Place 3. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
3. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) air handling unit, air conditioning system or exhaust fan (b) ancillary accommodation (c) building work on railway land (d) carport (e) deck (f) dwelling (g) dwelling addition (h) fence (i) jetty, pontoon or boat berth (or any combination thereof) within the <i>Waterfront Subzone</i> (j) outbuilding (k) pergola 	Except development that: <ul style="list-style-type: none"> 1. exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
<ul style="list-style-type: none"> (l) private bushfire shelter (m) residential flat building (n) retaining wall (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) swimming pool or spa pool (r) tree damaging activity (s) verandah (t) water tank. 	<p>the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).</p>
<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	<p>Except development that:</p> <ol style="list-style-type: none"> 1. exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 or 2. does not satisfy Neighbourhood Zone DTS/DPF 1.2 or 3. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) internal building works (b) land division (c) recreation area (d) replacement building (e) temporary accommodation in an area affected by bushfire (f) tree damaging activity. 	<p>None specified.</p>
<p>6. Demolition.</p>	<p>Except any of the following:</p> <ol 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.
<p>Placement of Notices - Exemptions for Performance Assessed Development</p>	
<p>None specified.</p>	

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
Placement of Notices - Exemptions for Restricted Development	
None specified.	

Part 3 - Overlays

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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	
<p>PO 1.1</p> <p>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 building maintenance.</p>	<p>DTS/DPF 1.1</p> <p>An application is accompanied by:</p> <ul style="list-style-type: none"> (a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: <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 or (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'.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
PO 1.2 Native vegetation clearance in association with development avoids the following: (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.	DTS/DPF 1.2 None are applicable.	
PO 1.4 Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.	DTS/DPF 1.4 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
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

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.	

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: (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)

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.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
Earthworks and sloping land	

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
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 are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).	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.
All Residential development			
Car parking, access and manoeuvrability			
PO 19.3	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-street parking.	DTS/DPF 19.3	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 provided on the site.
PO 19.4	Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.	DTS/DPF 19.4	Vehicle access to designated car parking spaces satisfy (a) or (b): (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: (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

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
		(iii)	does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.
PO 19.5	Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.	DTS/DPF 19.5	Driveways are designed and sited so that: <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 of way is at least 6.2m wide along the boundary of the allotment / site

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

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.

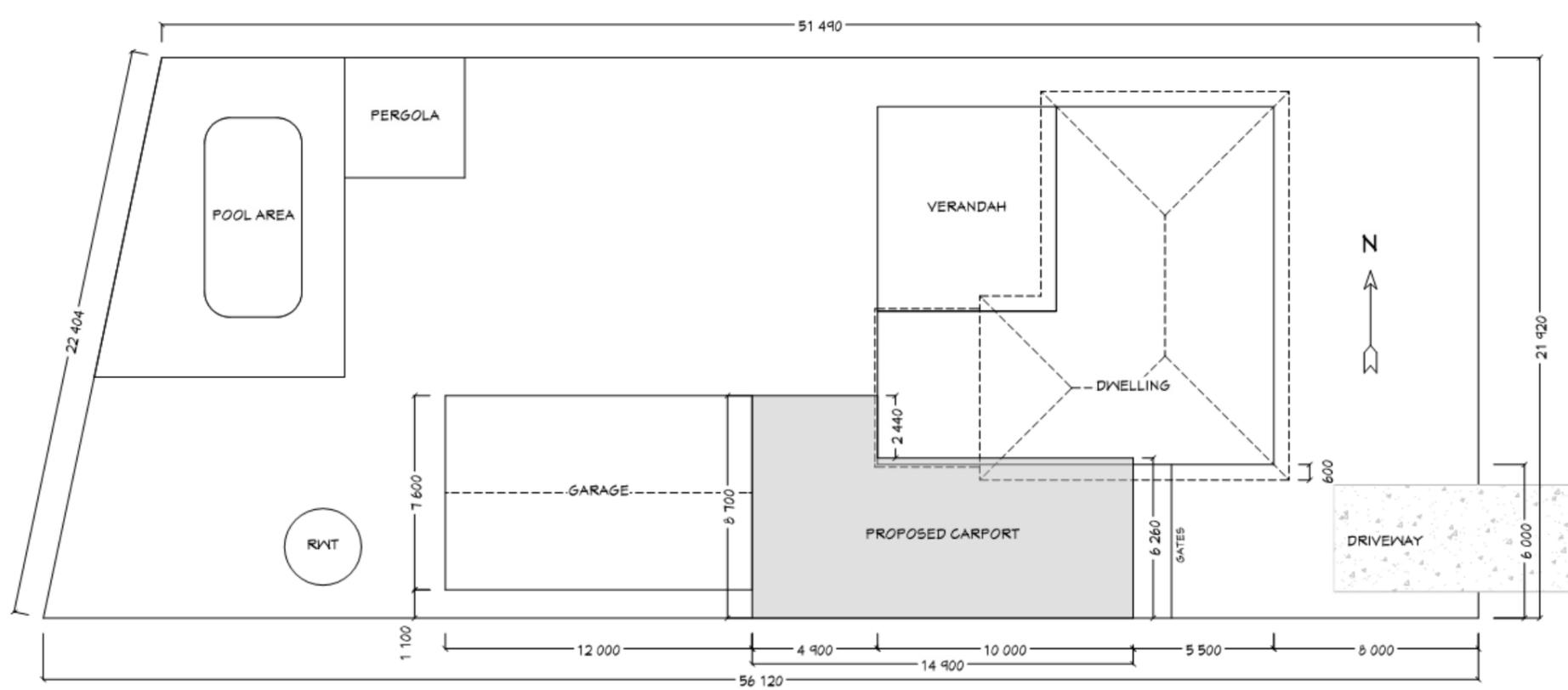
Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Wastewater Services	
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.	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.

23009428 – 6 Warrawee Road Stansbury



R Representor



PROPOSED SITE PLAN
A3 SCALE 1:200

WARRAWEE ROAD

6 WARRAWEE ROAD, STANSBURY
CT: 5073/372

SITE AREA: 1,179 M2

EXISTING BUILDINGS
DWELLING: 161 M2
VERANDAH: 56 M2
GARAGE: 91 M2
TOTAL: 308 M2

PROPOSED CARPORT: 105 M2

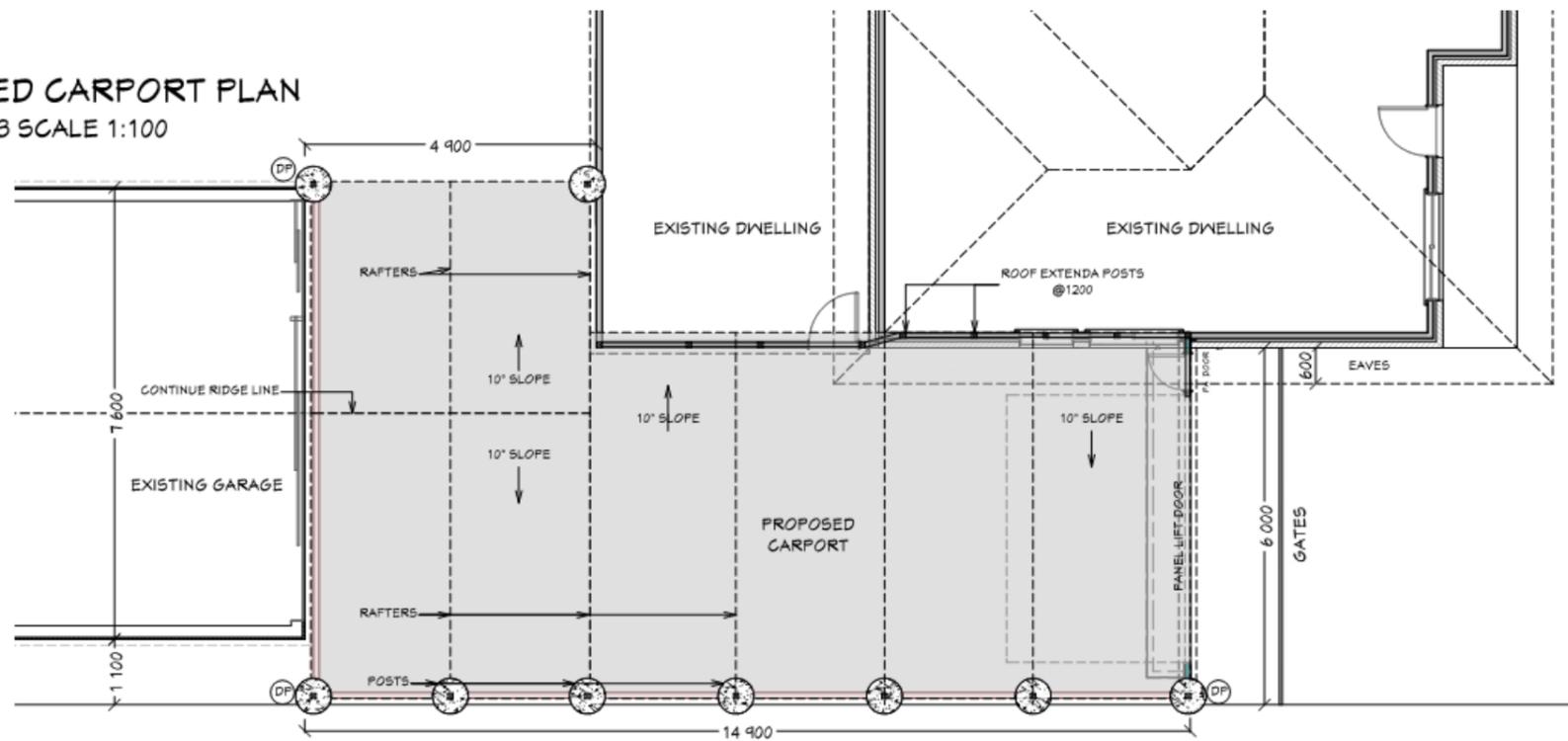
PRIVATE OPEN SPACE: 60M2 MINIMUM

STORMWATER TO EXISTING SYSTEM - OVERFLOW TO STREET

CUT/FILL: N/A
NO REGULATED/SIGNIFICANT TREES OR NATIVE VEGETATION TO BE IMPACTED BY DEVELOPMENT

BUILDER TO CHECK ALL DIMENSIONS

PROPOSED CARPORT PLAN
A3 SCALE 1:100



<p>CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRAWEE ROAD, STANSBURY</p>	
<p>PROJECT: NEW CARPORT</p>	
<p>SHEET 1 CARPORT PLAN</p>	<p>B 22/03/2023</p>
<p>SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com</p>	

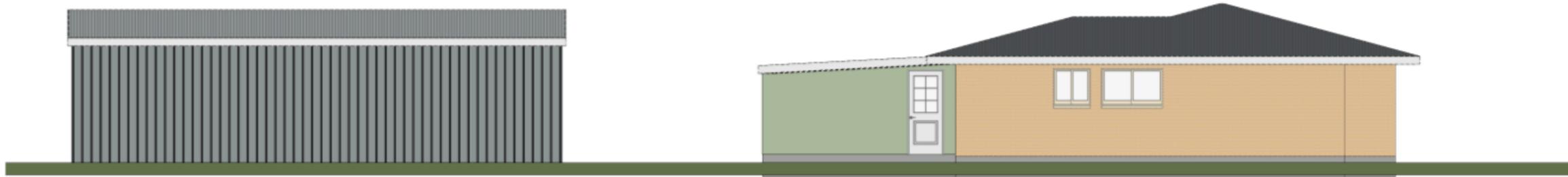


EXISTING FRONT ELEVATION
A3 SCALE 1:50

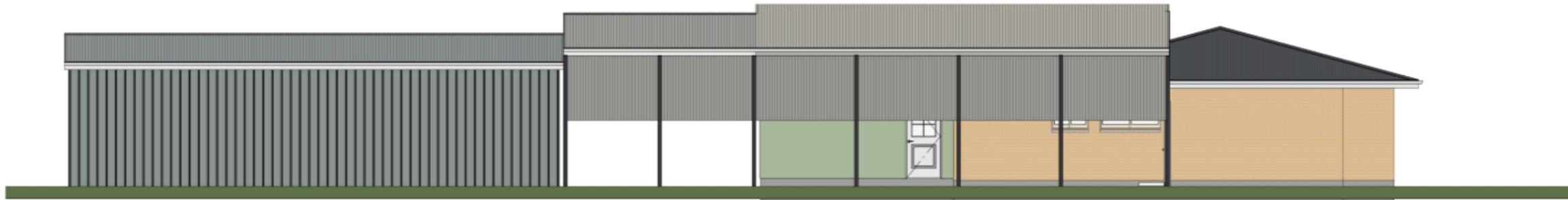


PROPOSED FRONT ELEVATION
A3 SCALE 1:50

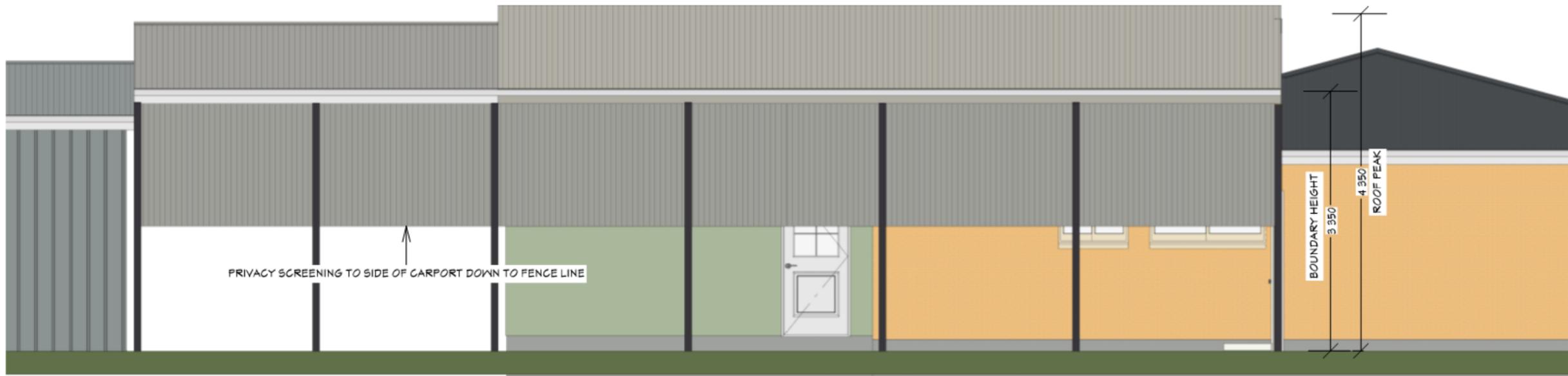
<p>CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRAWEE ROAD, STANSBURY PROJECT: NEW CARPORT</p>	
<p>SHEET 2 FRONT ELEVATIONS</p>	
 <p>SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com</p>	<p>B 22/03/2023</p>



EXISTING SIDE ELEVATION
A3 SCALE 1:100



PROPOSED SIDE ELEVATION
A3 SCALE 1:100



PROPOSED SIDE ELEVATION
A3 SCALE 1:50

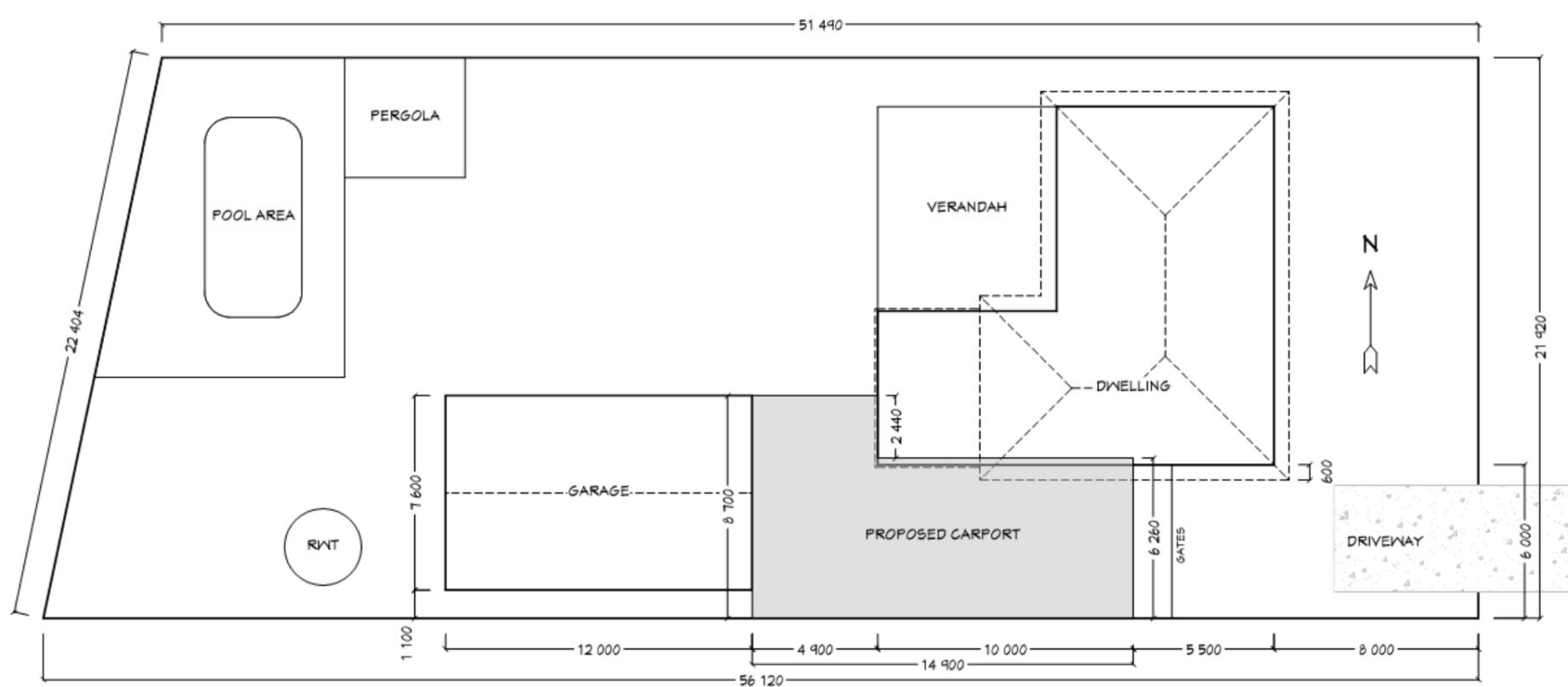
CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRAWEE ROAD, STANSBURY PROJECT: NEW CARPORT	
SHEET 3 SIDE ELEVATIONS	
 SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com	B 22/03/2023



CONTRASTING COLOURS FOR ILLUSTRATION PURPOSES ONLY
 COLOUR TO BE COLORBOND MONUMENT TO MATCH

PROPOSED 3D MODELS
 NOT TO SCALE

<p>CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRAWEE ROAD, STANSBURY PROJECT: NEW GARPORT</p>	
<p>SHEET 4 3D MODELS</p>	<p>B 22/03/2023</p>
<p> SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com</p>	



PROPOSED SITE PLAN
A3 SCALE 1:200

WARRAWEE ROAD

6 WARRAWEE ROAD, STANSBURY
CT: 5073/312

SITE AREA: 1,179 M2

EXISTING BUILDINGS

DWELLING: 161 M2

VERANDAH: 56 M2

GARAGE: 91 M2

TOTAL: 308 M2

PROPOSED CARPORT: 105 M2

PRIVATE OPEN SPACE: 60M2 MINIMUM

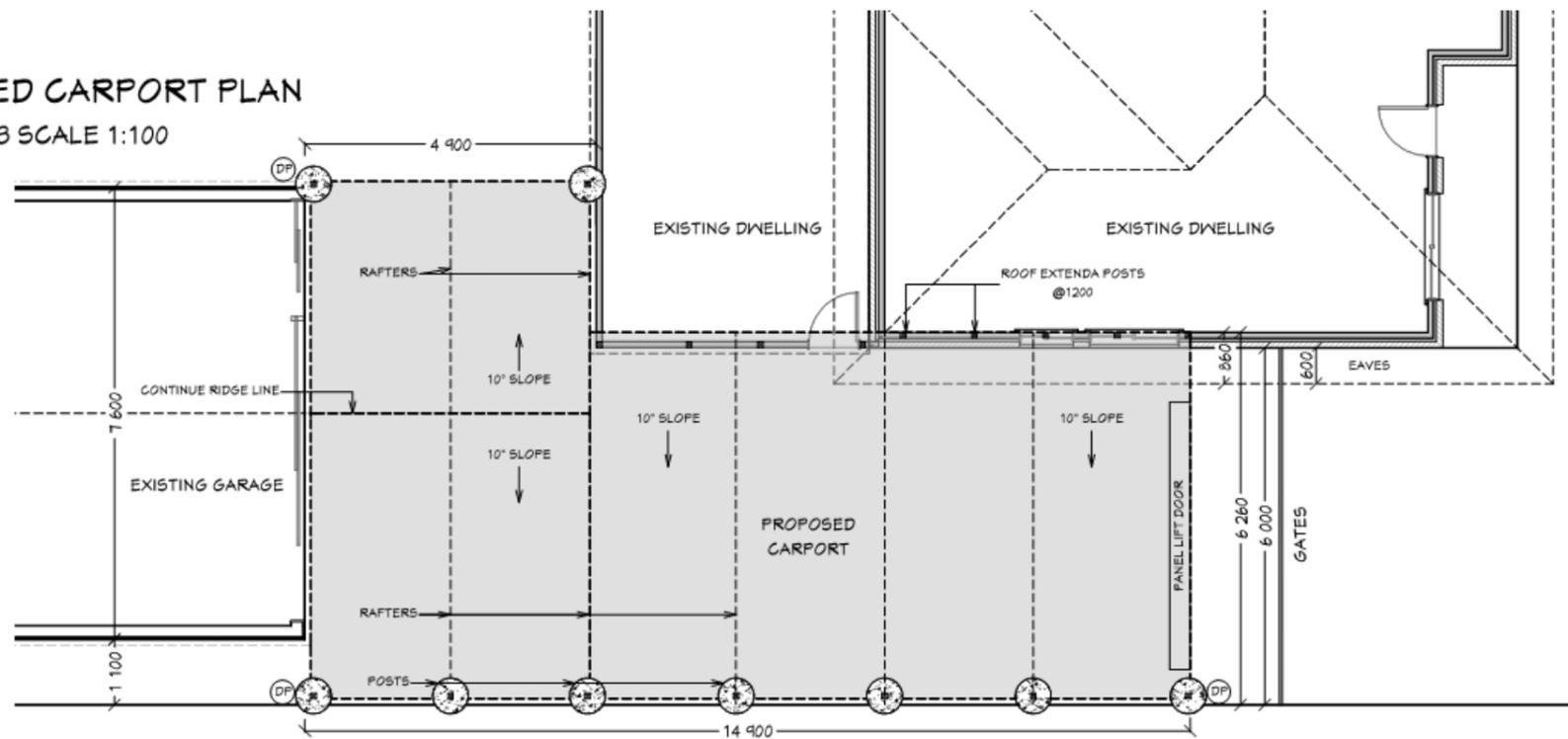
STORMWATER TO EXISTING SYSTEM - OVERFLOW TO STREET

CUT/FILL: N/A
NO REGULATED/SIGNIFICANT TREES OR NATIVE VEGETATION TO BE IMPACTED BY DEVELOPMENT

BUILDER TO CHECK ALL DIMENSIONS

Yorke Peninsula Council
PLANNING CONSENT GRANTED
subject to conditions
6/01/2022

PROPOSED CARPORT PLAN
A3 SCALE 1:100



<p>CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRAWEE ROAD, STANSBURY</p>	
<p>PROJECT: NEW CARPORT</p>	
<p>SHEET 1 CARPORT PLAN</p>	<p>A</p>
<p>SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com</p>	
<p>07/12/2021</p>	



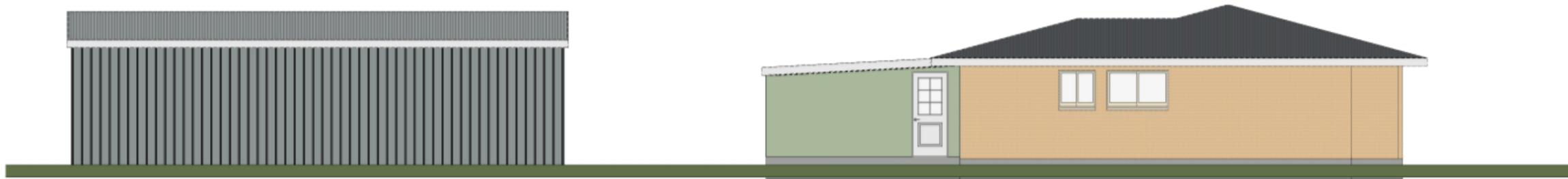
EXISTING FRONT ELEVATION
A3 SCALE 1:50



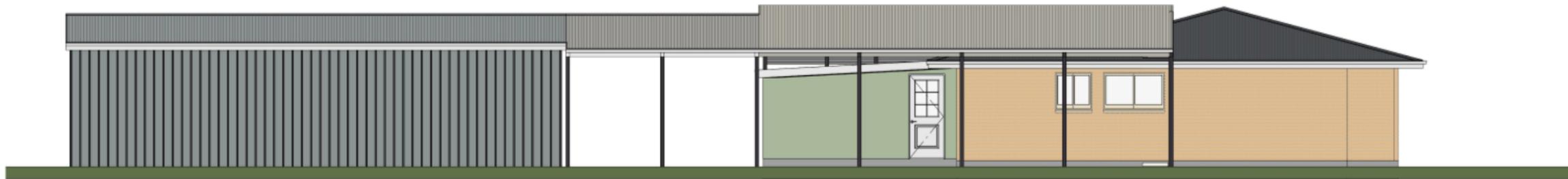
PROPOSED FRONT ELEVATION
A3 SCALE 1:50

Yorke Peninsula Council
PLANNING CONSENT GRANTED
subject to conditions
6/01/2022

CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRANEE ROAD, STANSBURY PROJECT: NEW CARPORT	
SHEET 2 FRONT ELEVATIONS	
 SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com	A 07/12/2021



EXISTING SIDE ELEVATION
A3 SCALE 1:100



PROPOSED SIDE ELEVATION
A3 SCALE 1:100



PROPOSED SIDE ELEVATION
A3 SCALE 1:50

Yorke Peninsula Council
**PLANNING CONSENT
GRANTED**
*subject to conditions
6/01/2022*

CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRANEE ROAD, STANSBURY PROJECT: NEW CARPORT	
SHEET 3 SIDE ELEVATIONS	
 SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com	A 07/12/2021



CONTRASTING COLOURS FOR ILLUSTRATION PURPOSES ONLY
 COLOUR TO BE COLORBOND MONUMENT TO MATCH

Yorke Peninsula Council
**PLANNING CONSENT
 GRANTED**
 subject to conditions
 6/01/2022

PROPOSED 3D MODELS
 NOT TO SCALE

CLIENT: GUIDO & MICHELLE VARRICCHIO ADDRESS: 6 WARRANEE ROAD, STANSBURY PROJECT: NEW GARPORT	
SHEET 4 3D MODELS	
 SPARTAN PLANS & BUILDING SERVICES Gareth Harrison: 0422 909 503 spartanplans@gmail.com	A 07/12/2021

Details of Representations

Application Summary

Application ID	23009428
Proposal	Variation of Development Application 21040429 Increase carport height and clad boundary side of carport down to fence line
Location	6 WARRAWEE RD STANSBURY SA 5582

Representations

Representor 1 - Peter Smith

Name	Peter Smith
Address	4 Warrawee Road STANSBURY SA, 5582 Australia
Submission Date	08/05/2023 09:35 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development

Reasons

i believe the planning consent should be granted as it does not affect me at all , it is not visible from my dwelling and i understand it was to be built to provide cover for a boat and caravan so the height is required to achieve this result and i feel the cladding to the fence would be a weather protection

Attached Documents

Representations**Representor 2** - Deidre Dry

Name	Deidre Dry
Address	8 WARRAWEE ROAD STANSBURY SA, 5582 Australia
Submission Date	26/05/2023 02:39 PM
Submission Source	Post
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons	
See attached correspondence	

Attached Documents

RepresentationOnApplication-6WarraweeRoadStansbury-Da21040429-Dry-5637484.pdf

23/52728

RECEIVED
25 MAY 2023

BY:

REPRESENTATION ON APPLICATION –
PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Gareth Harrison <small>[applicant name]</small>
Development Number:	21040429 <small>[development application number]</small>
Nature of Development:	Carport. <small>[development description of performance assessed elements]</small>
Zone/Sub-zone/Overlay:	Neighbour Hood. <small>[zone/sub-zone/overlay of subject land]</small>
Subject Land:	6 Warrawee Rd, Stansbury 5582 <small>[street number, street name, suburb, postcode] [lot number, plan number, certificate of title number, volume & folio]</small>
Contact Officer:	Jodie Terp Yorke Peninsula Council <small>[relevant authority name]</small>
Phone Number:	<small>[authority phone]</small> 08 88320048.
Close Date:	25th may 2023. <small>[closing date for submissions]</small>

My name*: Deidre Dry	My phone number: 0448116393
My postal address*: 8 Warrawee Rd Stansbury 5582	My email: deedry@live.com.au

* Indicates mandatory information

My position is:

I support the development

I support the development with some concerns (detail below)

I oppose the development



Government of South Australia
Department for Trade
and Investment

23/52728

The specific reasons I believe that planning consent should be granted/refused are:

Natural Light and Ventilation

This structure is situated on north side of my property at 8. Warrawee Rd Stansbury.

At 14.9m + 3.35m. it overshadows my entire yard nearest my house + carport. Adding additional cladding will further escalate the growth of moss on cement + paving creating a safety issue.

Storm Water.

The roof on slant being an area of approx 89 sq m. and there not being a functional existing ^{way} to collect water means a huge amount of water will be directed to the street

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [list any accepted or deemed-to-satisfy elements of the development].

I: wish to be heard in support of my submission*
 do not wish to be heard in support of my submission

By: appearing personally
 being represented by the following person:

*You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission

Signature: *D J Dy*

Date: 24th May 2023.

Return Address:

[relevant authority postal address] or

Email: *Jodie.terp@yorke.sa.gov.au.*

[relevant authority email address] or

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/



31 MAY 2023

PUBLIC NOTIFICATION RESPONSE

For DA: 23009428

Dear Jodie
Yorke Peninsula Council
PO Box 57
MAITLAND SA 5573

Thank you for sending through the results of the Public Notification process for this development application. I have read through the representations along with the land owners and would like to provide a response to alleviate the concerns raised within.

1. Natural Light & Ventilation

- The proposed carport structure built along the Southern property boundary will be abutting structures on the neighboring Northern boundary, such as an existing carport, lemon tree, rainwater tanks and tool shed. These existing structures will create a visual screen for the majority of the proposed carport and already provide shading to the neighboring land.
- The proposed carport has a low pitch of 10 degrees to reduce the height of the peak of the roof to limit any shadowing and visual dominance.
- The existing lemon tree has been viewed since the proposed carport has been constructed and it still receives sunlight.
- The cladding to the side of the proposed carport is for privacy and weather protection reasons. It will not impact on the amount of natural light entering the neighboring property and will provide privacy screening for the toilet and shower windows.
- Due to this, I believe the proposed carport will not provide any additional significant shadowing of the neighboring property and unreasonably impact the enjoyment of the land.

2. Stormwater

- The proposal includes a guttering and downpipe system to capture the stormwater landing on the roof for reuse within the dwelling, with excess stormwater overflow to be directed to the street. I believe this is the most appropriate way to manage stormwater and will significantly reduce the amount of unmanaged stormwater currently landing on the paved driveway, therefore reducing the risk of stormwater impacting on the neighbor's property.

Please let me know if you need any further information to assist with your assessment.

Warm regards

Gareth Harrison

Spartan Plans & Building Services
10 Christine Avenue
Salisbury East SA 5109

spartanplans@gmail.com
0422 909 503

9.2 23006470 - LOT 9 CURLY HOLLOW ROAD WHITE HUT**Document #:** 23/66860**Department:** Development Services**PROPOSAL OUTLINE****Author:** Jodie Terp**Application No.:** 23006470**Applicant:** Australian Coastal Flora**Owner:** David Clarke**Development Proposal:** Mixed use building consisting of workshop and workers' accommodation with associated common room and solar panels; water tank; and agricultural building**Lodgement Date:** 16 April 2023**Subject Land:** Lot 9 in FP37 Curly Hollow Road, White Hut, CT Volume 5131 Folio 614**Zone:** Conservation Zone**Nature of Development:** Code Assessed – Performance Assessed**Public Notification:** Yes**Representations:** 9 opposed – 8 wish to be heard**Referrals:** Nil**Development Plan Version:** Planning & Design Code – 30 March 2023 – V2023.5**Development Legislation:** Planning, Development and Infrastructure Act 2016**RECOMMENDATION**

A. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code.

B. Pursuant to Section 102(3) of the Planning, Development and Infrastructure Act 2016, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval:

Reserved Matter 1

The Applicant or Landowner shall apply for and obtain the necessary approvals for a waste control system in accordance with the South Australian Public Health Act 2011, prior to obtaining Development Approval.

C. Development Application Number 23006470, by Australian Coastal Flora is granted Planning Consent subject to the following conditions:

Condition 1

That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development is to be established in strict accordance with the endorsed stamped details and plans submitted and all works shall be completed to the reasonable satisfaction of the relevant authority prior to the occupation and/or use of the development.

Condition 2

Stormwater run-off, including surface stormwater generated by the development, shall be managed on site so as not to trespass on to adjoining properties, lie against any building or create unsanitary conditions. All associated works shall be to the satisfaction of the relevant authority.

Condition 3

The development shall use low-reflective external materials and finishes that blend with, and colours that complement, the surrounding landscape.

Condition 4

Vehicle access to the workers' accommodation building shall be designed and constructed to facilitate the safe and effective movement of vehicles by ensuring driveways:

- i. are constructed with a formed, all-weather surface
- ii. 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)
- iii. have a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway
- iv. have a crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway
- v. 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
- vi. incorporate passing bays with a minimum width of 6m and length of 17m every 200m
- vii. provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures
- viii. 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
- ix. 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:
 - A. a loop road around the building
or
 - B. a turning area with a minimum radius of 12.5m
or
 - C. a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m.

Condition 5

The herein approved workers' accommodation shall only be used for the accommodation of persons engaged in employment relating to the associated horticultural activities on the same site as the workers' accommodation.

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

The granting of this consent does not absolve the applicant from obtaining all other consents which might be required pursuant to the provision of any other statutes or regulations.

Advisory Note 6

The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practicable measures to ensure that activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

NATURE OF THE DEVELOPMENT

The application seeks planning consent for a proposed mixed use building consisting of workshop and workers' accommodation with associated common room and solar panels; water tank; and agricultural building (refer to Attachment 1).

None of the elements proposed are listed as Accepted, Deemed to Satisfy or Restricted development, therefore the proposal defaults to a Performance Assessed pathway for which Council is the Relevant Authority.

By way of informing background to this application, the subject land has previously received Development Approval for change in use to horticulture in the form of native plant vineyards (*Sambucus Gaudichaudiana* and *Nitraria Billardierei*) with associated trellising, irrigation, nursery trial and access gates (DA 20001355). It is noted that the potential locations of future cellar door/restaurant and fruit processing facilities are indicated on the proposed site plan but these elements do not form part of this application and have no bearing on this assessment.

DESCRIPTION OF THE PROPOSAL

The proposed mixed use building to be located 20 metres from the northern allotment boundary and 178 metres from the eastern allotment boundary is of two-storey construction with a total footprint of 756m². The building has a maximum wall height of 7.4 metres and a total building height of 9.9 metres.

The upper level of the mixed use building (564m²) comprises:

- workers' accommodation (3 two-bedroom units, 3 one-bedroom units, associated storage and laundry) – 360m²
- balcony and decking – 204m²

The lower level of the mixed use building (756m²) contains:

- workers' common room and associated amenities – 120m²
- battery storage room connected to the roof-top solar panels – 12m²
- agricultural building (vehicle parking/equipment storage and workshop) – 148m²
- verandah 476m²

External staircases to access the upper level are located on the southern and western elevations, with solar panels and solar water heater units to service the building mounted upon the roof. Two 22,500 litre rainwater tanks adjacent the western elevation are to be connected to the roof drainage system.

A detached agricultural building of 88m² with a total height of 5 metres is proposed adjacent Curly Hollow Road, setback 8 metres from the eastern allotment boundary

A 200,000 litre replacement header tank is also proposed on an existing tank site adjacent the western allotment boundary.

SUBJECT LAND AND LOCALITY

The subject land is Allotment 9 in Filed Plan 37, Hundred of Carribie, Curly Hollow Road, White Hut, as contained within Certificate of Title Volume 5131 Folio 614.

The irregular shaped allotment is 30.82 hectares in area and has frontages to both Curly Hollow Road (approx. 534 metres) and Feneley Road (approx. 562 metres). The land is gently undulating and slopes downwards west to east towards Curly Hollow Road.



Figure 1 – subject land and locality plan

Horticulture in the form of native vineyard plantings is approved to occupy the majority of the eastern portion of the site with a levelled oval area in the north east corner. Planting has begun on the site and the installation of trellising and irrigation as well as the training of the vines on the trellis is anticipated to continue over the next 3 years.

Dense native vegetation covers the western portion of the allotment which forms part of a continuous strand of vegetation on adjoining sites to the north, west and south.

The locality is characterised by a mix of dense native coastal vegetation and sand dunes to the west and north, with rural allotments developed with dwellings and associated shedding to the east and south (refer to Figure 1 above and Attachment 2).

PUBLIC NOTIFICATION

Public notification of the application was required in accordance with Table 5 – Procedural Matters for the Conservation Zone, as workers’ accommodation is not a class of development identified as being excluded from notification.

The application was notified in accordance with Practice Direction 3 – Notification of Performance Assessed Developments. At conclusion of the notification period nine (9) representations were received as follows:

Name	Property Address	Position	Wishes to be heard
Formby Bay Environmental Action Group and Daly Head National Surfing Reserve Committee	73 Corny Point Rd, Corny Point	Opposed	Yes
Deborah Furbank	1855 Marion Bay Rd, White Hut	Opposed	Yes

Ted Huber	285 Feneley Rd, White Hut	Opposed	No
Philip Koch	Lot 10 Curly Hollow Rd, White Hut	Opposed	Yes
Denise Lehmann	57 Feneley Rd, White Hut	Opposed	Yes
Scot Nadebaum	57 Feneley Rd, White Hut	Opposed	Yes
Lucy Nadebaum	57 Feneley Rd, White Hut	Opposed	Yes
Natalie Nadebaum	57 Feneley Rd, White Hut	Opposed	Yes
Edward Satanek	183 Curly Hollow Rd, White Hut	Opposed	Yes

The primary points of the representations (refer to Attachment 3 for representations in full) are as follows:

- potential future use of the land;
- traffic impacts;
- impacts on the sand dunes;
- use of groundwater;
- impacts on infrastructure; and
- previous works.

The representations were forwarded to the applicant for consideration and written response has been provided (refer to Attachment 4). The response is summarised as follows:

- the Applicant rejects the assertions about potential alternate uses of the workers' accommodation and detached agricultural building;
- potential future uses on the site (i.e. fruit processing, cellar door, restaurant) were indicated on plans to provide an appreciation of what facilities may be required/viable in coming years, should current operations be successful;
- any potential future use would be subject to the full assessment of a separate development application(s) in due course;
- housing workers on the site will reduce the net traffic to/from the site;
- short-term traffic, environmental, amenity impacts from construction activities will be managed in consultation with Council and the relevant EPA guidelines;
- sand dunes in the locality are not contained within the subject land and have no association with the applicant;
- public and worker access to the sand dunes from the subject land will be restricted and monitored by the on-site manager/owner;
- use of groundwater on the site is in accordance with the relevant legislation applicable to the existing approved bores – not part of this application and no new bores are proposed;
- public roads are the only public infrastructure proposed to be utilised by the development – water, electricity and wastewater disposal are generated/contained on-site;

- previously completed works have been undertaken in accordance with the previous approval issued;
- speculation around the extent of previous excavation/earthworks/topsoil importation is false.

CONSULTATION

No external or internal referrals were undertaken as part of this planning assessment.

ASSESSMENT

This application has been assessed against the relevant provisions of the Planning and Design Code (refer to Attachment 5).

Conservation Zone

Desired Outcome 1 of the zone seeks '*the conservation and enhancement of the natural environment and natural ecological processes*'. Whilst located within the Conservation Zone, the site of the proposed development is separated from the area of native vegetation on the land by approximately 100 metres at the closest point. The horticultural use of the land is an existing approved use and the proposed workers accommodation, agricultural buildings and header tank are considered ancillary to that use.

Performance Outcomes 4.1 and 4.2 of the zone desire development be sited and designed unobtrusively to minimise impacts on visual amenity and the natural environment. The proposed mixed use building is of substantial bulk and scale in the locality, having a 756m² footprint and 9.9 metre total height. However, the considerable setback from the primary street frontage (Curly Hollow Road) and the articulation in the design of the building – the use of verandahs/balconies and the highest portion of skillion roof having only a 5 metre span – goes some way to reduce the visual bulk and improve the building's visual appearance. The building site is also located well below the ridgeline to the west (refer to Figure 2 below) and not within direct line of site from existing dwellings in the locality.

The bulk and scale of the proposed detached agricultural building is not considered out of context in the rural setting. Additionally, the proposed header tank will not be visible from outside of the subject land.

Whilst not a specifically envisaged use within the zone, the proposed development is generally in keeping with the intent to protect the natural environment. Buildings are to be located on cleared portions of the land and occupation of the land by workers would allow for increased surveillance of the public realm and a more efficient management of the previously approved use.



Figure 2 – view of proposed mixed use building site from Curly Hollow Road

Coastal Areas Overlay

The proposed development is setback a sufficient distance from the coast (approximately 1.4 kilometres), behind a coastal dune system with a height approximately 40m above the ground level at the site of the development, minimising the potential of any coastal flooding risk.

Hazards (Bushfire – Medium Risk)

The proposed workers' accommodation is located on a flatter portion of the site and with an adequate separation from the native vegetation on the site and adjoining sites, such that bushfire hazard risk is minimised.

Requirements for driveway construction to the habitable building can be appropriately conditioned to facilitate safe and effective access, in accordance with Performance Outcome 5.2 of the overlay.

Hazards (Flooding – Evidence Required)

The proposed finished floor level for the workers' accommodation adequately meets the requirements of Performance Outcome 1.1, being at least 300mm above natural ground level.

Native Vegetation

The proposed development does not involve the clearance of native vegetation and the application is accompanied by a Native Vegetation Declaration to that effect.

General Development Policies

Design

The Desired Outcome for design seeks that development is contextual, durable, inclusive and sustainable. The siting and design of the built form proposed is considered to respond adequately to the natural surroundings on the subject land and not be detrimental to the character of the immediate area. The buildings are fit for purpose and incorporate sustainable design techniques in their orientation, energy and water sources.

Infrastructure and Renewable Energy Facilities

Performance Outcomes 12.1 and 12.2 are relevant to the installation of on-site wastewater systems. The location and design of the required on-site wastewater system for the proposed development have not been provided, however can be dealt with as a Reserved Matter of any Planning Consent issued given the adequate allotment area to accommodate on-site disposal.

Transport, Access and Parking

Vehicle access to the proposed development will be via existing driveway/access points with no new access points proposed to be created.

Workers' accommodation and Settlements

Desired Outcome 1 for worker's accommodation and settlements seeks '*appropriately designed and located accommodation for seasonal and short-term workers in rural areas that minimises environmental and social impacts*'. The siting and design of the proposed accommodation is obscured from view by both natural landform and existing native vegetation. The built form will be further softened by the establishment of the native plant vineyard and the boundary plantings already undertaken (refer to Figure 3).



Figure 3 – boundary plantings adjacent Curly Hollow Road at the northern vehicle access to the subject land

The separation of the proposed workers' accommodation building from adjoining land users should minimise any nuisance impacts in accordance with Performance Outcome 1.2. Additionally, the service infrastructure proposed for the development is considered to adequately satisfy the requirements of Performance Outcome 1.4.

CONCLUSION

When assessed against the relevant provisions of the Planning and Design Code (the Code) and having regard to the context of the locality and the nature of the proposed development, it is considered that the proposal on balance satisfies the relevant provisions of the Code.

Being ancillary to the existing horticultural use of the subject land, the proposal is not harmful to the desired outcome for the Conservation Zone and is not considered to have detrimental impact upon the intended use of the Zone or the amenity of the locality.

Accordingly, the proposal warrants the granting of Planning Consent, subject to conditions of consent.

ATTACHMENTS

1. **Attachment 1 - Proposed Plans - 23006470**
2. **Attachment 2 - Location Map - 23006470**
3. **Attachment 3 - Representations - 23006470**
4. **Attachment 4 - Response to Representations - 23006470**
5. **Attachment 5 - Planning & Design Code Rules - 23006470**

Proposed Plans - Lot 9 Curly Hollow Road, White Hut - 23006470

Attachment 2



3 April 2023
17-066_let01

Ms. Jodie Terp
Planning Officer
Yorke Peninsula Council
PO Box 57
Maitland SA 5573

Dear Jodie,

RE: LOT 9 CURLY HOLLOW RD WHITE HUT

I am writing on behalf of Australian Coastal Flora regarding their proposal to construct a building consisting of worker’s accommodation and agricultural use with associated solar panels and a separate agricultural building and replacement header tank on the abovementioned land.

The following outline of the site, locality and proposal is provided along with a brief assessment of the most pertinent policies of the Planning and Design Code (the Code) to assist Council with the assessment of the subject application.

Summary of application	
Relevant Authority	Council Assessment Panel
Zone	Conservation
Subzone	Nil
Assessment pathway	Code Assessed – Performance Assessed
Public notification (Table 5)	Yes
Overlay(s)	Yes, refer below
Referral(s)	N/A

SUBJECT LAND

The subject land is described in Certificate of Title Volume 5131 Folio 614 as being Allotment 9 in Filed Plan 37 and identified in Figure 1 below.

The allotment is irregular in shape with frontages to Feneley Road of approximately 562.7 metres and Curly Hollow Road of approximately 534 metres. The total site area is approximately 30.82 hectares.

The land is approved for horticulture use (DA 20001355) in the form of trellised and formalised native vegetation plantings for future harvesting of fruit to produce wine and other native food products. The western portion of the allotment consists of dense native vegetation.

Vehicle access to the site is provided from Curly Hollow Road via the approved existing gate.

LOCALITY

The locality is characterised by a mixture of rural allotments and dense areas of native coastal vegetation. The immediate locality is characterised by coastal vegetation and sand dunes to the west and north and rural allotments developed with dwellings and associated sheds to the south and east on the opposite side of Curly Hollow Road. The locality can be seen in Figure 1.



Figure 1: Subject land and Locality

PROPOSAL

The proposal involves the construction of a two-storey building comprising worker's accommodation at the upper level with associated amenities and common area on the ground floor with solar panels mounted upon the roof. The remainder of the ground floor is to be utilised as an agricultural building. The proposed uses are defined as follows:

Agricultural building "Means a building used wholly or partly for purposes associated with farming, commercial forestry, intensive animal husbandry, dairying or horticulture, or to support the operations of that use....."

Workers' accommodation "means premises used to accommodate workers on a temporary basis while they carry out employment:

- a) on the same site as the workers' accommodation;
- b) in mining or petroleum extraction.
- c) in seasonally intensive rural activities such as fruit picking, pruning, animal shearing, meat processing or similar; or
- d) in the construction of essential infrastructure."

The ground floor of the proposed building is to be partially used as an agricultural building for storage of vineyard equipment, truck, trailers and quad bikes along with a workshop for the maintenance of the equipment. A battery storage room connected to the roof top solar, amenities, and common room for workers are also located upon the ground floor. The upper level is to consist of 3 two-bedroom units and 3 one-bedroom units for the accommodation of workers along with associated storage, laundry and decking.

The proposed building is to have a total ground floor area of 564m² and total first floor area of 408m², a maximum wall height of 7.4 metres and an overall building height of 9.9 metres. The building is to be setback 20 metres from the northern boundary, 178 metres from the eastern boundary and 10 metres from the approved horticulture use.



The applicant wishes to provide short-term accommodation to the employees working within the vineyard. The manager will stay onsite 3-4 nights/week with the owner staying 2-3 nights/week over the year. There will be a total of three (3) vineyard workers who will be involved in the following work depending upon the time of year:

- Irrigation
- Trellising
- Picking by hand
- Nursery work
- Additional planting

The installation of the vineyard trellising and irrigation and training of the plants upon the trellis is anticipated to continue over the next 3 years. Future harvesting of fruit will occur from January to May, with pruning to follow from May to August. Vineyard workers will stay onsite during the initial setup and planting and in the coming years will stay during the harvesting and pruning season. Workers will also assist with conducting wine making trials this coming harvest with additional trials each following year building up to commercial production in future years once the plantings are well established.

The proposed accommodation is to be connected to two 22,500 litre rainwater tanks. The roof area will be used to establish solar panels which will be connected to the battery storage and provide power to the building and pumping system.

The proposal will also include the construction of an agricultural building to the east of the oval adjacent to Curly Hollow Road. It will have a total floor area of 70m² with a skillion roof to a maximum height of 5 metres. It will be setback 8 metres from the eastern boundary. It will be constructed with local stone to a height of 2.2 metres with Colorbond wall cladding above that height.

A new 200,000 litre header tank is proposed upon higher ground adjoining the western boundary of the land. The tank will replace an older tank currently located in this position. The tank will have a diameter of 10.6 metres and a height of 2.2 metres.

ASSESSMENT

I have undertaken an assessment of the proposal against the relevant provisions of the Code. The subject land is located within the Conservation Zone and adjoined by properties within the same zone to the north, west and south with land to the east within the Rural Zone as shown in Figure 2 below.



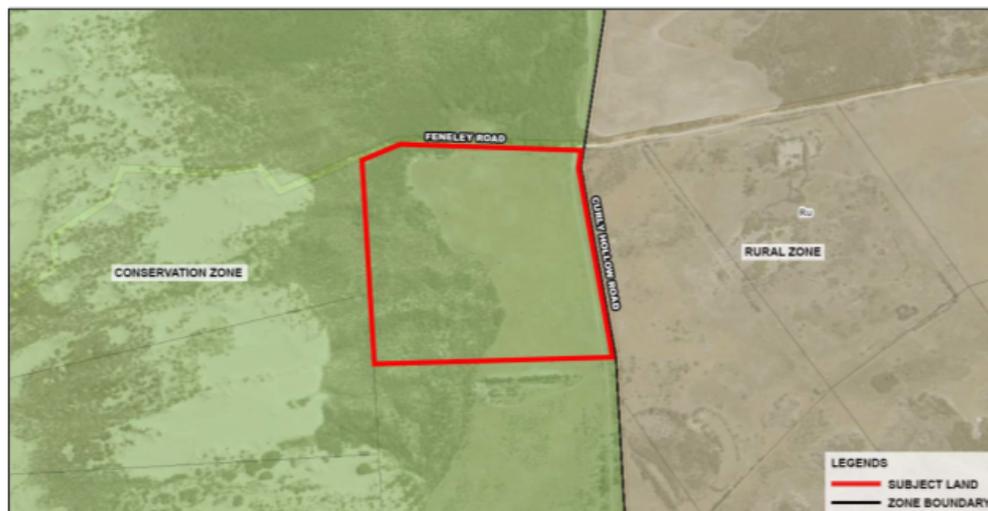


Figure 2: Zone Map

Conservation Zone

Desired Outcome (DO) 1 of the zone seeks ‘the conservation and enhancement of the natural environment and natural ecological processes for their ability to reduce the effects of climate change, for their historic, scientific, landscape, habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development.’ Although the site is located within the Conservation Zone, the land is only partially covered with native vegetation, the remainder has long been cleared and grazed, and now being established for horticultural use with the planting of native food plants. The remnant coastal vegetation upon the land is to remain with the applicant continuing to conserve, improve and maintain the remaining vegetation.

The current horticultural use of the eastern half of the site is characteristic of a Rural Zone, although the horticulture is in the form of native plants rather than introduced crops. The proposed agricultural buildings, worker’s accommodation and water tank are not listed as envisaged uses within the zone but are uses regularly associated with horticulture/rural uses as approved and established upon the land. Such uses and facilities will not look out of place within the locality given the extent of rural land and cleared pasture upon surrounding properties.

Currently, there is no accommodation for workers within the locality. The applicant has found it very difficult to find and retain workers to assist in the initial establishment of the plantings due to the lack of accommodation and distance that is required to be travelled by workers. The construction of accommodation onsite will address this issue and allow the applicant to attract specialist workers into the region. The proposed facility will accommodate three workers, a manager and the owner. The manager and owner will stay approximately 3 to 4 nights per week, returning to their permanent residences on the peninsula and in Adelaide. The workers will stay seasonally as required during harvest and pruning. The number of people involved in the process will be limited and occupy the facility for only a short term, which will limit the potential impacts upon surrounding properties.

The proposed accommodation building is to be located on a cleared site, adjacent the plantings and away from the native vegetation as sought by Zone Performance Outcome (PO) 1.3. It will be setback approximately 180 metres from the primary street so as to reduce any visual impact when viewed from the road. The building will sit comfortably at the base of the dune/ridgeline along the western boundary which rises significantly above the cleared portion of land to a height of 20 to 30 metres. As



such the proposal achieves PO 4.1 which seeks that development be sited and designed unobtrusively to minimise visual impact on the natural environment. The smaller agriculture building adjacent to the oval is of a modest size and height so as to not result in any material visual impacts to surrounding properties or public roads. The building will have a mixture of local stone and Colorbond cladding to provide a degree of interest and a more traditional farm shed appearance/form.

The proposed buildings are located within the northern portion of the subject land, close to each other and the existing shed upon the land so as to minimise the visual impact as sought by PO 4.2. They are also located on level portions of the land to minimise the need for earthworks. The view of the buildings will be softened by the plantings as they mature as well as the screening vegetation planted along the Curly Hollow Road boundary.

The closest dwellings are well removed from the proposed buildings with no direct line of site to the subject land.

Vehicle access is to be gained from Curly Hollow Road via approved/existing access points at the northern end of the road boundary. The manoeuvring of vehicles will be limited to the existing cleared land such that it will not impact upon the natural environment.

Overall, the proposal seeks to add to and build upon the existing horticultural use of the land within an already cleared portion of the land. Whilst not specifically envisaged within the zone the proposed mix of uses and infrastructure is not at odds with the general intent of the Conservation Zone for the protection of the natural environment and will enable the more efficient management of the approved native horticultural plantings upon the land.

Coastal Areas Overlay

The proposed buildings are located on the lower portion of the land with a large sand dune/ridgeline to the west separating the site from the ocean. The highest point of the sand dune is approximately 40 metres higher than the proposed location of the buildings. Given the topography of the land, the proposed location will result in minimal flood risk or impact from coastal processes.

Hazards (Bushfire - Medium Risk) Overlay

The proposed worker's accommodation is sited 73 metres from the native vegetation upon the subject land and approximately 20 metres from the native vegetation within the unmade portion of Feneley Road. A rainwater tank with a capacity of 5,000L is proposed on the north-west of the proposed accommodation building that will be reserved for firefighting purposes.

Hazards (Flooding - Evidence Required) Overlay

The subject site has a gentle slope towards the primary street. The proposed structures will be approximately 300mm above the highest point of natural ground level which accords with DTS/DPF 1.1

Native Vegetation Overlay

The proposed development will occur on a cleared site and does not involve the clearance of native vegetation.

General development policies

Design

The proposed buildings are sited such that the narrower elevations front the primary street so as to minimise the visual appearance of the development. The two-storey building is setback further into the site and will be visible with the native vegetation sand dune/ridge line in the background, extending well above the proposed building height. As discussed above the proposal will not result in any unacceptable visual impacts when viewed from the road and neighbouring properties.



Workers' accommodation and Settlements

As outlined above the proposal achieves Desired Outcome (DO) 1 which seeks '*appropriately designed and located accommodation for seasonal and short-term workers in rural areas that minimises environmental and social impacts*'. The proposed accommodation is well removed from scenic routes, and tourist destinations and is located outside of any conservation areas as sought by PO 1.1. The Colorbond cladding provides the building with a traditional rural character which blends with the surrounding rural/conservation land uses.

PO 1.4 seeks that workers accommodation is supplied with a sufficient level of infrastructure. The roof of the building has been designed to accommodate a sufficient number of solar panels at the correct orientation and angle to maximise energy production with the power to be stored within the battery system on the ground floor. A 200,000 litre header tank is proposed to store bore water that is to be supplied back to the building to supplement rainwater storage and collection off the building roof. On-site wastewater system and soakage areas are able to be accommodated within the subject land with a separate wastewater application to be lodged with Council.

Conclusion

In summary, the proposed agricultural building and workers accommodation supports the existing lawful horticulture/rural use of the land and is not considered to visually dominate the landscape. Further, the proposal does not require any works that could potentially impact the natural environment, for which the zone seeks to preserve.

Overall, the application is considered a reasonable form of development within the Conservation Zone and one which sufficiently satisfies the relevant provisions of the Code to warrant Planning Consent.

Yours sincerely,



Damian Dawson
Director



GENERAL NOTES:

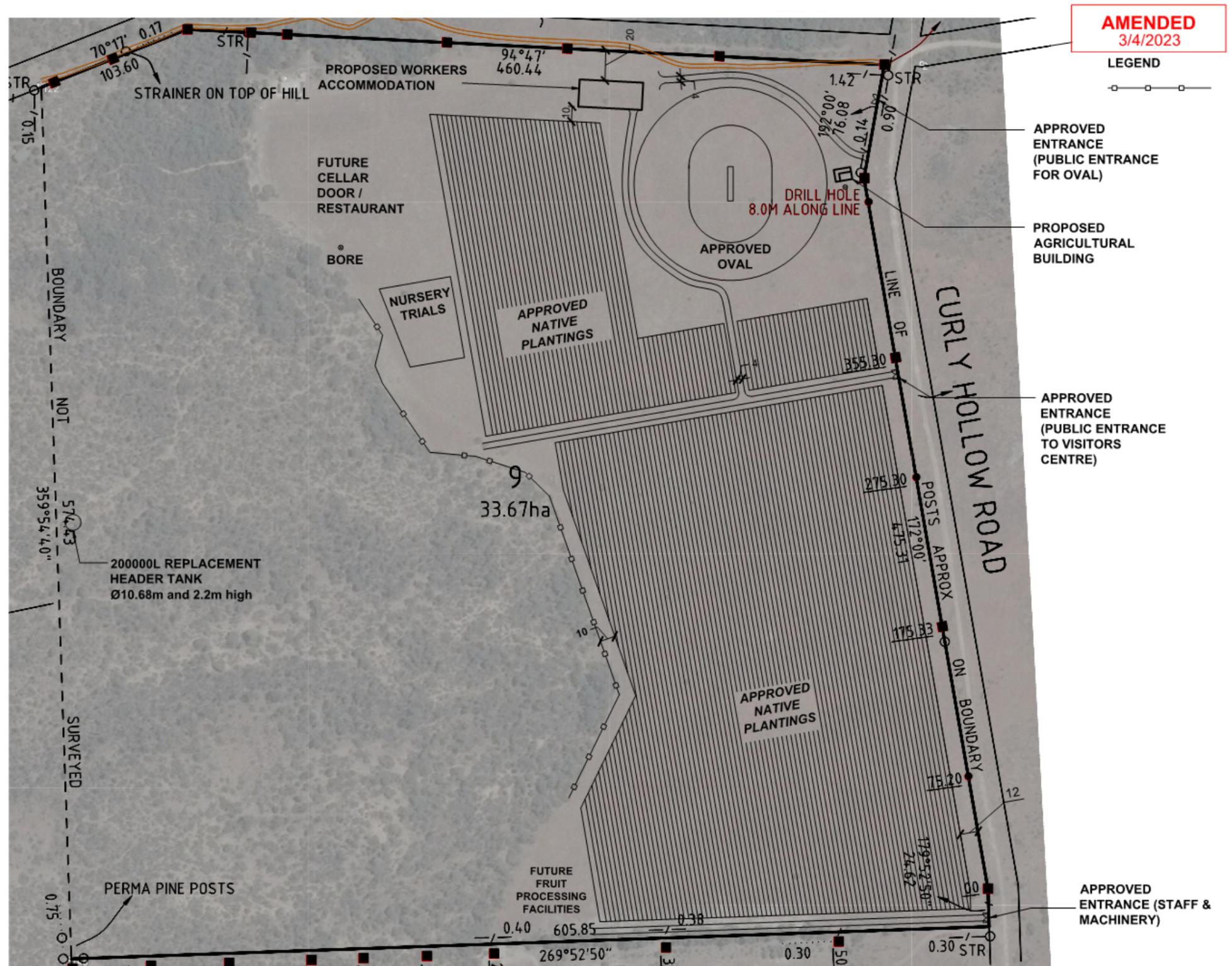
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APPLICATION DETAILS:

PROPOSED PARTIAL WORKER'S ACCOMMODATION AND AGRICULTURAL BUILDING



AMENDED
3/4/2023

LEGEND
○ — ○ — ○

APPROVED ENTRANCE (PUBLIC ENTRANCE FOR OVAL)

PROPOSED AGRICULTURAL BUILDING

APPROVED ENTRANCE (PUBLIC ENTRANCE TO VISITORS CENTRE)

APPROVED ENTRANCE (STAFF & MACHINERY)

DEVELOPMENT

REVISION AMENDMENTS			
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2	PRELIMINARY - COUNCIL ISSUE	07.03.23	A
3	ISSUE		

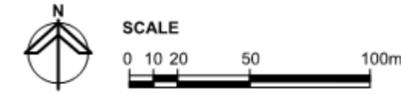
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DRAWN	VK
JOB NUMBER	17-066
DRAWING NUMBER	DA001A

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LOCATION:
LOT 9 CURLY HOLLOW ROAD, WHITE HUT
SA 5575
PROJECT:
PROPOSED PARTIAL WORKER'S ACCOMMODATION
AND AGRICULTURAL BUILDING
CITY:
AUSTRALIAN COASTAL FLORA

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3/4/2023

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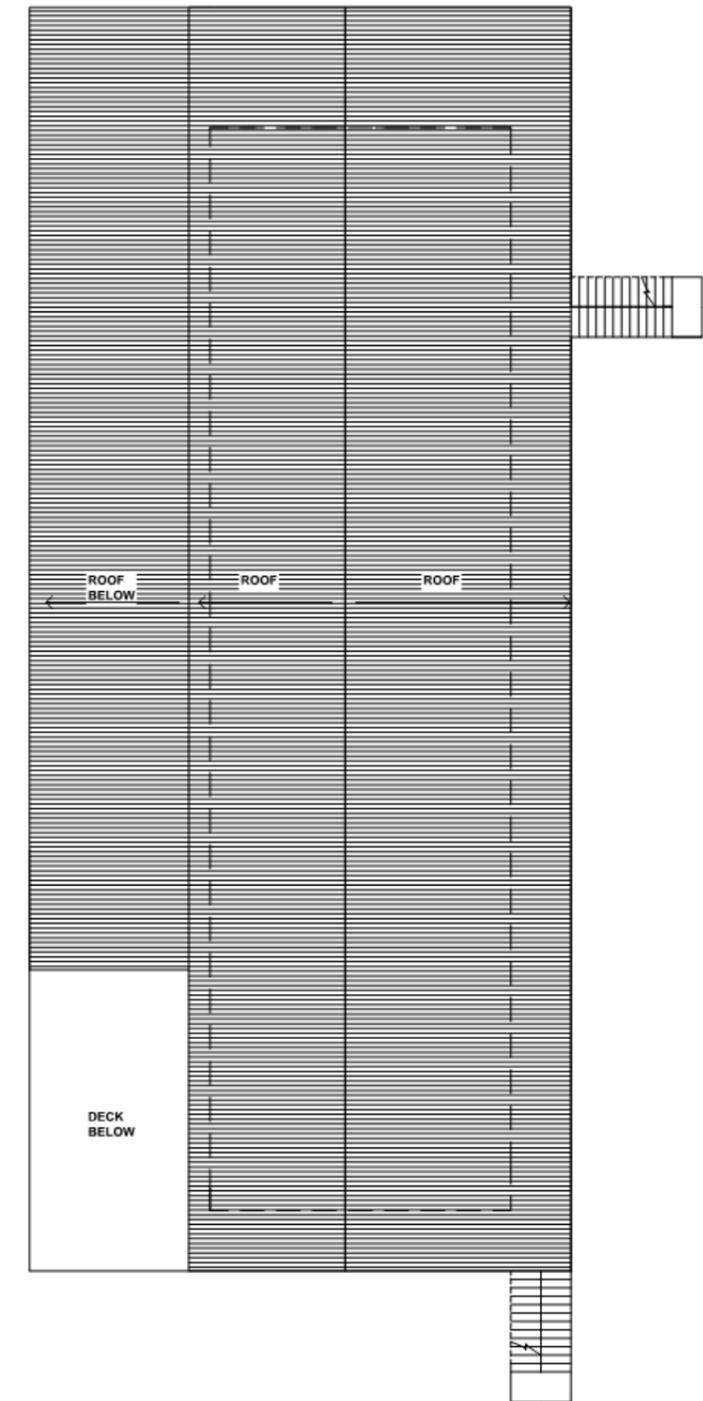
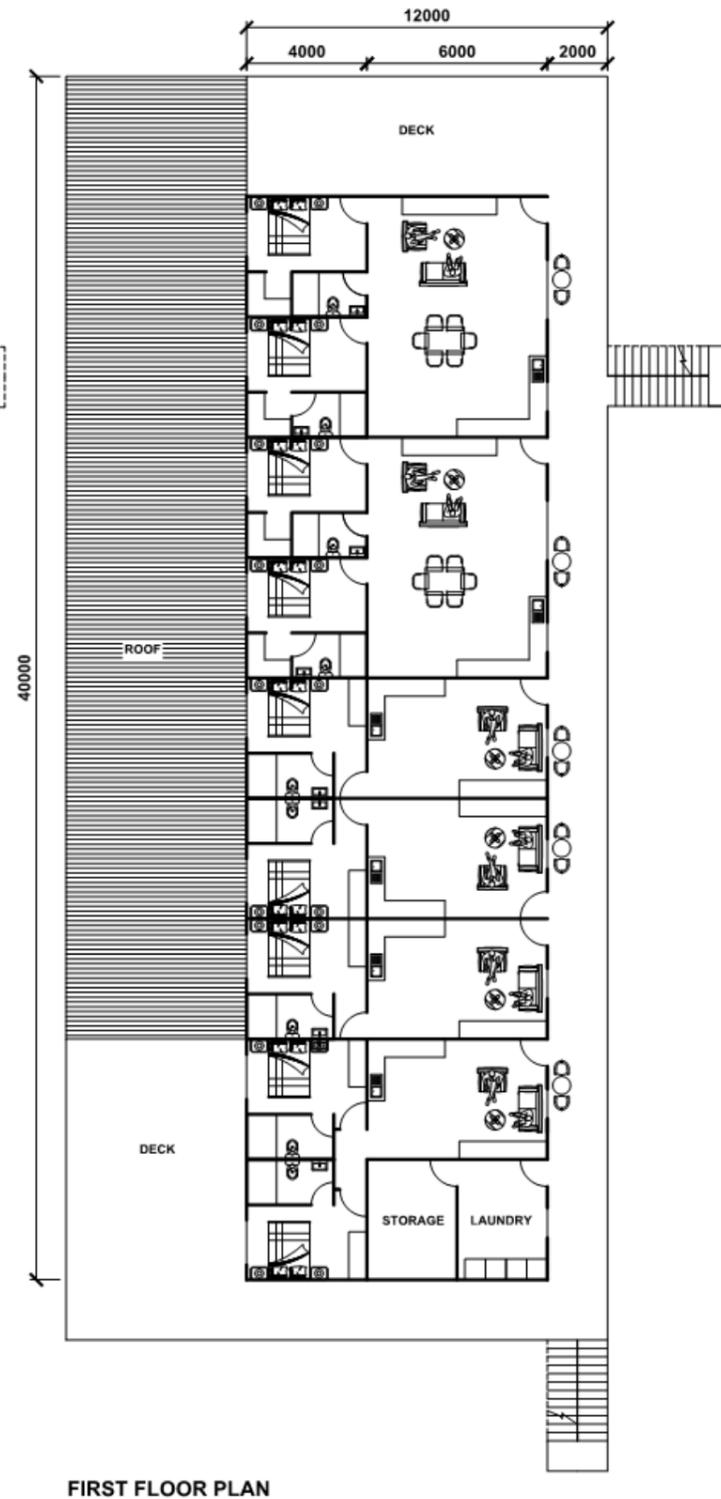
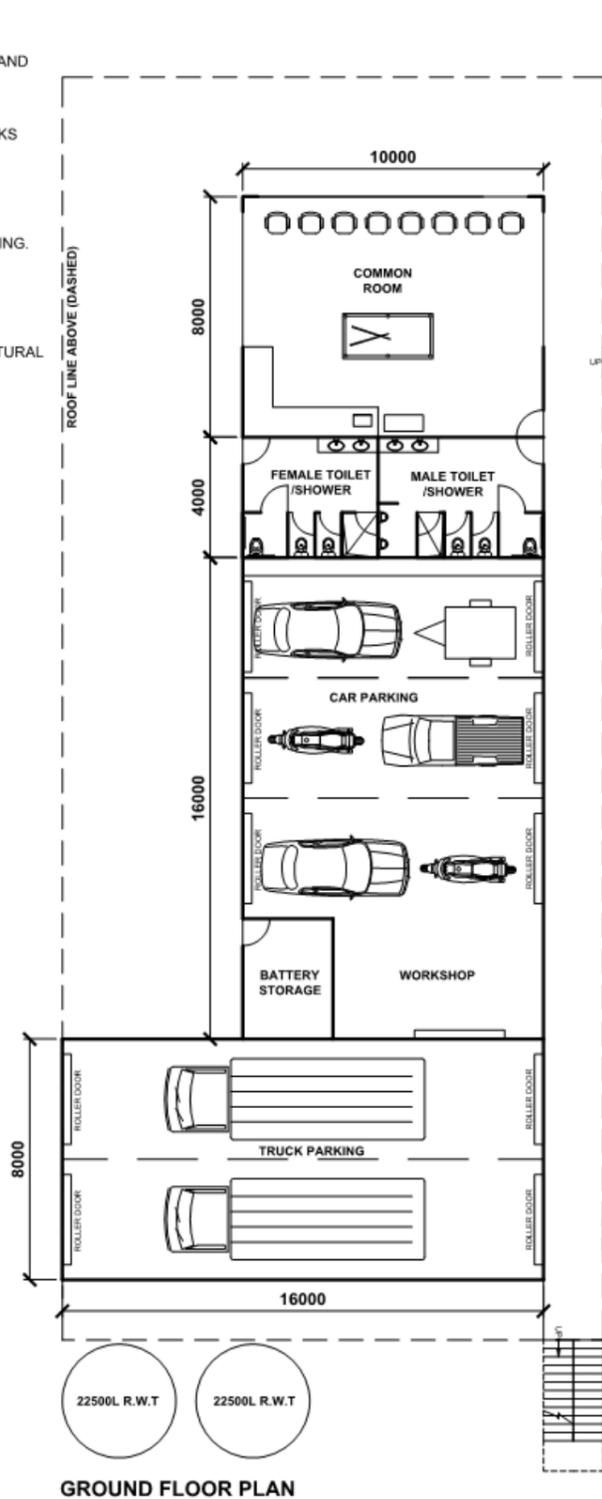
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LOCATION:
LOT 9 CURLY HOLLOW ROAD, WHITE HUT SA 5575

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DEVELOPMENT

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AMENDED
3/4/2023

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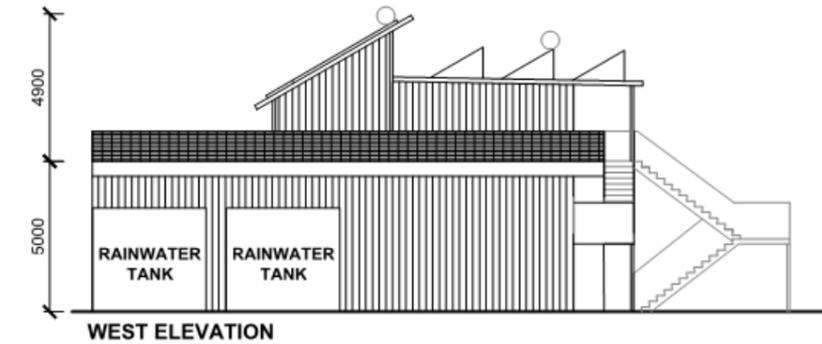
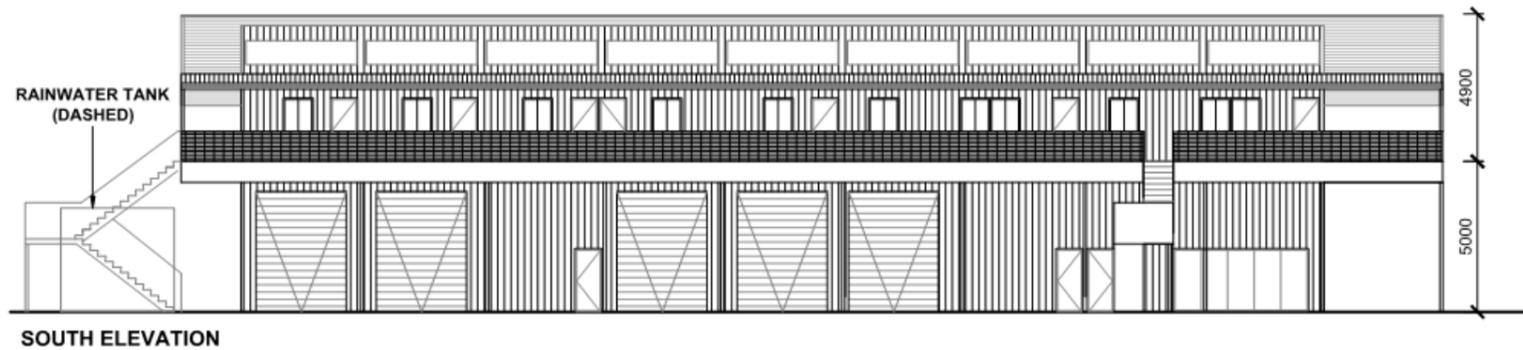
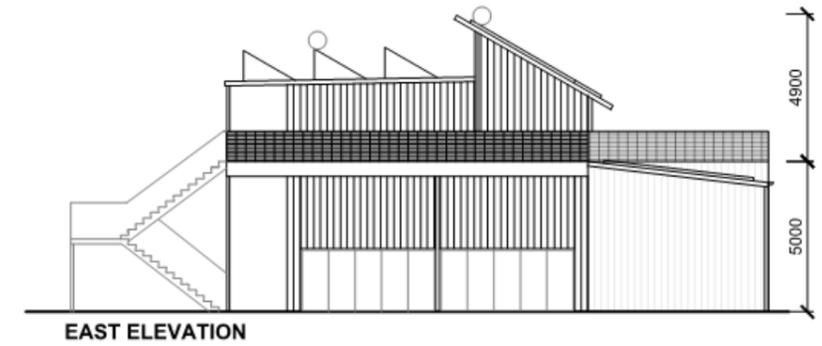
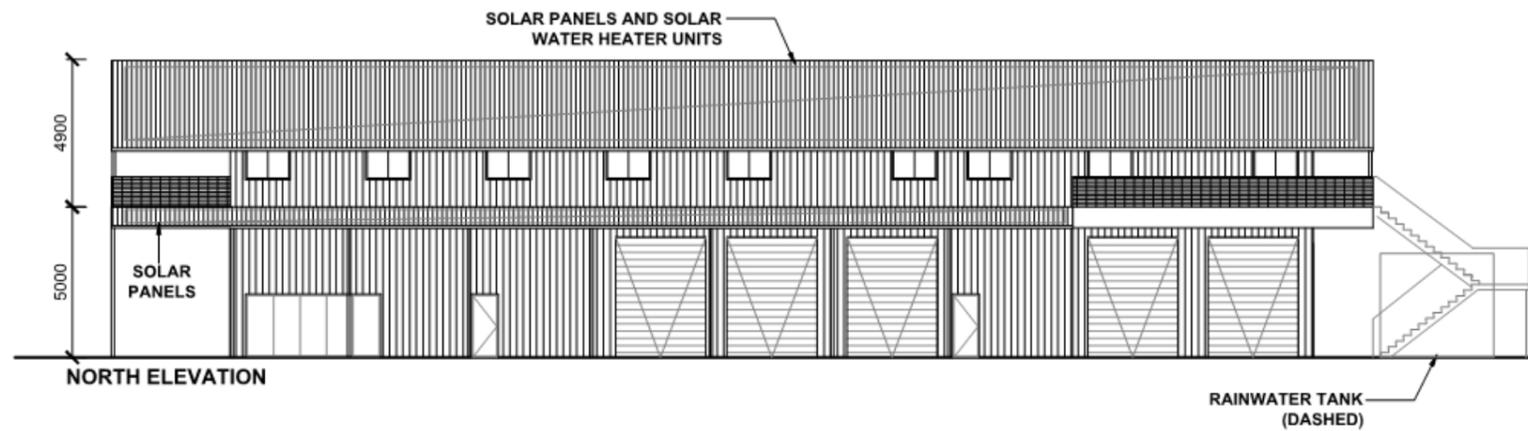
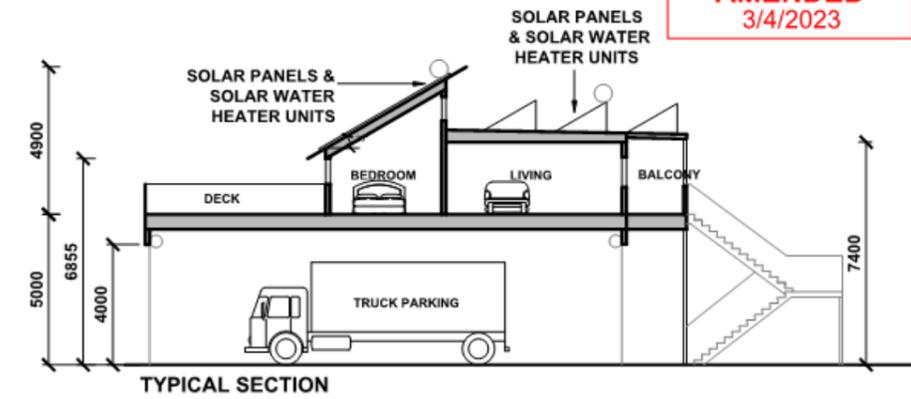
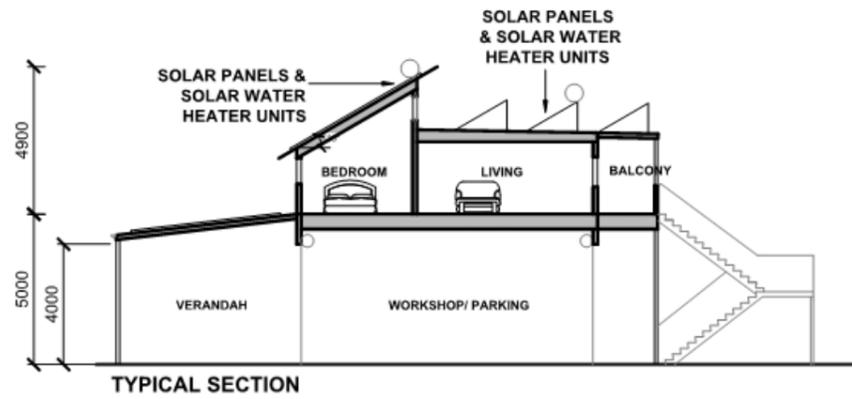
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APPLICATION DETAILS:

PROPOSED PARTIAL WORKER'S ACCOMMODATION AND AGRICULTURAL BUILDING



FIRST FLOOR PLAN

ROOF PLAN

DEVELOPMENT



LOCATION:
LOT 9 CURLY HOLLOW ROAD, WHITE HUT SA 5575

PROJECT:
PROPOSED PARTIAL WORKER'S ACCOMMODATION AND AGRICULTURAL BUILDING

CLIENT:
AUSTRALIAN COASTAL FLORA

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DATE	27/04/2022
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JOB NUMBER	17-066
DRAWING NUMBER	DA003A

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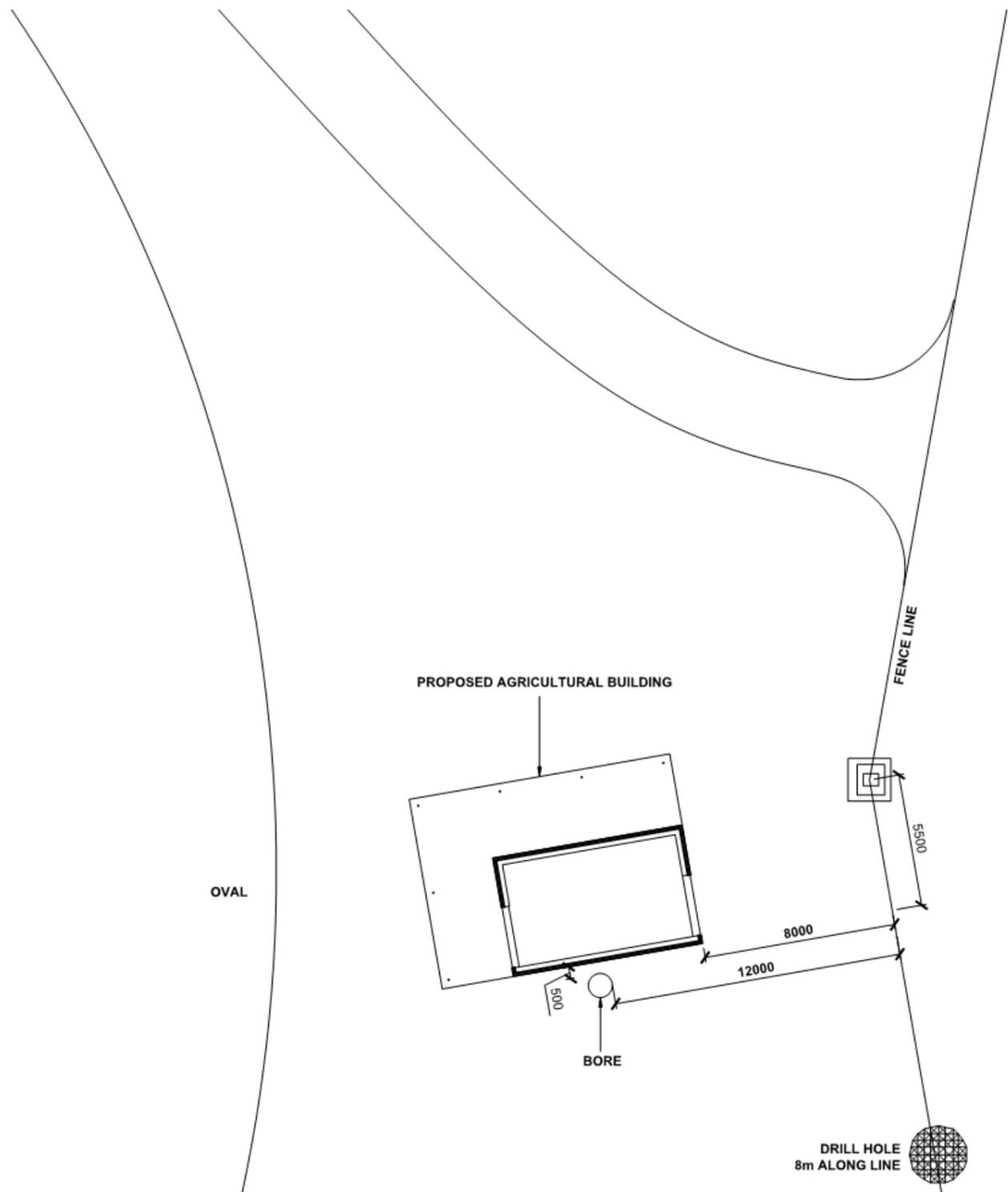
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APPLICATION DETAILS:

PROPOSED AGRICULTURAL BUILDING

AMENDED
3/4/2023



LOCATION:
LOT 9 CURLY HOLLOW ROAD, WHITE HUT SA 5575

PROJECT:
PROPOSED AGRICULTURAL BUILDING

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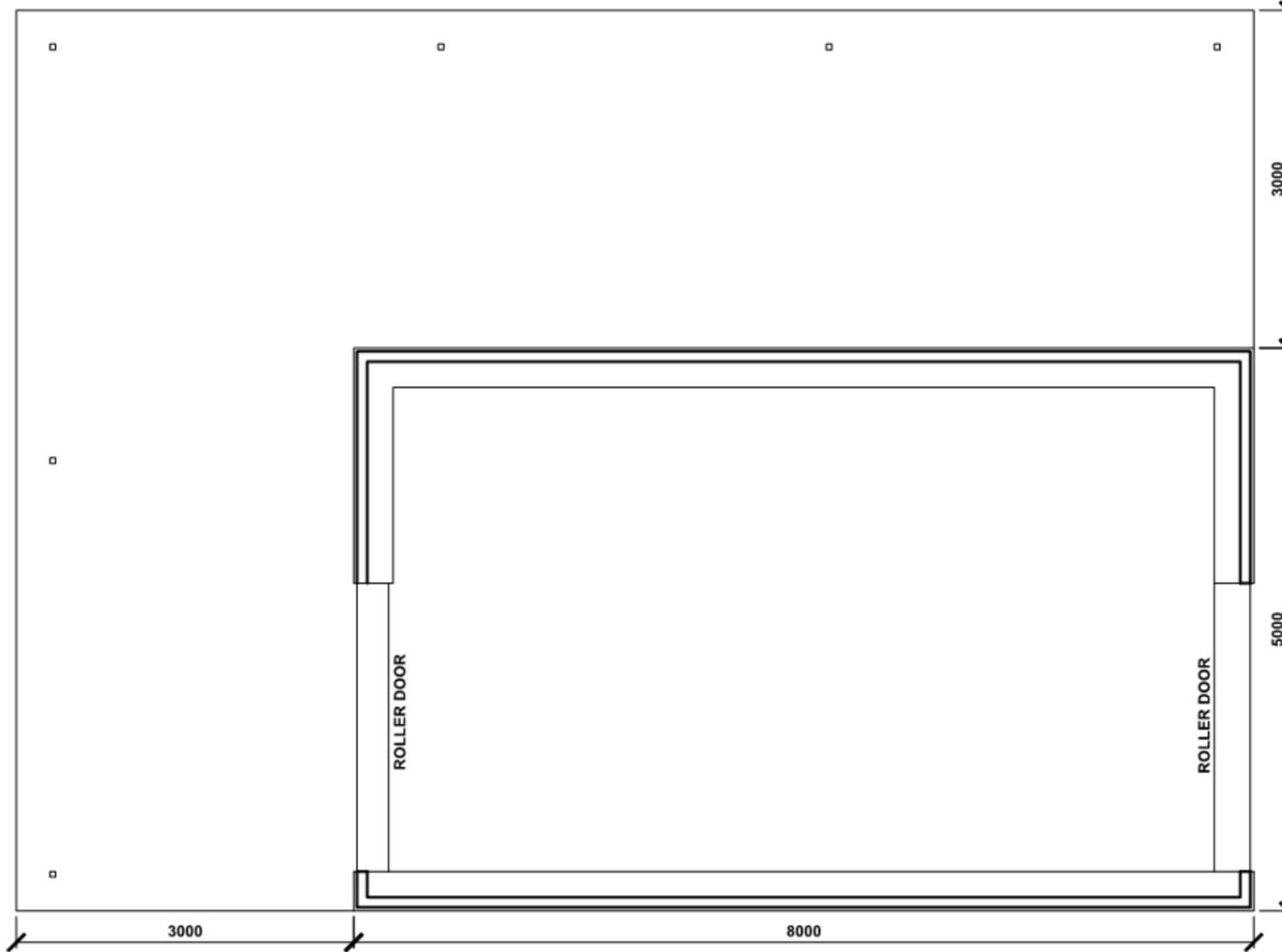
DRAWING SCHEDULE:

 STONE WALL

 CLADDING

APPLICATION DETAILS:

PROPOSED AGRICULTURAL BUILDING



FLOOR PLAN



LOCATION:
LOT 9 CURLY HOLLOW ROAD, WHITE HUT SA 5575

PROJECT:
PROPOSED AGRICULTURAL BUILDING

CLIENT:
AUSTRALIAN COASTAL FLORA

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DEVELOPMENT

REVISION/AMENDMENTS			
PRELIMINARY - COUNCIL ISSUE	VK	07.03.23	A
ISSUE	checked	date	rev.

SCALE 1:50

ORIGINAL SIZE A3

DATE 09/01/2023

DRAWN VK

JOB NUMBER 17-066

DRAWING NUMBER DA005A

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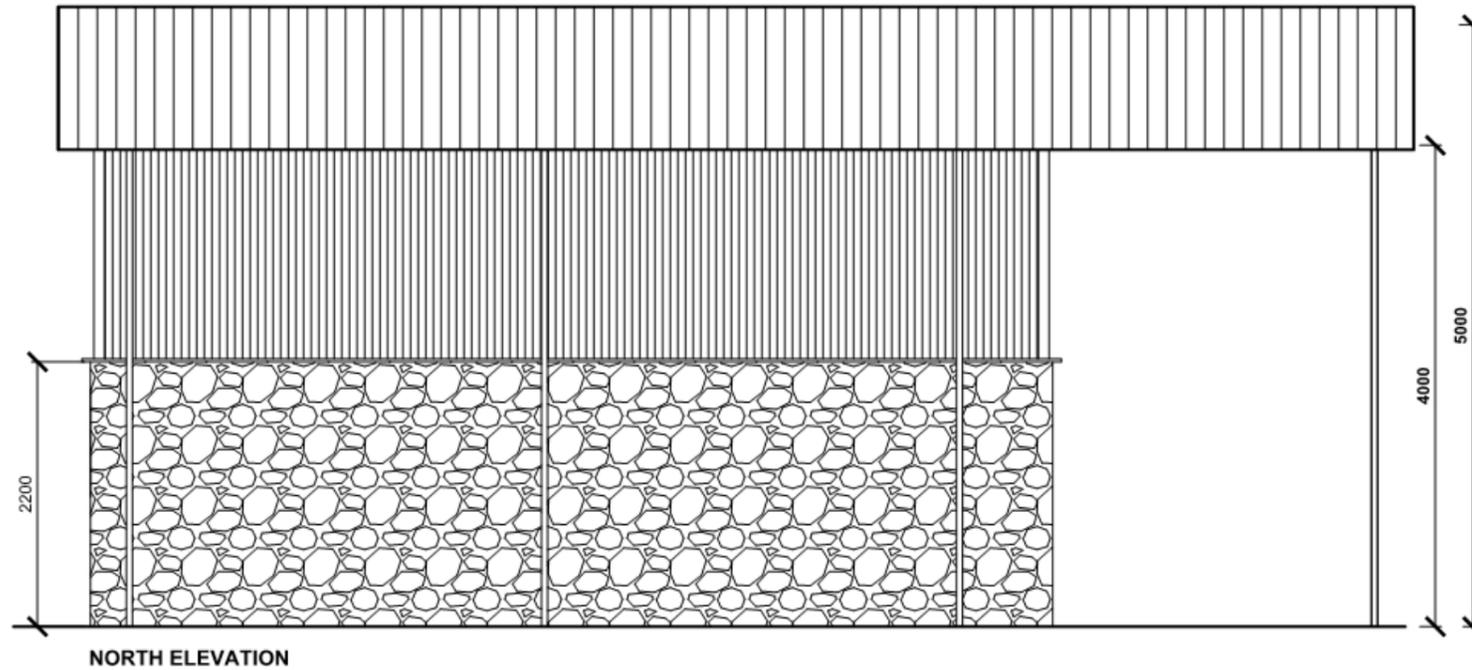
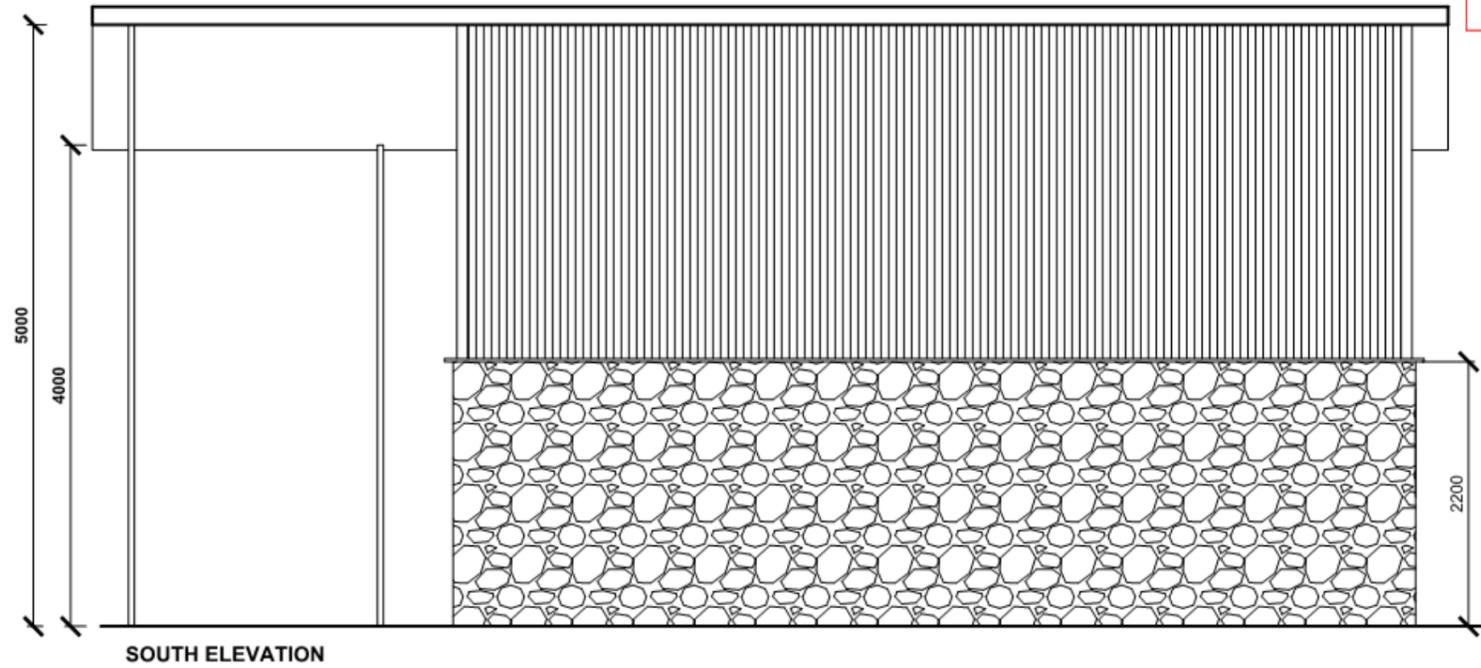
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 STONE WALL

 CLADDING

APPLICATION DETAILS:

PROPOSED AGRICULTURAL BUILDING



DEVELOPMENT

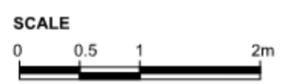


LOCATION
LOT 9 CURLY HOLLOW ROAD, WHITE HUT SA 5575

PROJECT
PROPOSED AGRICULTURAL BUILDING

CLIENT
AUSTRALIAN COASTAL FLORA

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REVISION AMENDMENTS	SCALE	1:50
	ORIGINAL SIZE	A3
	DATE	09/01/2023
	DRAWN	VK
	JOB NUMBER	17-066
	DRAWING NUMBER	DA006A
PRELIMINARY - COUNCIL ISSUE	VK	07.03.23
Issue	checked	date
		rev

PRINTED: 22/03/2023 4:44:35 PM

GENERAL NOTES:

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DRAWING SCHEDULE:

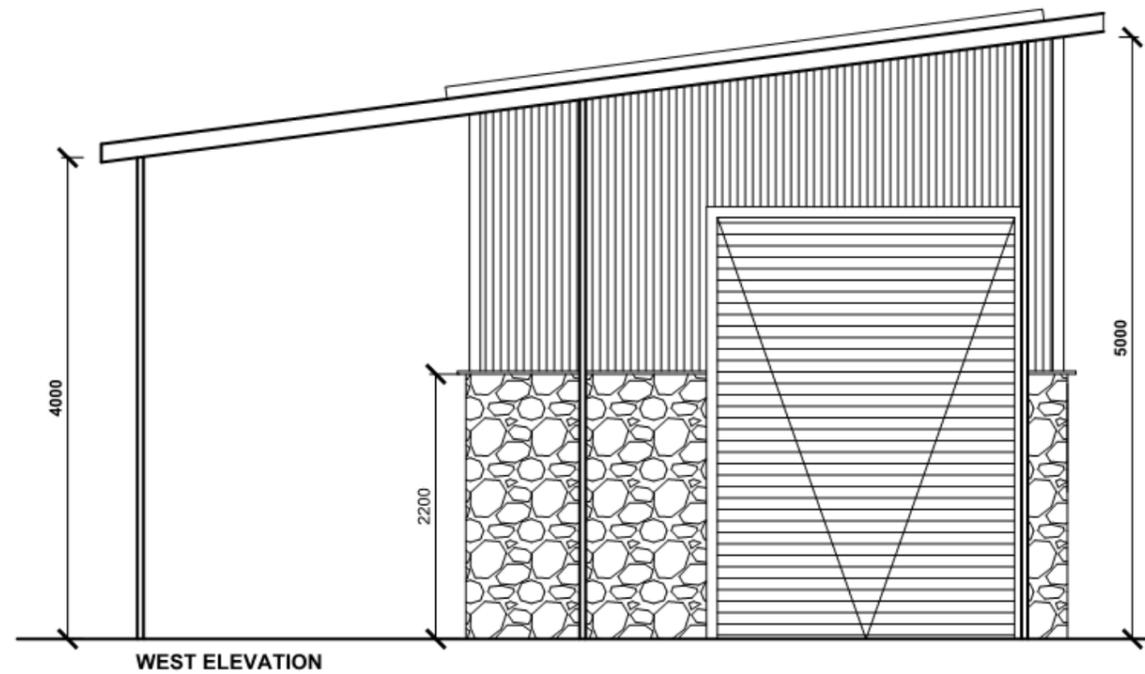
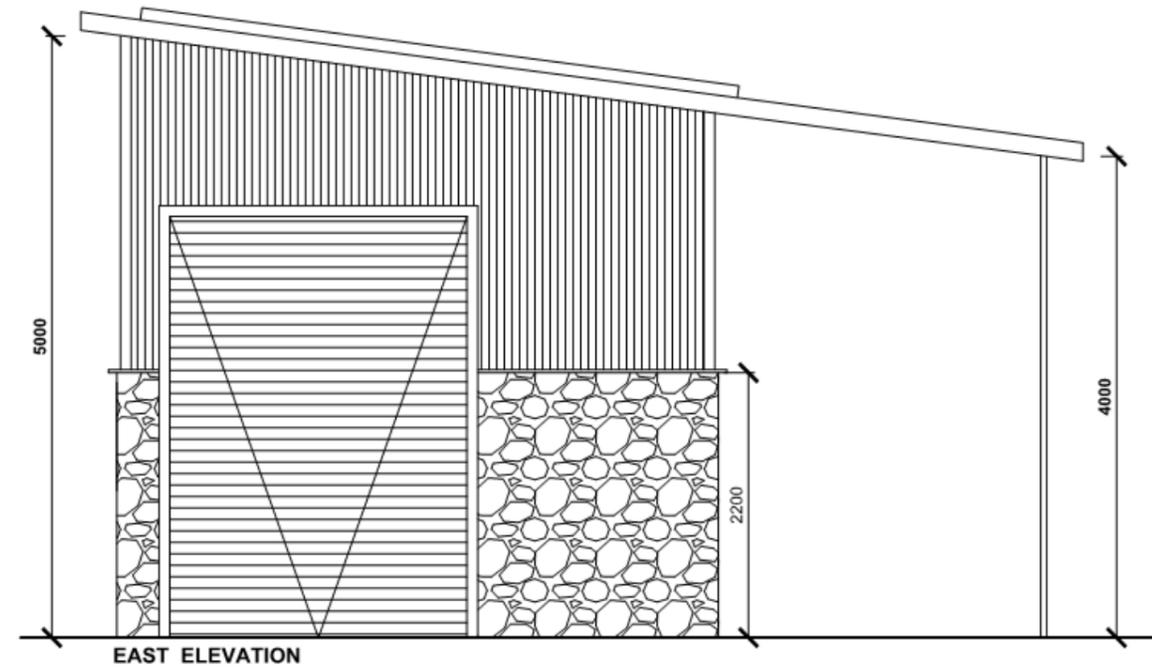
 STONE WALL

 CLADDING

APPLICATION DETAILS:

PROPOSED AGRICULTURAL BUILDING

AMENDED
3/4/2023



DEVELOPMENT

REVISION AMENDMENTS	SCALE	1:50
	ORIGINAL SIZE	A3
	DATE	09/01/2023
	DRAWN	VK
	JOB NUMBER	17-066
	DRAWING NUMBER	DA007A
PRELIMINARY - COUNCIL ISSUE	VK	07.03.23
Issue	checked	date rev.

PRINTED: 22/03/2023 4:45:00 PM



LOCATION
LOT 9 CURLY HOLLOW ROAD, WHITE HUT SA 5575

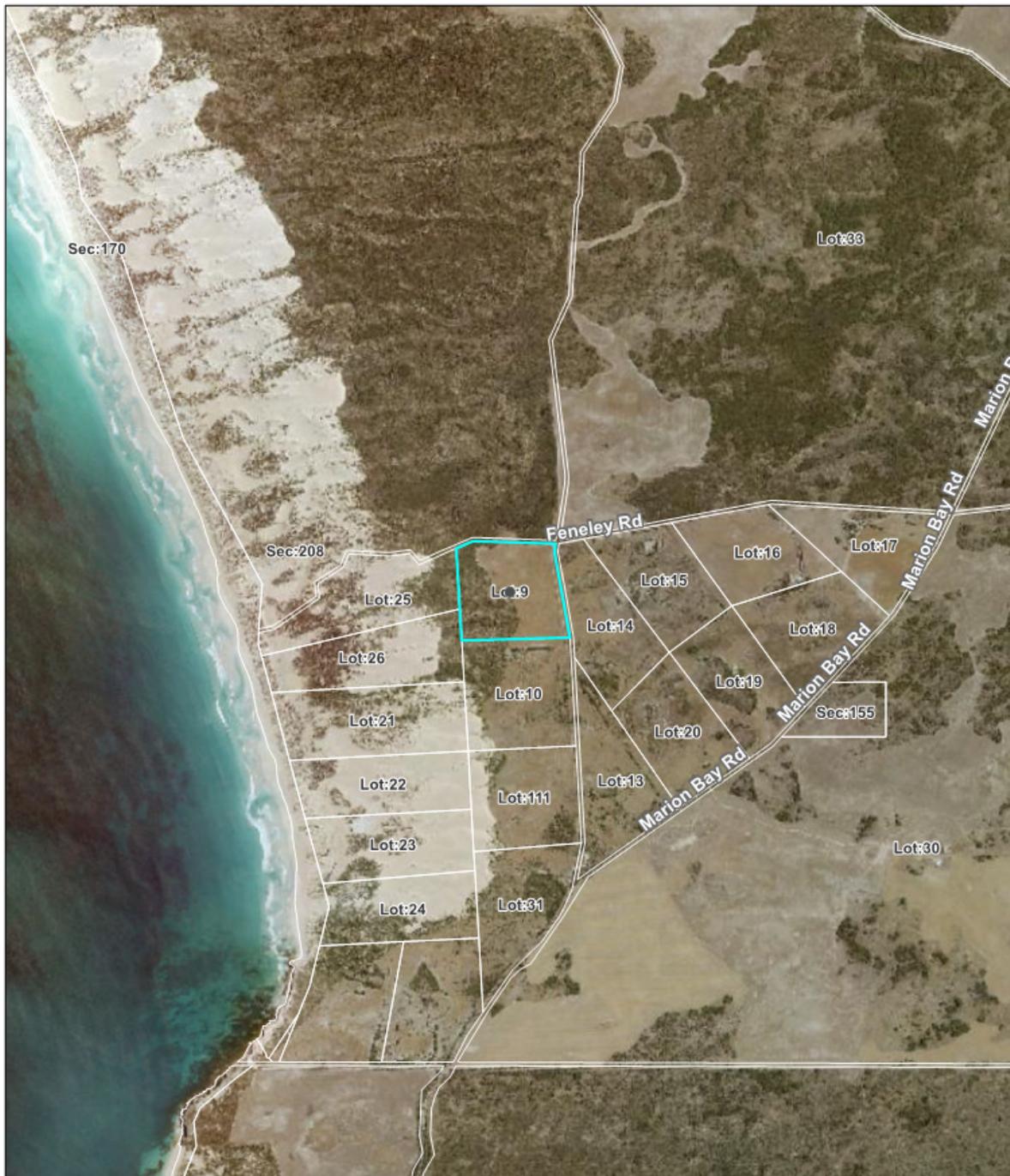
PROJECT
PROPOSED AGRICULTURAL BUILDING

CLIENT
AUSTRALIAN COASTAL FLORA

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Location Map - Lot 9 Curly Hollow Road, White Hut - 23006470

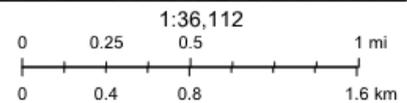
Attachment 2



12/07/2023, 21:10:12

Owner Details

Lot/Section Labels



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Representations - Lot 9 Curly Hollow Road, White Hut - 23006470

Attachment 3

Details of Representations**Application Summary**

Application ID	23006470
Proposal	Mixed use building consisting of workshop and workers accommodation with associated common room and solar panels; water tank; and agricultural building
Location	LOT 9 CURLY HOLLOW RD WHITE HUT SA 5575

Representations**Representor 1** - Deborah Furbank

Name	Deborah Furbank
Address	1855 Marion Bay Road WHITE HUT SA, 5575 Australia
Submission Date	22/05/2023 09:08 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons refer to attached representation document	

Attached Documents

23006470-Lot9CurlyHollowRdWhiteHut-Representation-DeborahFurbank-5587998.pdf

**REPRESENTATION ON APPLICATION –
PERFORMANCE ASSESSED DEVELOPMENT**

Planning, Development and Infrastructure Act 2016

Applicant:	Australian Coastal Flora
Development Number:	23006470
Nature of Development:	Agricultural Building and Worker’s Accommodation
Zone/Sub-zone/Overlay:	Click here to enter text. [zone/sub-zone/overlay of subject land]
Subject Land:	LOT 9 CURLY HOLLOW RD WHITE HUT SA 5575 , CT5131/614
Contact Officer:	Georgina Halman, Yorke Peninsula Council
Phone Number:	88320000
Close Date:	29/5/2023

My name*: Deborah Furbank	My phone number: 0402753181
My postal address*: PO Box 22 Marion Bay SA 5575 Residential: 1855 Marion Bay Road, White Hut 5575	My email: debbrine@internode.on.net

* Indicates mandatory information

My position is:

I support the development

I support the development with some concerns (detail below)

I oppose the development

The specific reasons I believe that planning consent should be granted/refused are:

A development of this nature does not fit in with the amenity of the area and is likely to have a negative impact on surrounding neighbours, the environment, Aboriginal Cultural heritage, and Curly Hollow Road.

I question the true intention of the development. Whilst the applicant claims it is accommodation for 5 seasonal workers, the development consists of nine bedrooms. I have concerns that this may be turned into tourist accommodation in the future and that Yorke Peninsula Council has limited resources to ensure compliance. If this is turned into tourist accommodation, the negative impact on the adjacent sand dunes could be irreversible. This area is highly fragile. The sand dunes have only recently stabilised after many years of drift, due to previous mismanagement.

The change from coastal conservation to rural zoning and allowing horticulture to take place on this allotment, has already had a negative impact on the surrounding neighbours with increased noise and dust, in what was previously a serene and isolated area. A building of this size would result in a further increase in road traffic, particularly heavy vehicles during the construction phase and the road is not fit for purpose. Sections of this road are under water in winter. The road is often in poor condition and is only graded once a year. Trucks would further worsen the condition and at times be unable to access the property. The impact heavy vehicles have on the roads would make it dangerous for local traffic and would increase the frequency in which it would need to be graded.



Surrounding neighbours have been declined permission to build a small residential dwelling due to the Coastal Conservation Zone. A building of this size would have a much greater impact on the sensitive environment.

The applicant claims that they will continue to conserve, improve and maintain the remaining vegetation. What action plan do they have in place to ensure that this happens. I see no details in the application that explain how they will achieve this.

This is not the right place for a development of this nature. It will put pressure on the limited resources (Carribie Basin) and pressure on public infrastructure that currently has minimal maintenance. The size of the development is excessive for such a small property and vineyard, and I question the true purpose of the accommodation.

For these reasons, I oppose the proposed development.

*Kind regards,
Deborah Furbank*

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[list any accepted or deemed-to-satisfy elements of the development].*

I:	<input checked="" type="checkbox"/> wish to be heard in support of my submission*
	<input type="checkbox"/> do not wish to be heard in support of my submission
By:	<input checked="" type="checkbox"/> appearing personally
	<input type="checkbox"/> being represented by the following person: Click here to enter text.

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature: 

Date: 21/5/2023

Return Address: Yorke Peninsula Council

Email: georgina.halman@yorke.sa.gov.au

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Representations**Representor 2** - Scot Nadebaum

Name	Scot Nadebaum
Address	P.O.Box 203 WAROOKA SA, 5577 Australia
Submission Date	27/05/2023 11:07 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	
<p>Scot Nadebaum. When I first read this development application I thought I'd better check the date to see if it was April fool's day. How can anyone have a development of this scale on a Coastal Protection Zone. First of all I call BS on the workers accommodation and Ag building. The workers accommodation looks more like a resort/ motel accommodation and the skillion roof Ag building looks remarkably like a grand stand facing the oval. There is also construction of a golf coarse currently underway. All of these things require vast extractions of water from the Carribie Basin as can clearly be seen when one travels past the property and sees large sprinkler systems operating and don't forget about the large broad acre irrigation system watering native veg and noxious weeds. Other land holders in the area have been denied approval for a simple family hame and this is a two story stuff up. If this type of development is approved where will it end. More high rise buildings, unlimited broad acre irrigation for thirsty crops such as maise and cotton, hotels , casino. It will set a precedence for future developments. People live down here and protect the area because they like it nice and quiet.</p>	

Attached Documents

Representations

Representor 3 - Natalie Nadebaum

Name	Natalie Nadebaum
Address	P.O. Box 314 PORT VINCENT SA, 5581 Australia
Submission Date	27/05/2023 01:10 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

I oppose the proposed development because the size of the development is excessive for such a small property and vineyard, and I question the true purpose of the accommodation. Whilst the applicant claims it is accommodation for 5 seasonal workers, the development consists of nine bedrooms. I have concerns that this may be turned into tourist accommodation in the future and this area is highly fragile and a conservation area, it needs to be protected, not developed. The applicant is destroying the natural beauty that attracted him here in the first place. He has already gouged 2500 cubic metres of earth out of the landscape to flatten an area for an oval leaving me no confidence that he will do the best for the environment in the future in this coastal conservation area. This is not the right place for a development of this nature. It will put pressure on the Carribe Basin and pressure on public infrastructure. A development of this nature does not fit in with the amenity of the area and is likely to have a negative impact on surrounding neighbours, the environment, Aboriginal Cultural heritage, and Curly Hollow Road. For these reasons, I oppose the proposed development.

Attached Documents

Representations

Representor 4 - Lucy Nadebaum

Name	Lucy Nadebaum
Address	57 Fenely Rd WHITE HUT SA, 5577 Australia
Submission Date	27/05/2023 03:15 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

I oppose the proposed development because the size of the development is excessive for such a small property and vineyard, and I question the true purpose of the accommodation. Whilst the applicant claims it is accommodation for 5 seasonal workers, the development consists of nine bedrooms. I have concerns that this may be turned into tourist accommodation in the future and this area is highly fragile and a conservation area, it needs to be protected, not developed. The applicant is destroying the natural beauty that attracted him here in the first place. He has already gouged 2500 cubic metres of earth out of the landscape to flatten an area for an oval leaving me no confidence that he will do the best for the environment in the future in this coastal conservation area. This is not the right place for a development of this nature. It will put pressure on the Carribe Basin and pressure on public infrastructure. A development of this nature does not fit in with the amenity of the area and is likely to have a negative impact on surrounding neighbours, the environment, Aboriginal Cultural heritage, and Curly Hollow Road. For these reasons, I oppose the proposed development.

Attached Documents

Representations**Representor 5** - Denise Lehmann

Name	Denise Lehmann
Address	P.O.Box 203 WAROOKA SA, 5577 Australia
Submission Date	28/05/2023 02:32 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

development-refusal-1227735.pdf

I believe planning should be refused because, firstly the sand dunes often mentioned in this proposal are a significant site for first nations people.

My concern is with the size and capacity of this development, inevitably there will be foot traffic from workers and visitors/tourists venturing into the dunes trampling over burial sites and damaging vegetation leading to wind blow outs, causing the sand to drift again exposing more first nation inhabitants remains.

Drifting sand dunes in the mid 2000's exposed human skeletal remains just west and very close to the proposed building site. The skeleton was in the traditional foetal position with several stone items.

Authorities were notified and the remains deemed to pre-date white settlement. A representative from Narungga Community reinterred the remains.

There is no plan in this proposal as to how the dunes will be protected from foot traffic.

Also there are middens (the remains of meals of shellfish once gathered and eaten by first nations people) all along the Formby Bay coastal dunes. This is not an appropriate area for development.

Given the size of the proposed building, I suspect that the true intention is to provide tourism accommodation in the future and I am wondering what capacity council has to ensure this does not occur.

The proposed accommodation should be refused so the continued development in this conservation zone is thwarted.

Secondly, I am concerned about the conservation of the Carribe Basin.

Currently I believe there is unmonitored and unmetered use of the groundwater by the applicant for irrigation of intensive horticulture plantings, the green keeping of the oval and a golf course and now for proposed use in accommodation with the replacement 200,000 litre header tank.

Significantly, the map on page 7 shows in the future plans for non-domestic water use in industry (wine making), a "future restaurant and cellar door" and "future fruit processing facilities" all in a water protection area in a conservation zone.

WATER PROTECTION AREA OVERLAY

DO1 Safeguard South Australia's public water supplies and ecologically significant areas by protecting regionally and locally significant surface and underground water resources in Water Protection Areas from pollution. This includes considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.

The District Council Yorke Peninsula commissioned a report on ground water by PPK Environment & infrastructure in 2000, it found "Observation bores show groundwater levels vary seasonally and have dropped 0.2m between 1980 and 2000 the drop is related to the long term rainfall trend which is in a declining period. Recharge to the basin occurs from direct infiltration of rainwater only."

Another report by Dept Water Land Biodiversity Conservation of SA on the Carribie Basin in 2004 stated:

"Pollution from surface contaminants could potentially become an issue as the unconfined limestone aquifer is highly transmissive and water table close to the surface. There is however no industry on the Basin that would warrant such concern and in the short term the most apparent threat to the basin is from uncontrolled extractions." ALSO "Considerable technical investigative work would be required prior to any potential increase in demand to verify previous findings and model the impact of any proposed extractions on aquifer recharge and behaviour."

And further, a Geological Survey on the basin by Stewart Mathews – Ground water and engineering 1988, makes a number of point including:

"Seawater ingress close to the coast due to over pumping could also become a problem if the aquifer is over stressed and if extraction of groundwater on an increased scale is planned it is recommended that a series of observation wells be constructed along the coast to monitor water levels and quality and ensure that advance warning is given of incursion of saline ground water."

All these reports highlight unfettered, unregulated and unmonitored use of the ground water from the Carribie basin would be a significant concern. The basin is already under pressure from decreasing rainfall recharge as a result of climate change. Irrigation risks interference with natural ground water processes.

Also the reports warn of any industry on the basin could lead to contamination as the basin is highly transmissible and close to the surface and the applicant is clearly planning industry.

The Carribie basin is paramount to the applicants ability to develop yet sadly there is no acknowledgement or plan offered to ensure the basin is respected, monitored or protected into the future in a water protection area in a conservation zone.

The applicant claims accommodation is needed for three seasonal workers plus a manager and owner, that is five. But the plans show nine double bed bedrooms with ensuites plus two additional bathrooms with six more toilets down stairs. At any one time there could be 18 people sleeping there, be they workers or the owners guests. This application should be refused because it is not "appropriately designed accommodation for seasonal and short term workers" it is not appropriate because of its size and scale for what's claimed is needed. This is unreasonable development in a conservation zone.

The proposed agricultural building to the east of the oval is obviously a grand stand and should be refused. A grand stand (let's call it what it is) is not an envisaged use within the zone, is not associated with horticulture/rural uses as approved, does not support the lawful horticulture/rural use of the land and such a facility and use is not a reasonable form of development within the conservation zone.

The application says the accommodation is located out of any conservation areas when in fact it is in the middle of a Coastal Conservation Zone, with his land's zoning only recently being changed, now inconsistent with the surrounding area.

The applicant claims that the proposed accommodation is well removed from scenic routes and tourist destinations. An already established tourist destination is where a development like this would be suitable. By building in a secluded area, he will be creating extra pressure on a new area, a conservation area that is fragile and has been managed by the surrounding landholders for decades.

This area was formerly a cropping and grazing farm, it was subdivided into 30 hectare allotments in the 1980s. Since that time significant rehabilitation and conservation has occurred.

The former farmer/owner ran stock in the sand dunes and entertained family and friends fishing and camping accessing the beach over the dunes, subsequently causing loss of vegetation, severe erosion and sand drift.

For the last thirty five years dedicated new owners of the 18 allotments have diligently revegetated the drifting sand dunes, fenced and stopped vehicle access paths and stabilised the dunes with extensive plantings. This has seen regeneration now extending naturally from the pockets of remnant bushland into the dunes and the return of fauna, significantly in the last ten years with increased sightings of pygmy possums, micro bats and endangered goannas.

My concern is that the scale of what this building will accommodate and the intensive nature of what is proposed, it will again place pressure on a really fragile dune ecosystem. Human activity and foot traffic from multiple workers and potentially tourists and visitors to this area with the oval, golf course and wine / restaurant at a time when it is evident the dunes are recovering would be devastating.

This development is not consistent with the amenity of the area. The people who bought the allotments over the last 35 years sought a place of solitude and seclusion to retreat to instead of buying into a busy tourism townships. Many of them have never changed hands. They bought into this area because it is a conservation zone where development can't take place.

The applicant argues this development would not look out of place "given the extent of rural land and cleared pasture upon surrounding properties" this is a misrepresentation of the area. The surrounding properties have been in residential use for the last thirty years and are now mostly regenerated bushland. We have been owners since 1987, it was never an extensively cleared area because it is very poor farming land with shallow soils, limestone outcrops and swamps (now dry swamps due to climate change). This development will and does already look completely out of place.

The work that has taken place to date is already causing a nuisance to the surrounding landholders. We have had to put up with increased noise, dust and traffic. Should this development be approved, the increase in traffic will be significant. The roads in this area are not suitable for increased traffic. In winter, some sections of the roads are waterlogged and heavy traffic, particularly heavy vehicles delivering materials, will cause significant damage to our roads. At the moment it is a low traffic road as it doesn't lead to the coast. The council currently grade this road once every few years.

This area is in the footprint of the Marna Bangarra project. We have been lucky enough to have local sightings of the endangered Heath Goannas, along with other native fauna. We would love to see the Bettongs recently introduced to Southern Yorke Peninsula make use of our conserved and restored bushland. An increase in traffic poses an extra threat to our wildlife.

Some other points:

We have already witnessed the gouging of 2500 (plus) cubic metres of earth changing the natural landscape forever to flatten an area for an oval leaving me with no confidence the applicant has the best interests of the environment at heart.

We have also witnessed months of continuous pumping by fossil fuelled water pumps of Carribie ground water onto the scraped, topsoil voided oval to try and mitigate dust and get something to grow, again leading me to question his commitment to the environment. (he has now trucked in loads of topsoil)

The 200,000 litre replacement header tank proposed to be situated adjoining his western boundary is amongst the remnant bushland upon the dunes. From memory the tank he is replacing is 22,500 Lt, the proposed tank is near to ten times the size at 200,000 litres. It is inevitable there will have to be some damage to vegetation with the increased tank footprint plus the logistics of getting a 200,000 litre tank up there in the dunes will unavoidably damage vegetation yet there is no mention of how this will be managed to minimise risk.

The applicant claims he intends to use "local stone" for the grand stand, what is local stone? The quarry at Curramulka 95kms away? he has no stone on his own allotment, he has already asked us if he can get stone from our property. All the stone will have to be trucked in.

Overall the proposed development is completely at odds with the general intent of a conservation precinct. The size and scale of the proposed buildings will impact on the remote experience for everyone.

Where is the value to the local environment and community?

Representations**Representor 6** - Formby Bay Environmental Action Group and Daly Head National Surfing Reserve Committee

Name	Formby Bay Environmental Action Group and Daly Head National Surfing Reserve Committee
Address	73 CORNY POINT ROAD CORNY POINT SA, 5575 Australia
Submission Date	29/05/2023 09:16 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

FbeagObjectionToTheLot9Development-5642468.doc
--

SUBJECT: Proposed development Curly Hollow Road, White Hut

RE: Public Notification document 5450364

BACKGROUND

For the last twenty five years the Formby Bay Environmental Action Group has worked with the SYP community and the general public to ensure the conservation of the Formby Bay dune system. We have also worked with and liaised with the Coast Protection Board and the NRM (Landscape SA) regarding weeds and the threatened Hooded Plover in the fore-dune.

The Formby Bay dunes are a success story. Photos taken sixty years ago by a member of our group show very little vegetation in the dunes at all. This was due to a significant bushfire that burned from Wilsons to Carribie. Dune buggy and four wheel drive activity in the 60's was a regular weekend phenomenon by Adelaide based groups. The dunes became desert like and the northern zone was named Dust Hole due to the fine white dust that was raised by strong winds.

Recent photos show the dune vegetation has recovered. The habitat of shore birds has been restored. The Yorketown Police, a local land owner, Mr Allan Wilson, members of FBEAG, the Ranger from Yorke Peninsula Council and the Yorke District Council have worked together to restrict access to the dunes and beach by 4WD vehicles. The Council have sign posted the area stating it is an environmentally sensitive area and is private property. The dunes have been a burial site for the Dilpa clan of the Narungga people. Skeletal remains have been discovered and relocated. Aunty Irene Agius identified several significant middens in the fore-dunes. These are important archaeological sites that could be damaged by 4WD vehicles. This area has been declared an Aboriginal Heritage Site by the Department of Premier and Cabinet with only authorized access.

OUR CONCERN

The Formby Bay Environmental Action Group is most concerned about the issue of access to the dune system by vehicles from Feneley Road.

If this proposed development went ahead it could encourage public entry into the dunes.

We do not want to see damage to the vegetation in the dunes in the designated Conservation Area.

All the work that has been done to conserve this dune system could be undone by allowing the public to enter the dunes west of Lot 9.

Our group recommends public entry to the designated Conservation Area is restricted.

Yours sincerely

Geoff Rogers (0429 697999)

President Formby Bay Environmental Action Group and Daly Head National Surfing Reserve Committee

Representations**Representor 7** - Edward Satanek

Name	Edward Satanek
Address	PO Box 145 WAROOKA SA, 5575 Australia
Submission Date	29/05/2023 12:06 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	
refer to attached representation document	

Attached Documents

Representation_on_application_-lot9CurlyHollowRoad-ESatanekPdf-5646084.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Australian Coastal Flora
Development Number:	23006470
Nature of Development:	Agricultural Building and Workers Accommodation
Zone/Sub-zone/Overlay:	Click here to enter text. [zone/sub-zone/overlay of subject land]
Subject Land:	LOT 9 Curly Hollow Road White Hut SA 5575 CT 5131/614 [
Contact Officer:	Georgina Halman, Yorke Peninsula Council
Phone Number:	88320000
Close Date:	29/05/2023

My name*: Edward Sataneck	My phone number: 0429184894
My postal address*: PO Box 145 Warooka 5577 183 Curly Hollow Road White Hut 5575	My email: curlyed183@gmail.com

* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
-----------------	--

The specific reasons I believe that planning consent should be granted/refused are:

I object to the development application 23006470 due to the following considerations

First and foremost I am in opposition to the application as clearly there is more to the overall development than is currently under direct consideration in this application.

It is my view that the application is at odds with the natural and cultural heritage of the area and will cause a fundamental detrimental change in the nature of the fragile area. This is a significant proposal the like of which is nowhere else on Southern Yorke Peninsula.

How can a formerly designated coastal and water protection and conservation area be reassigned to what will effectively be an industrial, commercial, horticultural and recreation area? i.e. Future 'fruit processing facility', irrigated plantation, Future restaurant, Future cellar door, sports oval, accommodation'. Can one assume as they are not 'proposed' that the processing facility, restaurant and cellar door inclusion in the future is a *fait accompli*? (I also note there is no mention of the golf course that is currently being established)

The applicant claims accommodation is needed for three seasonal workers plus a manager and owner, that is five. But the plans show nine double bed bedrooms with ensuites plus two



Government of South Australia
Department for Trade
and Investment

additional bathrooms with six more toilets down stairs. At any one time there could be 18 people sleeping there, be they workers or the owners guests. This application should be refused because it is not "appropriately designed accommodation for seasonal and short term workers". It is not appropriate because of its size for what's claimed is needed. This is unreasonable development in a conservation zone. I question the true nature of the ultimate purpose of the accommodation.

In regard to the 'Restaurant and Cellar door' what is the Business development plan in regard to licencing, capacity, opening times, event schedules and attendant noise and traffic management issues? Has there been a feasibility study on the viability of such a business proposition? Will council be liable for attendant infrastructure upgrades due significantly increased patronage of the area? Where is the designated parking area for this aspect of the development?

"The remnant coastal vegetation upon the land is to remain with the applicant continuing to conserve, improve and maintain the remaining vegetation." I note that extensive plantings alongside Curly Hollow Road and on other portions of the land are either non native or non provenant to the area. I do not see how the developers' actions in this instance are consistent with the above statement.

The installation of the header tank will require significant clearing/disturbance of native vegetation to put it in place.

Traffic management issues, in particular the condition of Curly Hollow road and the safety issues around increased use of the Curly Hollow Road/Marion Bay road intersection. Who will incur the cost of the attendant necessary upgrades of the access road? Ratepayers no doubt.

I note there is no provision for the installation of an effluent management system. Nor provision for the construction of a battery/power facility to provide for the energy requirements. How will Water, Effluent and Power issues be resolved without impacting on current landholders/residents and the local ecology.

The construction of the oval required in excess 2500 cubic metres of earthworks, which took 3 months, with no regard as to the effect on neighbouring properties, in particular dust and noise impacts during the construction and post construction stage. How is this consistent with a 'conservation zone'? What guarantees are in place that the developer will consider the impacts of significant construction (noise, increased traffic, dust) on neighbouring properties.

The proposed 'Agricultural Building' on the east side of the oval has no vehicular access and the opening faces west towards the oval. I question whether the legitimate purpose of the shed is to provide for 'agricultural purposes'.

It beggars belief that a legitimate horticultural enterprise would currently generate such an unproductive and profligate waste of considerable resources. One only can wonder as of 19/05/23 why a prolific crop of *diplotaxis tenuifolia* (Lincoln weed amongst other weeds of concern) is being irrigated with no current or apparent management strategy being in place. A cursory look at the "native plantation" will confirm this. Is there any crop management strategy that aims to maximise the efficient use of resources? Indeed, on what basis is it deemed that the crop in question is an economically viable proposition?

The impact of significantly increased irrigation has the potential to have a deleterious effect on the Carribie basin. Particularly the risk of saltwater incursion so close to the coast. A Geological Survey by Stewart Mathews – Ground water and engineering 1988, indicates "Seawater ingress close to the coast due to over pumping could also become a problem if the

aquifer is over stressed and if extraction of groundwater on an increased scale is planned it is recommended that a series of observation wells be constructed along the coast to monitor water levels and quality and ensure that advance warning is given of incursion of saline ground water." What measures does the developer plan to undertake to ensure this is monitored and in case of saline incursion what contingency plans are in place? Why wasn't this put in place when the initial approval was put in?

I reiterate that I do not believe that the full extent of the development and its intention is being addressed in the application and remain in firm opposition of the proposal. In my view this is a prime example of Laissez-faire capitalism where everything is good as long as you can get away with it. The development in its entirety is completely at odds with the nature of the area and will create increasing burden on the local environment and infrastructure.

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) [list any accepted or deemed-to-satisfy elements of the development].

I:	<input checked="" type="checkbox"/> wish to be heard in support of my submission*
	<input type="checkbox"/> do not wish to be heard in support of my submission
By:	<input checked="" type="checkbox"/> appearing personally
	<input type="checkbox"/> being represented by the following person: Click here to enter text.

*You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission

Signature:



E Satanek

Date: 29/05/2023

Return Address: Yorke Peninsula Council

Email: georgina.halman@yorke.sa.gov.au

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Representations**Representor 8** - Ted Huber

Name	Ted Huber
Address	5 Butler Drive HENDON SA, 5014 Australia
Submission Date	29/05/2023 04:32 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	
1. The proposed development is in clear breach of the Conservation Zone guidelines 2. Scale of the proposed development is clearly not consistent with the stated purpose. 3. Individual buildings labelled as 'agricultural' buildings clearly have a more social purpose. 4. There is clear implication of commercial/retail purpose not consistent with the zoning. For more detailed review see submissions by Denise Leahman and Ed Satinek which I support. Yours faithfully, Ted Huber	

Attached Documents

Representations**Representor 9** - Philip Koch

Name	Philip Koch
Address	153 Esplanade LARGS BAY SA, 5016 Australia
Submission Date	29/05/2023 10:17 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	
refer attached document	

Attached Documents

t-draft-1228308.pdf

Planning consent should be refused on the basis of the following:

- **GENERAL PLANNING LAYOUT / CLOSE PROXIMITY BUILDING**
- **FOOTPRINT / POPULATION / NOISE**
- **LONG TERM BUSINESS PLAN**
- **NATURAL ENVIRONMENT / LANDSCAPE**
- **IRRIGATION / WATER PLAN**
- **R.F.I. (request for information)**

GENERAL PLANNING LAYOUT / CLOSE PROXIMITY BUILDING

We strongly object to the placement on the site plan of the 'future fruit processing plant' as it's directly next to our living/camping/communal area and the last thing we want is 'anything' right up next to us, it is within metres of our communal camping zone. There are ample alternative spaces available to the applicant, eg; down near the workers accommodation which makes more sense to be nearest your working area or near the nursery or up from the cellar door/restaurant proposal.

We bought the property to escape noise, traffic and enjoy the peace and quiet we do not accept this as a future proposed location and ask that the applicant take it off of the site plan or shown an alternative location which will protect our property and any future proposed residence from significant noise pollution.

FOOTPRINT / POPULATION / NOISE

In addition the proposed entrance for staff and machinery, again located in close proximity to our boundary has the potential to cause damage from the continual thoroughfare of cars and machinery as it is right next to our entrance and runs parallel with our track/driveway, We believe there 'will' be damage and unwanted extra noise from seasonal unsupervised workers.

As the development is proposed to potentially being a tourist attraction (noting on the site plan, areas such as; “restaurant”, “future cellar door” and “visitor centre”) which will naturally increase traffic to this fragile conservation area, increased risk of bush fires with no safety measure noted and native vegetation (on our property) illegal access to sand dunes via our property with an increased tourist factor there will be unsustainable population with regard to resources which will have the potential for damage to our property, as we do not currently live there. We have invested a lot in revegetating our property in order to protect this conservation zone and create a wildlife corridor, which will potentially be exposed to damage.

The workshop, “workers” accommodation and associated areas will generate increased general waste and rubbish management.

LONG TERM BUSINESS PLAN

There is more on the site plan noted as future developments, not to mention a newly excavated cricket oval, cellar door, restaurant. Prior to any support of this proposal or future proposals we would like to find out more regarding the applicants business plan, goals and intentions.

NATURAL ENVIRONMENT / LANDSCAPE

As we have regenerated our property with native endemic flora keeping in uniform directly to the environment and natural landscape that exists there. The success of this has also created a beautiful wildlife corridor. Access and protection of the sand dunes and wildlife will be threatened by opening up the area. Not only us but the locals have worked hard within local conservation groups to protect and conserve the landscape.

IRRIGATION & WATER PLAN

Always a very important aspect of accommodation is the the usage and conservation of water. How is the applicant proposing to irrigate all the 2 huge planting areas, management of water supply and waste to the proposed future fruit processing facility, general water usage for the cellar door/restaurant, toiletries, workers accommodation and nursery, irrigation of cricket oval which will use an incredible amount of water and doesn't make a lot of sense to us as to why it's even there. Where we all have the rights to one bore on each property, which he has, plus the rainwater tank, I certainly can't see that providing enough water for what has been proposed.

Our opinions regarding misrepresentation of intentions, are shared with the large majority of the local White Hut population who are also justifiably concerned about damage to surrounding native vegetation, noise pollution, trespassing on properties and fragile dunes and excessive water usage.

As an example, the misrepresentation of intentions, the "workers" accommodation that is proposed to house, 3 plus the manager plus owner, means that there should potentially be a maximum of 5 bedrooms/bathrooms, and yet the floor plans for the accommodation indicate:

- 2 x 2 bedroom double bed suites with ensuites attached
- Plus 5 single bedroom double bedroom suites with ensuites attached
- Plus the ground floor workers amenities including
- 3 toilets a shower and 2 x urinals for males
- and 3 toilets and a shower for females

Which seems excessive for the proposed 5 seasonal part time "workers".

It's not surprising that as neighbours we are skeptical that what the applicant is proposing as accommodation for 5 workers, is not reflected in the excessive building footprint. The capacity of the "workers" accommodation building resembles a hotel floor plan.

We propose that in addition to a development which seems to have little regard for the fragile conservation zone, this accommodation building should be rejected because it far exceeds the workers capacity (5 people) nominated in the planning proposal.

Response to Representations - Lot 9 Curly Hollow Road, White Hut - 23006470

Attachment 4



30 June 2023

17-066_RTR

Ms. Georgina Halman
Planning Officer
Yorke Peninsula Council
PO Box 57
Maitland SA 5573

Dear Georgina,

RE: LOT 9 CURLY HOLLOW RD WHITE HUT

I write on behalf of the applicant, Australian Coastal Flora, regarding the public notification of the proposed mixed use building consisting of workshop and workers accommodation with associated common room, solar panels, water tank and agricultural building at the abovementioned address.

We note eight (8) representations were received during the notification period from:

1. Deborah Furbank - 1855 Marion Bay Rd, White Hut
2. Scot Nadebaum - 57 Feneley Rd, White Hut
3. Natalie Nadebaum
4. Lucy Nadebaum - 57 Feneley Rd, White Hut
5. Denise Lehmann - 57 Feneley Rd, White Hut
6. Formby Bay Environmental Action Group and Daly Head National Surfing Reserve Committee - 73 Corny Point Rd, Corny Point
7. Edward Satanek - 183 Curly Hollow Rd, White Hut
8. Ted Huber - 5 Butler Drive, Hendon
9. Philip Koch - 153 Esplanade, Largs Bay (owner of Lot 10 Curly Hollow Rd, White Hut)

The location of the representors, where known, is shown within Figure 1 below.

It is noted that of the eight representations four (representations 2, 3, 4 and 5) appear to be related to the one property at 57 Feneley Road, approximately 1.5 kilometres to the east of the subject land. Representation 1 is located approximately 2.5 kilometres to the east on the other side of Marion Bay Road with representation 7 located to the south on the corner of Marion Bay and Curly Hollow Road.

Representations 6 and 8 have been submitted from parties located well outside of the locality and therefore have not been shown within Figure 1.

Representation 9 is the only submission received from an adjoining property, being the land immediately to the south of the subject land.



Figure 1: Subject land and location of representations know to be within the vicinity of the proposal

Response

We have attempted to identify key or common matters across those submissions that have raised concerns. The following key matters have been identified:

- potential future use of the land;
- traffic impacts;
- impacts on the sand dunes;
- use of groundwater;
- impacts on infrastructure; and
- previous works.

We provide the following response to the key matters raised.

Potential future use of the land

A number of submissions have speculated on how the proposed workers accommodation and agricultural building may be operated in the future. The applicant absolutely rejects the assertions that the proposal is for anything other than what has been outlined within the development application. My client would like to put it on public record that this is not how they operate, nor has it been over their 50 odd years in business.

The workers accommodation building will be used to accommodate workers and the owner when they are attending to various tasks and activities upon the land as outlined within the application documents. It will not be used as tourist accommodation.

It is understood that this is the first instance of native plantings undertaken in a vineyard arrangement for the production of native foods. The intent is to promote the commercial use of native foods and increase the broader knowledge and appreciation of native foods within the region, State and across Australia. The establishment of the plantings has been, and continues to be, labour intensive. The applicant has found it difficult to attract and retain staff to undertake the work, let alone specialist staff with knowledge of horticulture and native bush foods. The applicant has casually employed a



number of local residents and neighbours, including some that have made submissions. Whilst they will continue to offer work to locals it is a limited pool with many having other fulltime work. In order to attract suitable, engaged and knowledgeable staff the applicant must provide high quality lodgings for employees, particularly in the current job market.

Additional rooms are proposed within the workers accommodation facility to house additional workers should they be required during particular periods of the year or over the next few years as activities move away from planting and training of plants to the harvesting and processing of the fruit. It is a simple matter of 'build it once, build it right', so as to avoid future retrofit or expansion. The local community and Council can therefore be assured that what is currently proposed is what will be constructed and will remain unchanged as the native plantings establish and mature.

The agricultural building adjacent the oval will be used to house the existing bore pump at that location as well as a tractor used to maintain the oval and the surrounding area. It has been designed as a simple building with a roller door at either end for the tractor to drive through the building in a forward motion. The orientation of the building allows the tractor to exit directly onto the oval in a westerly direction with the 8 metre setback to the eastern boundary allowing it to turn and enter from that direction. The verandah proposed on two sides will provide shelter for workers and the storage of additional equipment. The building is not a 'grandstand' as alleged by some representors.

The adjoining neighbour to the south has predominately raised concerns about the possible future use of land along their common boundary with the subject land. The site plan indicates two areas of potential future development being a potential future cellar door/restaurant at the northern end and a future fruit processing facility at the southern end. These annotations have been added to the plan to provide both Council and the local community an appreciation of what additional facilities might be required in coming years should the trial plantings and harvesting be successful. There are no plans for either of these facilities and no timeframe for when they may be required. Should it become apparent in coming years that such facilities are required, or could be viable, the applicant will engage with Council and the immediate neighbours as to the best location and arrangement for these facilities. They will obviously be subject to the relevant assessment and public notification process applicable at the time of lodgement.

Traffic

Concerns has been raised that the proposal may result in the following impacts:

- increased traffic from workers visiting the site;
- deterioration of the public road; and
- impacts during construction.

The main purpose of the proposal is to provide onsite accommodation to workers employed on the site. The workers that are currently employed drive back and forth to the site daily, some traveling over an hour and a half each way. The ability to stay at the site during the week will remove the need for these employees to travel on local roads and across the peninsula early in the morning and late in the afternoon each day. The net result will be a reduction in traffic along the local road network. Future workers will similarly have no need to drive to and from work on the site.

The extent of traffic likely to be generated is not anticipated to exceed the design threshold for the local road network or require any additional maintenance work. The surrounding roads, including Curly Hollow Road are of an acceptable standard for unsealed rural roads.

There will be a need for heavy vehicles to visit the site during the construction phase. Whilst the number and nature of movements is unknown the applicant will work with Council to minimise any damage or disruption from the movement of construction vehicles. The short-term impacts from



construction activities is not uncommon with the EPA providing substantial guidelines for the minimisation of impacts during this phase.

Sand dunes

The following matters have been raised in respect to the area of native vegetation within the western half of the subject land as well as the sand dunes further to the west (which are not located upon the subject land and have no association with the applicant):

- Workers accessing the sand dunes;
- Access into the sand dunes by the general public in cars via Feneley Road;
- General impacts on the stability of the dunes;
- Questioning the extent of revegetation works proposed within the sand dunes; and
- Damage from the installation of the water storage tank

Workers accommodated upon the land will be directed not to enter or damage the sand dunes to the west of the land. They may wish to utilise the limited number of existing tracks through the vegetation upon the subject land however it is not envisaged that this would form a large part of their free-time activities. Given the work involved is the planting and tending to native plants it is likely that staff will be environmentally minded and would be unlikely to damage natural areas or native plants.

The accommodation of the site manager and owner upon the land within the proposed workers accommodation facility will increase the surveillance of the surrounding area and roads to deter illegal access into the sand dunes. The proposal will be accessed via existing internal roads and does not require any upgrade or works for the unmade portion of Feneley Road so will not encourage the use of this road.

Several submissions provided comment on how the dunes have improved and stabilised in recent years since the grazing of stock and access by previous owners has ceased. The applicant is committed to aiding the regeneration of the sand dunes and is willing to assist with local environment groups wherever possible. They will continue to remove box thorn from the area of native vegetation upon the subject land and monitor the area for any regrowth. They will also continue to restrict access to the area of vegetation from stock and the public.

An existing water storage tank on the western boundary of the land is to be replaced by a modern poly tank. The applicant will bring in the replacement tank along the boundary fence line to minimise damage to native vegetation.

Groundwater

Concerns have been raised in relation to the use of ground water upon the subject land. The applicant draws and uses ground water from the existing bores upon the land. The bores have been approved, installed and are operated in accordance with all relevant requirements and legislation. The bore water is utilised to irrigate the native plantings, oval and screening vegetation planted along the road frontage as needed. These areas do not form part of the subject application and are already established upon the land. No new bores are proposed or required.

The workers accommodation building has been designed with a large roof area to maximise the catchment of stormwater and installation of solar panels. Rainwater tanks will capture and store stormwater for reuse within the accommodation, thus reducing the reliance on bore water.

Infrastructure

Some submissions commented on the potential impact of the proposal upon services and infrastructure within the locality. It is noted that there are limited services within this part of the peninsula, the only public infrastructure being public roads. The proposal will utilise:

- bore water and rainwater;



- solar system and storage batteries;
- onsite septic disposal; and
- existing access points to Curly Hollow Road.

The proposed workers accommodation building has been designed and orientated to maximise the number of solar panels and amount of energy able to be produced and stored. All of the roof area will be connected to rainwater tanks at the western end of the building. As such the proposal will not place any additional load or impacts upon any services or infrastructure.

Previous works

Comments have been made in relation to the native plantings and oval that have been established upon the land. All of the works undertaken have been completed strictly in accordance with the approval issued by Council in June 2021.

It is noted that some of the comments made in relation to the extent of excavation/earthworks undertaken and the importation of topsoil are completely false and mere speculation on the part of the representors. If there are real concerns held by members of the community in relation to the approved works, they should be raised directly with the applicant or Council.

Conclusion

In summary, the proposed agricultural building and workers accommodation supports the existing lawful horticulture/rural use of the land. It will allow workers to be accommodated on site and reduce the use of local roads and number of movements within the locality. Concerns raised in relation to the potential misuse of the facility for tourist accommodation are unfounded and rejected out of hand by the applicant.

The proposal does not require any works that could potentially impact the native vegetation upon the land or adjoining sand dunes.

Overall, the application is considered a reasonable form of development within the Conservation Zone and one which sufficiently satisfies the relevant provisions of the Code to warrant Planning Consent.

Yours sincerely,



Damian Dawson
Director



Planning & Design Code Rules - Lot 9 Curly Hollow Road, White Hut - 23006470

Attachment 5

Policy24

P&D Code (in effect) Version 2023.5 30/03/2023

LOT 9 CURLY HOLLOW RD WHITE HUT SA 5575**Address:**Click to view a detailed interactive [SAAS in SAILIS](#)

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

**Property Zoning Details****Zone**

Conservation

Overlay

Coastal Areas

Hazards (Bushfire - Medium Risk)

Hazards (Flooding - Evidence Required)

Native Vegetation

Water Protection Area

Development Pathways

- Conservation

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.

- Brush fence
- Internal building work
- Partial demolition of a building or structure
- Protective tree netting structure
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Water tank (above ground)

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
- Temporary accommodation in an area affected by bushfire

Policy24 **P&D Code (in effect) Version 2023.5 30/03/2023**

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
- Carport
- Demolition
- Dwelling
- Dwelling addition
- Farming
- Land division
- Outbuilding
- Retaining wall
- Tourist accommodation
- Tree-damaging activity

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

Conservation Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	The conservation and enhancement of the natural environment and natural ecological processes for their ability to reduce the effects of climate change, for their historic, scientific, landscape, habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use	
PO 1.1 Small-scale, low-impact land uses that provide for the conservation and protection of the area, while allowing the public to experience these important environmental assets.	DTS/DPF 1.1 Development comprises one or more of the following: (a) Advertisement (b) Camp ground (c) Farming (d) Public toilet
PO 1.2 Development is primarily in the form of: (a) directional, identification and/or interpretative advertisements and/or advertising hoardings for conservation management and tourist information purposes (b) scientific monitoring structures or facilities	DTS/DPF 1.2 None are applicable.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
(c) a small-scale facility associated with the interpretation and appreciation of natural and cultural heritage such as public amenities, camping grounds, remote shelters or huts (d) structures for conservation management purposes.		
PO 1.3 Farming activities occur on already cleared land and outside of areas containing native vegetation (including revegetated areas lost through bushfire), coastal dunes and wetlands of national importance.	DTS/DPF 1.3 None are applicable.	
Land Division		
PO 2.1 Land division supports the management or improvement of the natural environment including avoiding: (a) further fragmentation of land that may reduce effective management of the environment (b) parcel arrangements that increase direct property access to waterfront areas.	DTS/DPF 2.1 Land division satisfies (a) and (b): (a) does not create any additional allotments (b) for a boundary realignment that does not result in any additional allotments with frontage or direct access to the coast and will satisfy one of the following: (i) is for the creation of a public road or a public reserve (ii) is to remove an anomaly in existing boundaries with respect to the location of existing buildings or structures (iii) is for the management of existing native vegetation (iv) the resultant allotments are not less than: In relation to DTS/DPF 2.1, in instances where: (c) more than one value is returned in the same field for DTS/DPF 2.1(b)(iv), 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 (d) no value is returned for DTS/DPF 2.1 (b)(iv) (i.e. there is a blank field), then none are applicable and the relevant development cannot be classified as deemed-to-satisfy.	
Environmental Protection		
PO 3.1 Development avoids important habitat, nesting or breeding areas or areas that are important for the movement/migration patterns of fauna.	DTS/DPF 3.1 None are applicable.	
PO 3.2 Development avoids seagrass, mangroves and saltmarshes for their biodiversity value and carbon storage potential.	DTS/DPF 3.2 None are applicable.	
Built Form and Character		
PO 4.1 Development is sited and designed unobtrusively to minimise the visual impact on the natural environment by: (a) using low-reflective materials and finishes that blend with, and colours that complement, the surrounding landscape (b) being located below hilltops and ridgelines (c) being screened by existing vegetation.	DTS/DPF 4.1 None are applicable.	
PO 4.2 Development is sited and designed to minimise impacts on the natural environment by: (a) containing construction and built form within a tightly defined site boundary (b) minimising the extent of earthworks.	DTS/DPF 4.2 None are applicable.	
PO 4.3 Recreation or visitor facilities are located in publicly accessible areas in proximity to existing recreation trails to minimise impact on the natural environment.	DTS/DPF 4.3 None are applicable.	
PO 4.4	DTS/DPF 4.4	

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
Development does not obscure existing public views to landscape, river or seascape features and is not visibly prominent from key public vantage points, including public roads or car parking areas.	None are applicable.	
Access and Car Parking		
PO 5.1 Vehicle access points are limited to minimise impact on the natural environment.	DTS/DPF 5.1	No more than one vehicle access point is provided to a site, landmark or lookout.
PO 5.2 Roads and vehicle access ways are located to minimise vegetation clearance and are constructed of permeable materials.	DTS/DPF 5.2	None are applicable.
PO 5.3 Roads are of a width and route to encourage low speeds and minimise impact on the natural environment.	DTS/DPF 5.3	None are applicable.
PO 5.4 Recreational trails and access ways are located to direct the public away from sensitive areas to minimise impact on the natural environment.	DTS/DPF 5.4	None are applicable.
PO 5.5 Recreational trails are raised or surfaced with permeable materials to minimise impact on the natural environment.	DTS/DPF 5.5	Pedestrian access ways/recreational trails are raised or constructed of permeable materials.
PO 5.6 Car parking areas are designed to minimise impact on the natural environment.	DTS/DPF 5.6	Car parking areas are: (a) constructed of permeable material (b) located on already legally cleared land (c) consolidated in one location.
Advertisement		
PO 6.1 Advertisements are limited to those needed for direction, identification and/or interpretation of environmental or cultural values and recreational and tourism facilities.	DTS/DPF 6.1	Advertisements are for one or more of the following: (a) direction (b) identification and interpretation of environmental values (c) identification of recreational and tourism facilities.
PO 6.2 Advertisements are limited in number and size to minimise impact on the visual and natural environment.	DTS/DPF 6.2	The total combined area of advertisement(s) is not greater than 2m ² on any one site and no part is greater than 3m in height from natural ground level.
Landscaping		
PO 7.1 Screening and planting are provided to buildings and structures and comprise locally indigenous species to enhance the natural environment.	DTS/DPF 7.1	None are applicable.
Hazard Risk Minimisation		
PO 8.1 Habitable buildings are designed and sited to manage the risks of natural hazards on personal and public safety and property.	DTS/DPF 8.1	None are applicable.
Concept Plans		
PO 9.1 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.	DTS/DPF 9.1	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 9.1, in instances where:

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
	<p>(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.</p> <p>(b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 9.1 is met.</p>

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

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

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

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) advertisement (b) air handling unit, air conditioning system or exhaust fan (c) agricultural building (d) building work on railway land (e) camp ground (f) carport (g) demolition (h) dwelling alterations or additions (i) farming (j) fence (k) internal building works (l) navigation structures, boat berth, pier, pontoon or similar structure (or any combination thereof) (m) outbuilding (n) private bushfire shelter (o) protective tree netting structure (p) public toilets (q) replacement building (r) retaining wall (s) shade sail (t) solar photovoltaic panels (roof mounted) (u) temporary accommodation in an area affected by bushfire (v) tree damaging activity (w) water tank. 	None specified.
3. Demolition.	Except any of the following: <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.

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
Placement of Notices - Exemptions for Performance Assessed Development	
None specified.	
Placement of Notices - Exemptions for Restricted Development	
None specified.	

Part 3 - Overlays

Coastal Areas Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	The natural coastal environment (including environmentally important features such as mangroves, wetlands, saltmarsh, sand dunes, cliff tops, native vegetation, wildlife habitat, shore and estuarine areas) is conserved and enhanced.
DO 2	Provision is made for natural coastal processes; and recognition is given to current and future coastal hazards including sea level rise, flooding, erosion and dune drift to avoid the need, now and in the future, for public expenditure on protection of the environment and development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Division	
PO 1.1 Land is divided only if it or the subsequent development and use of the land will not adversely affect the environmental values or ability of the land or adjoining land to adapt to changing coastal processes.	DTS/DPF 1.1 Land division for minor adjustment of allotment boundaries removes an anomaly in the current boundaries with respect to the location of buildings or structures.
PO 1.2 Land is not divided unless a layout is achieved whereby roads, parking areas and development sites for each allotment are at least 0.3m above the standard sea flood risk level, unless the land has, or can be provided with, appropriate and acceptable coastal protection measures.	DTS/DPF 1.2 None are applicable.
PO 1.3 Other than small-scale infill land division in a predominantly urban zone, land division adjacent to the coast incorporates an existing or proposed public reserve (not including a road or erosion buffer) of a size adequate to provide for natural coastal processes, public access and recreation.	DTS/DPF 1.3 None are applicable.
Hazard Risk Minimisation	
PO 2.1 Buildings sited over tidal water or that are not capable of being raised or	DTS/DPF 2.1 Building floor levels are at least 1.25m above the standard sea flood risk level.

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
protected by flood protection measures in the future are protected against the standard sea flood risk level and 1m of sea level rise.	
<p>PO 2.2</p> <p>Development, including associated roads and parking areas, but not minor structures unlikely to be adversely affected by flooding, is protected from the standard sea flood risk level and 1m of sea level rise.</p>	<p>DTS/DPF 2.2</p> <p>Development incorporates finished ground and floor levels not less than:</p> <p>In instances where no value is specified (i.e. there is a blank field):</p> <ul style="list-style-type: none"> (a) finished ground levels allow for sea level rise by being raised 0.3m or more above the standard sea flood risk level (b) finished floor levels are 0.55m or more above the standard sea flood risk level (c) practical measures can be implemented to provide future protection against an additional sea level rise of 0.7m plus an allowance to accommodate 100 years of land subsidence.
<p>PO 2.3</p> <p>Development will not create or aggravate coastal erosion or require coast protection works that cause or aggravate coastal erosion.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Development is set back a sufficient distance from the coast to provide an erosion buffer in addition to a public reserve that will allow for at least 100 years of coastal retreat for single buildings or small-scale developments, or 200 years of coastal retreat for large scale developments unless:</p> <ul style="list-style-type: none"> (a) the development incorporates appropriate private coastal protection measures to protect it from anticipated erosion or (b) there are formal commitments to protect the existing or proposed public reserve and development from anticipated coastal erosion. 	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>
<p>PO 2.5</p> <p>Additions or alterations to, or replacement of, a dwelling do not increase the risk of effects from natural coastal processes such as flooding, sea-level rise, sand drift and erosion.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
Coast Protection Works	
<p>PO 3.1</p> <p>Development avoids the need for coast protection works through measures such as setbacks to protect development from coastal erosion, sea or stormwater flooding, sand drift or other coastal processes.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Development does not compromise the structural integrity of any sea wall or levee bank or the ability to maintain, modify or upgrade any sea wall or levee bank.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>PO 3.3</p> <p>Unavoidable coast protection works are the subject of binding agreements to cover the cost of future construction, operation, maintenance and management measures and will not:</p> <ul style="list-style-type: none"> (a) have an adverse effect on coastal ecology, processes, conservation, public access and amenity (b) require commitment of public resources including land (c) present an unacceptable risk of failure relative to potential hazard resulting from failure. 	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
Environment Protection	
<p>PO 4.1</p> <p>Development will not unreasonably affect the marine and onshore coastal environment by pollution, erosion, damage or depletion of physical or biological resources; interference with natural coastal processes; or the introduction of and spread of marine pests or any other means.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p>	<p>DTS/DPF 4.2</p>

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
Development avoids delicate or environmentally sensitive coastal areas such as sand dunes, cliff tops, estuaries, wetlands or substantially intact strata of native vegetation.	None are applicable.
PO 4.3 Development allows for ecological and natural landform adjustment to changing climatic conditions and sea levels, by allowing landward migration of dunes, coastal wetlands, mangrove and samphire areas.	DTS/DPF 4.3 None are applicable.
PO 4.4 Development avoids, or in built up areas minimises, impacts on important habitat areas that support the nesting, breeding and movement/migration patterns of fauna, including threatened shorebirds.	DTS/DPF 4.4 None are applicable.
PO 4.5 Development is designed so that wastewater is disposed of in a manner that avoids pollution or other detrimental impacts on the marine and on-shore environment of coastal areas.	DTS/DPF 4.5 Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development or on-site wastewater systems set back a minimum of 100m from the Mean High Water Mark at spring tide.
PO 4.6 Development is designed so that stormwater runoff is disposed of in a manner that avoids pollution or other detrimental impacts on the marine and on-shore environment of coastal areas.	DTS/DPF 4.6 None are applicable.
PO 4.7 Development involving the removal of shell grit, cobbles or sand, other than for coastal protection works purposes, is not undertaken.	DTS/DPF 4.7 Development does not involve the removal of shell grit or sand.
Access	
PO 5.1 Development maintains or enhances appropriate public access to and along the foreshore.	DTS/DPF 5.1 None are applicable.
PO 5.2 Public access through sensitive coastal landforms, particularly sand dunes, wetlands and cliffs, is restricted to defined pedestrian paths and constructed to minimise adverse environmental impact.	DTS/DPF 5.2 None are applicable.
PO 5.3 Access roads to the coast, lookouts and places of interest: (a) do not detract from the amenity or the environment (b) are designed for slow-moving traffic (c) are minimised in number.	DTS/DPF 5.3 None are applicable.
PO 5.4 Development on land adjoining a coastal reserve is sited and designed to be compatible with the purpose, management and amenity of the reserve and to prevent inappropriate access to or use of the reserve.	DTS/DPF 5.4 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
Except where the development is, in the opinion of the relevant authority, minor in nature and would not warrant a referral when considering the purpose of the referral, the following:	Coast Protection Board.	To provide expert assessment and direction to the relevant authority on:	Development of a class to which

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023		
(a) excavation and/or filling where the total volume of material excavated and/or filled exceeds 9m ³ (b) dwellings and habitable buildings that: (i) do not meet DTS/DPF 2.2 or (ii) are within 100m of the mean high water mark (c) other than within a Rural Settlement Zone: (i) buildings with a floor area greater than 60m ² or (ii) tourist accommodation, including a caravan park or (iii) division of land that would create 1 or more additional allotments (d) off-shore structures (e) coast protection works (f) infrastructure within 100m landward of the mean high water mark.		<ul style="list-style-type: none"> the risk to development from current and future coastal hazards (including sea-level rise, coastal flooding, erosion, dune drift and acid sulfate soils); coast protection works; potential impacts from development on public access and the coastal environment (including important coastal features). 	Schedule 9 clause 3 Item 3 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Hazards (Bushfire - Medium Risk) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development, including land division responds to the medium level of bushfire risk and potential for ember attack and radiant heat by siting and designing buildings in a manner that mitigates 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	DTS/DPF 2.2

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
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.	Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.
Habitable Buildings	
<p>PO 3.1</p> <p>To minimise the threat, impact and potential 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 and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Residential, 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</p> <p>Residential, 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</p> <p>Residential, tourist accommodation and habitable buildings for vulnerable communities, (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation), has a dedicated area available that is capable of accommodating a bushfire protection system comprising firefighting equipment and water supply in accordance with <i>Ministerial Building Standard MBS 008 - Designated bushfire prone areas - additional requirements</i>.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
Land Division	
<p>PO 4.1</p> <p>Land division is designed 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</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Land division is 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</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>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</p> <p>None are applicable.</p>
<p>PO 4.4</p> <p>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</p> <p>None are applicable.</p>
Vehicle Access - Roads, Driveways and Fire Tracks	
<p>PO 5.1</p> <p>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 (b) evacuation of residents, occupants and visitors. 	<p>DTS/DPF 5.1</p> <p>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 (c) have a cross fall of not more than 6 degrees (1-in-9.5) at any point along the road

Policy24	P&D Code (In effect) Version 2023.5 30/03/2023
	<ul style="list-style-type: none"> (d) have a minimum formed road width of 6m (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) (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) (g) incorporating cul-de-sac endings or dead end roads do not exceed 200m in length and the end of the road has either: <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) (h) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
<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) (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: <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) (xi) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
<p>PO 5.3</p> <p>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</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

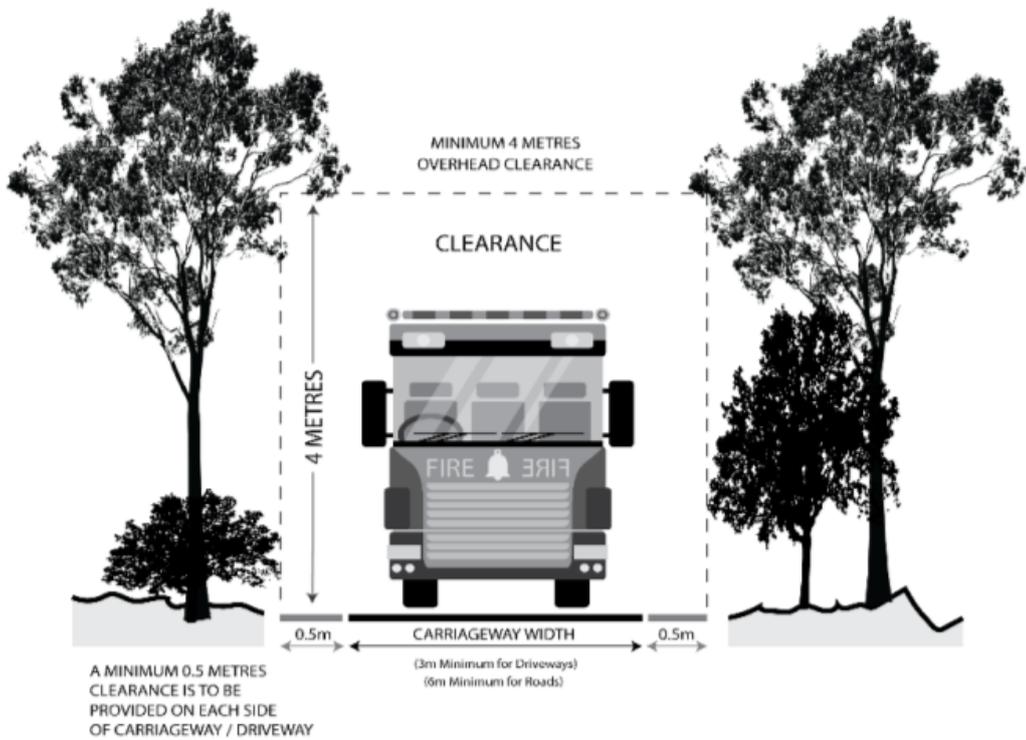
The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations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

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

Figures and Diagrams

Fire Engine and Appliance Clearances

Figure 1 - Overhead and Side Clearances



Roads and Driveway Design

Figure 2 - Road and Driveway Curves

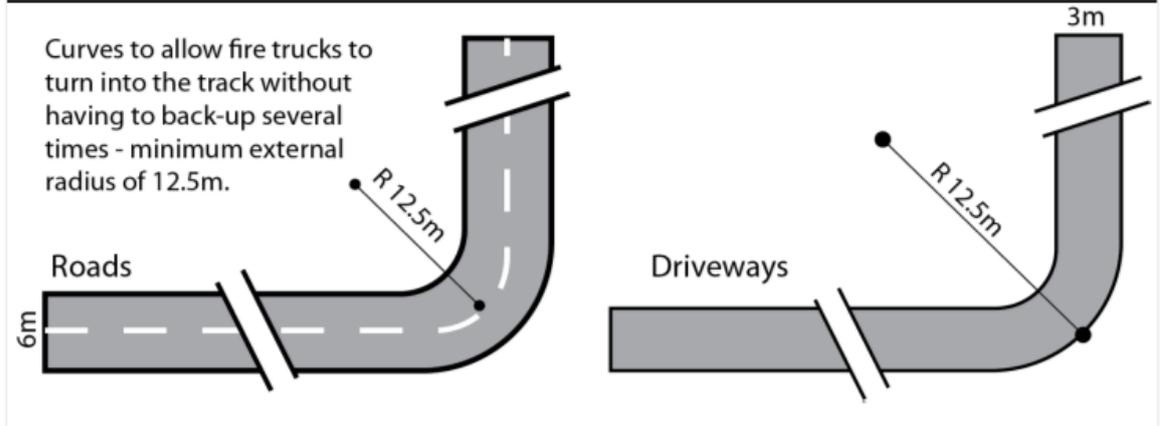


Figure 3 - Full Circle Turning Area

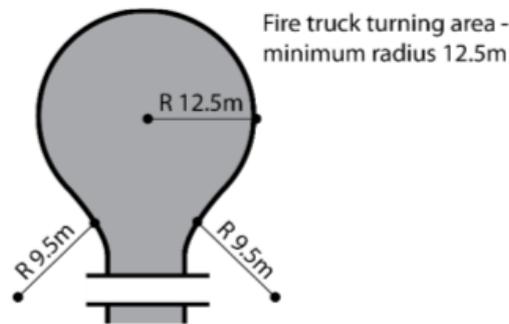
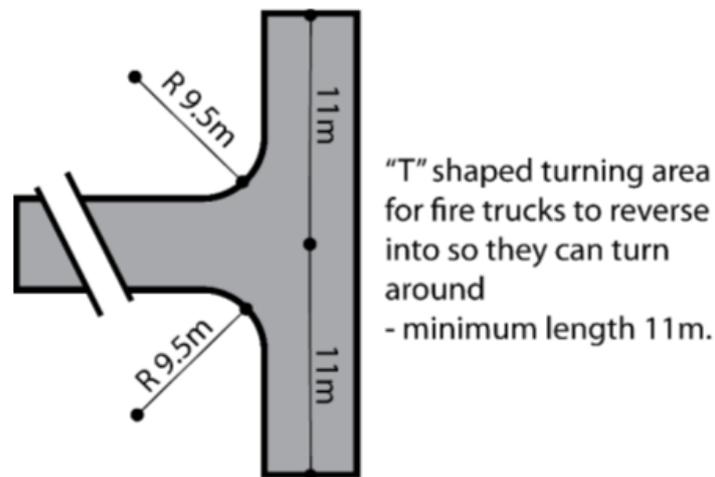


Figure 4 - 'T' or 'Y' Shaped Turning Head



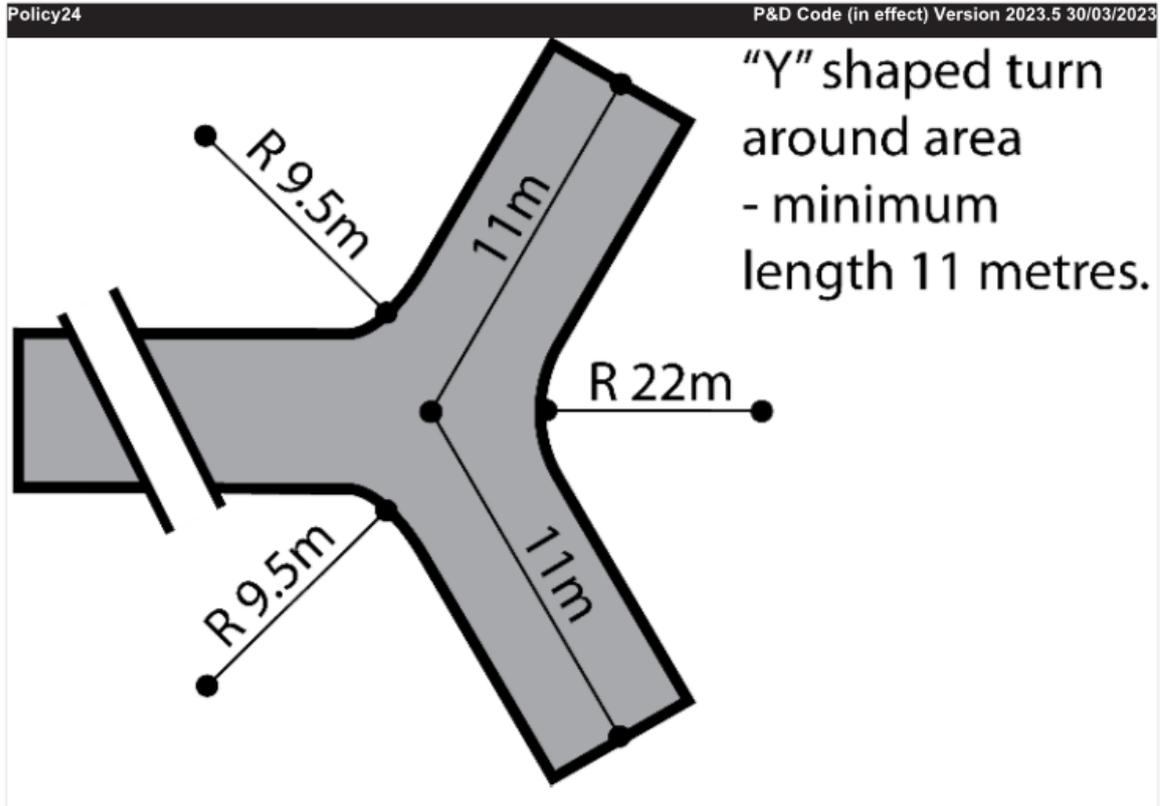
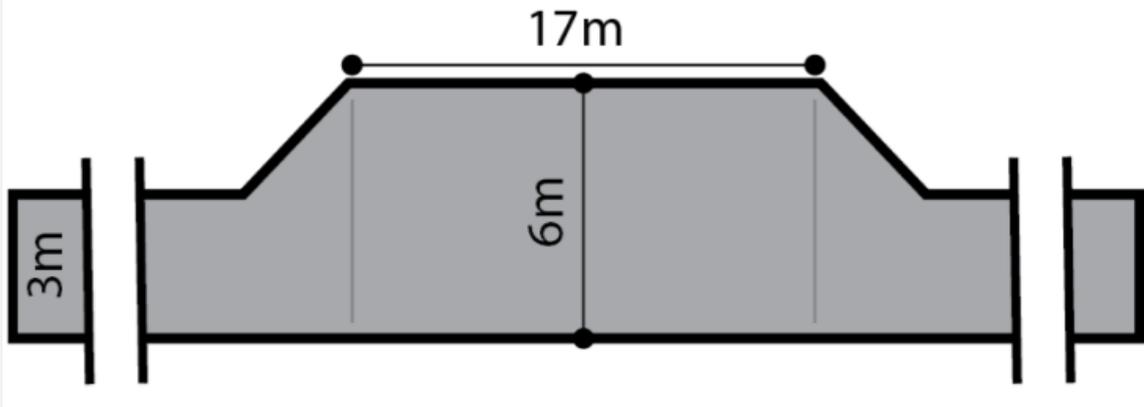


Figure 5 - Driveway Passing Bays

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



Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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.

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

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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	DTS/DPF 1.1

Policy24	P&D Code (In effect) Version 2023.5 30/03/2023
<p>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 building maintenance.</p>	<p>An application is accompanied by:</p> <ul style="list-style-type: none"> (a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: <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 or (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>
Land division	
<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> will be required as a result of the division of land (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' or (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

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
	(c) the division is to support a Heritage Agreement under the Native Vegetation Act 1991 or the <i>Heritage Places Act 1993</i> .

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.

Water Protection Area Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Safeguard South Australia's public water supplies and ecologically significant areas by protecting regionally and locally significant surface and underground water resources in Water Protection Areas from pollution. This includes considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use	
PO 1.1 Development with potential to expose the water supply role of the Water Protection Area to significant adverse water quality risk is avoided to maintain the long term function of the Water Protection Area.	DTS/DPF 1.1 Development does not involve any one or combination of the following: (a) fuel depot (b) intensive animal husbandry (c) special industry (d) stock slaughter works (e) timber preservation works.
Groundwater	
PO 2.1 Groundwater resources are protected from pollution by ensuring development does not:	DTS/DPF 2.1 None are applicable.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
(a) generate or dispose of waste in a manner that would pollute water resources (b) involve the storage or disposal of chemicals or hazardous substances in a manner that would pose a risk to water supplies.			
PO 2.2 Groundwater catchment and recharge characteristics are safeguarded by ensuring development: (a) retains and protects areas of native vegetation (b) does not inhibit the potential of an aquifer to recharge.	DTS/DPF 2.2 None are applicable.		
Farming and Horticulture			
PO 3.1 Farming or horticulture operations occur only where: (a) the activity will not result in any increase in the salinity levels of groundwater (b) the land and soil structure is capable of supporting the proposed activity and the likelihood of soil erosion is minimised (c) the depth to the water table is greater than 2 metres from the ground.	DTS/DPF 3.1 None are applicable.		
Irrigation			
PO 4.1 Irrigated areas are sited to ensure they: (a) avoid any land prone to waterlogging or subject to flooding through irrigation (b) avoid the risk of the water table falling or rising significantly as a result of irrigation practices (c) do not increase the salinity levels of groundwater (d) minimise the risk of polluting surface and groundwater resources where wastewater is used to irrigate the land.	DTS/DPF 4.1 None are applicable.		
Wastewater			
PO 5.1 Wastewater-generating development utilises existing communal wastewater management infrastructure to avoid on-site disposal.	DTS/DPF 5.1 Development (including land division) that generates wastewater is connected to sewerage or community wastewater management systems with sufficient hydraulic capacity to accept the inflow.		
PO 5.2 Development that generates wastewater which cannot be disposed of via sewerage or community wastewater management systems, is designed and of a scale that will enable on-site wastewater treatment and disposal in accordance with relevant health and environmental requirements.	DTS/DPF 5.2 On-site wastewater treatment systems comply with: (a) the 'On-site Wastewater Systems Code' or (b) AS/NZS 1547: On-site domestic wastewater management and the South Australian amendments to AS/NSZ 1547 as outlined in section 9.2 of the 'On-site Wastewater Systems Code'.		

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
Composting works (excluding a prescribed approved activity) - being a depot, facility or works with the capacity to treat, during a 12 month period, more than 200 tonnes of organic waste or matter. (EPA Licence)	Environment Protection Authority.	To provide expert Technical assessment and direction to the Relevant authority on the assessment of the potential harm from pollution and waste aspects	Development of a class to which Schedule 9 clause 3 item

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
<p>Wastewater treatment works - being sewage treatment works, a community wastewater management system, winery wastewater treatment works or any other wastewater treatment works with the capacity to treat, during a 12 month period, more than 2.5ML of wastewater.</p> <p>(EPA Licence required at more than 5 ML)</p>		<p>arising from activities of environmental significance and other activities that have the potential to cause serious environmental harm.</p>	<p>9 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>
<p>Feedlots - being carrying on an operation for holding in confined yard or area and feeding principally by mechanical means or by hand not less than an average of 200 cattle (EPA Licence) or 1,600 sheep or goats per day over any period of 12 months, but excluding any such operation carried on at an abattoir, slaughterhouse or saleyard or for the purpose only of drought or other emergency feeding.</p>			
<p>Piggeries - being the conduct of a piggery (being premises having confined or roofed structures for keeping pigs) with a capacity of 130 or more standard pig units. (EPA licence required at 650 or more standard pig units)</p>			
<p>Dairies - being the carrying on of a dairy with a total processing capacity exceeding more than 100 milking animals at any 1 time.</p>			

Part 4 - General Development Policies

Advertisements

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
PO 1.1	Bulk handling and storage facilities are sited and designed to minimise risks of adverse air quality and noise impacts on sensitive receivers.	DTS/DPF 1.1	Facilities for the handling, storage and dispatch of commodities in bulk (excluding processing) meet the following minimum separation distances from sensitive receivers: <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			
PO 2.1	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.	DTS/DPF 2.1	None are applicable.
PO 2.2	Bulk handling and storage facilities incorporate landscaping to assist with screening and dust filtration.	DTS/DPF 2.2	None are applicable.
Access and Parking			
PO 3.1	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.	DTS/DPF 3.1	Roadways and vehicle parking areas are sealed with an all-weather surface.
Slipways, Wharves and Pontoons			
PO 4.1	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.	DTS/DPF 4.1	None are applicable.

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

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)

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.

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

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 (<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.</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>DTS/DPF 1.4</p>

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
<p>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:</p> <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. 	<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	
<p>PO 2.1</p> <p>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.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Development is designed to differentiate public, communal and private areas.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.</p>	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>
<p>PO 2.5</p> <p>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.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
Landscaping	
<p>PO 3.1</p> <p>Soft landscaping and tree planting is incorporated to:</p> <ul style="list-style-type: none"> (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. 	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>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.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
Environmental Performance	
<p>PO 4.1</p> <p>Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Buildings are sited and designed to maximise passive environmental</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.			
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 systems without negatively impacting: <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. 	DTS/DPF 5.1	None are applicable.
On-site Waste Treatment Systems			
PO 6.1	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.	DTS/DPF 6.1	Effluent disposal drainage areas do not: <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			
PO 7.1	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: <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. 	DTS/DPF 7.1	None are applicable.
PO 7.2	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 7.2	None are applicable.
PO 7.3	Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	DTS/DPF 7.3	None are applicable.
PO 7.4	Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.	DTS/DPF 7.4	None are applicable.
PO 7.5	Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	DTS/DPF 7.5	None are applicable.
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		DTS/DPF 7.7	

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
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.	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 are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).	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 nor increases 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 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.	DTS/DPF 9.1 None are applicable.
PO 9.2 Landscaping incorporated on the low side of retaining walls is 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 (in building 3 storeys or less)	
PO 10.1 Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.	DTS/DPF 10.1 Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following: (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.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
PO 10.2	Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.	DTS/DPF 10.2	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
All Residential development			
Front elevations and passive surveillance			
PO 11.1	Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.	DTS/DPF 11.1	Each dwelling with a frontage to a public street: (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 2m ² facing the primary street.
PO 11.2	Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.	DTS/DPF 11.2	Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.
Outlook and amenity			
PO 12.1	Living rooms have an external outlook to provide a high standard of amenity for occupants.	DTS/DPF 12.1	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.
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.	DTS/DPF 12.2	None are applicable.
Ancillary Development			
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.	DTS/DPF 13.1	Ancillary buildings: (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m ² (c) are not constructed, added to or altered so that any part is situated: (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: (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: 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:

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023										
	<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 <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 (and not including a gable end)</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> <ul style="list-style-type: none"> (i) a total area as determined by the following table: <table border="1" data-bbox="943 745 1390 1050"> <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>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. 										

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
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			
PO 18.1 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 18.1 Residential development creating a common driveway / access that services 5 or more dwellings achieves the following stormwater runoff outcomes: (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.		
PO 18.2 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 18.2 Development creating a common driveway / access that services 5 or more dwellings: (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		

Policy24		P&D Code (In effect) Version 2023.5 30/03/2023	
		(b)	manages site generated stormwater runoff up to and including the 1% AEP flood event to avoid flooding of buildings.
Car parking, access and manoeuvrability			
PO 19.1	Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.	DTS/DPF 19.1	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 (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): (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space.
PO 19.2	Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.	DTS/DPF 19.2	Uncovered car parking spaces have: (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
PO 19.3	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-street parking.	DTS/DPF 19.3	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 provided on the site.
PO 19.4	Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.	DTS/DPF 19.4	Vehicle access to designated car parking spaces satisfy (a) or (b): (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: (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.
PO 19.5	Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.	DTS/DPF 19.5	Driveways are designed and sited so that: (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 of way is at least 6.2m wide along the boundary of the allotment / site
PO 19.6	Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.	DTS/DPF 19.6	Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023											
		(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													
PO 20.1	DTS/DPF 20.1	Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.	None are applicable.										
Design of Transportable Dwellings													
PO 21.1	DTS/DPF 21.1	The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.	Buildings satisfy (a) or (b): (a) are not transportable or (b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.										
Group dwelling, residential flat buildings and battle-axe development													
Amenity													
PO 22.1	DTS/DPF 22.1	Dwellings are of a suitable size to accommodate a layout that is well organised and provides a high standard of amenity for occupants.	Dwellings have a minimum internal floor area in accordance with the following table: <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												
PO 22.2	DTS/DPF 22.2	The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.	None are applicable.										
PO 22.3	DTS/DPF 22.3	Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.	None are applicable.										
PO 22.4	DTS/DPF 22.4	Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	Dwelling sites/allotments are not in the form of a battle-axe arrangement.										
Communal Open Space													
PO 23.1	DTS/DPF 23.1	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.	None are applicable.										
PO 23.2	DTS/DPF 23.2	Communal open space is of sufficient size and dimensions to cater for group recreation.	Communal open space incorporates a minimum dimension of 5 metres.										

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
<p>PO 23.3</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 23.3</p> <p>None are applicable.</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> <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 23.5</p> <p>None are applicable.</p>
Carparking, access and manoeuvrability	
<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> <ul style="list-style-type: none"> (a) minimum 0.33 on-street car parks per proposed dwellings (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 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> <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 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>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 24.5</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 24.6</p> <p>Dwellings are adequately separated from common driveways and manoeuvring areas.</p>	<p>DTS/DPF 24.6</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	

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
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	DTS/DPF 29.1	

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.	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 by habitable rooms to facilitate passive surveillance.	DTS/DPF 29.6 None are applicable.
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 30.3 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	

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
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 equipment are: (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: (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.	DTS/DPF 32.1 None are applicable.	

Table 1 - Private Open Space

Dwelling Type	Minimum Rate
Dwelling (at ground level)	Total private open space area: (a) Site area <301m ² : 24m ² located behind the building line. (b) Site area ≥ 301m ² : 60m ² located behind the building line. Minimum directly accessible from a living room: 16m ² / with a minimum dimension 3m.
Dwelling (above ground level)	Studio (no separate bedroom): 4m ² with a minimum dimension 1.8m One bedroom: 8m ² with a minimum dimension 2.1m Two bedroom dwelling: 11m ² with a minimum dimension 2.4m Three + bedroom dwelling: 15m ² with a minimum dimension 2.6m
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)

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
Dwellings are provided with appropriate service connections and infrastructure.		The site and building:	<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			
PO 21.1 Land that is suitable for sensitive land uses to provide a safe environment.		DTS/DPF 21.1 Development satisfies (a), (b), (c) or (d):	<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>).

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

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	
<p>PO 1.1</p> <p>Development is located and designed to minimise hazard or nuisance to adjacent development and land uses.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
Visual Amenity	
<p>PO 2.1</p> <p>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:</p> <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. 	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Pumping stations, battery storage facilities, maintenance sheds and other ancillary structures incorporate vegetation buffers to reduce adverse visual impacts on adjacent land.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>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.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
Rehabilitation	
<p>PO 3.1</p> <p>Progressive rehabilitation (incorporating revegetation) of disturbed areas, ahead of or upon decommissioning of areas used for renewable energy facilities and transmission corridors.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
Hazard Management	
<p>PO 4.1</p> <p>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.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>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.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>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.</p>	<p>DTS/DPF 4.3</p> <p>None are applicable.</p>

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
Electricity Infrastructure and Battery Storage Facilities	
<p>PO 5.1</p> <p>Electricity infrastructure is located to minimise visual impacts through techniques including:</p> <ul style="list-style-type: none"> (a) siting utilities and services: <ul style="list-style-type: none"> (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. 	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
<p>PO 5.2</p> <p>Electricity supply (excluding transmission lines) serving new development in urban areas and townships installed underground, excluding lines having a capacity exceeding or equal to 33kV.</p>	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>
<p>PO 5.3</p> <p>Battery storage facilities are co-located with substation infrastructure where practicable to minimise the development footprint and reduce environmental impacts.</p>	<p>DTS/DPF 5.3</p> <p>None are applicable.</p>
Telecommunication Facilities	
<p>PO 6.1</p> <p>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.</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>
<p>PO 6.2</p> <p>Telecommunications antennae are located as close as practicable to support structures to manage overall bulk and mitigate impacts on visual amenity.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
<p>PO 6.3</p> <p>Telecommunications facilities, particularly towers/monopoles, are located and sized to mitigate visual impacts by the following methods:</p> <ul style="list-style-type: none"> (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. 	<p>DTS/DPF 6.3</p> <p>None are applicable.</p>
Renewable Energy Facilities	
<p>PO 7.1</p> <p>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.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
Renewable Energy Facilities (Wind Farm)	
<p>PO 8.1</p> <p>Visual impact of wind turbine generators on the amenity of residential and tourist development is reduced through appropriate separation.</p>	<p>DTS/DPF 8.1</p> <p>Wind turbine generators are:</p> <ul style="list-style-type: none"> (a) set back at least 2000m from the base of a turbine to any of the following zones: <ul style="list-style-type: none"> (i) Rural Settlement Zone

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023																								
	(ii) Township Zone (iii) Rural Living Zone (iv) Rural Neighbourhood Zone with an additional 10m setback per additional metre over 150m overall turbine height (measured from the base of the turbine). (b) set back at least 1500m from the base of the turbine to non-associated (non-stakeholder) dwellings and tourist accommodation																								
PO 8.2 The visual impact of wind turbine generators on natural landscapes is managed by: (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.	DTS/DPF 8.2 None are applicable.																								
PO 8.3 Wind turbine generators and ancillary development minimise potential for bird and bat strike.	DTS/DPF 8.3 None are applicable.																								
PO 8.4 Wind turbine generators incorporate recognition systems or physical markers to minimise the risk to aircraft operations.	DTS/DPF 8.4 No Commonwealth air safety (CASA / ASA) or Defence requirement is applicable.																								
PO 8.5 Meteorological masts and guidewires are identifiable to aircraft through the use of colour bands, marker balls, high visibility sleeves or flashing strobes.	DTS/DPF 8.5 None are applicable.																								
Renewable Energy Facilities (Solar Power)																									
PO 9.1 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.	DTS/DPF 9.1 None are applicable.																								
PO 9.2 Ground mounted solar power facilities allow for movement of wildlife by: (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.	DTS/DPF 9.2 None are applicable.																								
PO 9.3 Amenity impacts of solar power facilities are minimised through separation from conservation areas and sensitive receivers in other ownership.	DTS/DPF 9.3 Ground mounted solar power facilities are set back from land boundaries, conservation areas and relevant zones in accordance with the following criteria: <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <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> </tbody> </table>					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
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																					

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023														
	<table border="1"> <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> </table>	1MW<5MW	1.6ha to <8ha	15m	500m	500m	100kW<1MW	0.5ha<1.6ha	10m	500m	100m	<100kW	<0.5ha	5m	500m	25m
1MW<5MW	1.6ha to <8ha	15m	500m	500m												
100kW<1MW	0.5ha<1.6ha	10m	500m	100m												
<100kW	<0.5ha	5m	500m	25m												
	<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>															
PO 9.4	<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>															
Hydropower / Pumped Hydropower Facilities																
PO 10.1	<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>															
PO 10.2	<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>															
PO 10.3	<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>DTS/DPF 10.3</p> <p>None are applicable.</p>															
Water Supply																
PO 11.1	<p>Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.</p>															
	<p>DTS/DPF 11.1</p> <p>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>															
PO 11.2	<p>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</p> <p>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. 															
Wastewater Services																
PO 12.1	<p>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 															
	<p>DTS/DPF 12.1</p> <p>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. 															

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
(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.		
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.	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.
Temporary Facilities			
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 temporary on-site waste storage enclosure to minimise the incidence of wind-blown litter.	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.
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)

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.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
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: (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)

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	

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
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 operation of public roads.	DTS/DPF 3.1 The access is: (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.	
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.	DTS/DPF 3.2 None are applicable.	
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.	DTS/DPF 3.3 None are applicable.	
PO 3.4 Access points are sited and designed to minimise any adverse impacts on neighbouring properties.	DTS/DPF 3.4 None are applicable.	
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.	DTS/DPF 3.5 Vehicle access to designated car parking spaces satisfy (a) or (b): (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: (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.	
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).	DTS/DPF 3.6 Driveways and access points: (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: (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.	
PO 3.7 Access points are appropriately separated from level crossings to avoid interference and ensure their safe ongoing operation.	DTS/DPF 3.7 Development does not involve a new or modified access or cause an increase in traffic through an existing access that is located within the following	

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
	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 integration and shared-use of adjacent car parking areas to reduce the total extent of vehicle parking areas and access points.	DTS/DPF 6.3 None are applicable.
PO 6.4 Pedestrian linkages between parking areas and the development are provided and are safe and convenient.	DTS/DPF 6.4 None are applicable.
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.	DTS/DPF 6.5 None are applicable.
PO 6.6 Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.	DTS/DPF 6.6 Loading areas and designated parking spaces are wholly located within the site.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
PO 6.7 On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.	DTS/DPF 6.7 None are applicable.	
Undercroft and Below Ground Garaging and Parking of Vehicles		
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.	DTS/DPF 7.1 None are applicable.	
Internal Roads and Parking Areas in Residential Parks and Caravan and Tourist Parks		
PO 8.1 Internal road and vehicle parking areas are surfaced to prevent dust becoming a nuisance to park residents and occupants.	DTS/DPF 8.1 None are applicable.	
PO 8.2 Traffic circulation and movement within the park is pedestrian friendly and promotes low speed vehicle movement.	DTS/DPF 8.2 None are applicable.	
Bicycle Parking in Designated Areas		
PO 9.1 The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.	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.	
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.	DTS/DPF 9.2 None are applicable.	
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 encourage cycling as a mode of journey-to-work transport.	DTS/DPF 9.3 None are applicable.	
Corner Cut-Offs		
PO 10.1 Development is located and designed to ensure drivers can safely turn into and out of public road junctions.	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: 	

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)
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Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
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	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. 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.
Group Dwelling	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. 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. 0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Residential Flat Building	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. 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. 0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Row Dwelling where vehicle access is from the primary street	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. 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.
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. 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.
Semi-Detached Dwelling	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. 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.
Aged / Supported Accommodation	
Retirement village	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling. 0.2 spaces per dwelling for visitor parking.
Supported accommodation	0.3 spaces per bed.
Residential Development (Other)	
Ancillary accommodation	No additional requirements beyond those associated with the main dwelling.
Residential park	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling. 0.2 spaces per dwelling for visitor parking.
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	Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation. Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation.

Policy24	P&D Code (In effect) Version 2023.5 30/03/2023
	A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.
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
Shop (no commercial kitchen)	1 space per 100m ² of outdoor area used for display purposes. 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
Community facility	10 spaces per 100m ² of total floor area.
Educational establishment	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. 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. For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any time.
Hall / meeting hall	0.2 spaces per seat.
Library	4 spaces per 100m ² of total floor area.
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)
Health Related Uses	
Consulting room	4 spaces per consulting room excluding ancillary facilities.
Hospital	4.5 spaces per bed for a public hospital. 1.5 spaces per bed for a private hospital.
Recreational and Entertainment Uses	
Cinema complex	.2 spaces per seat.
Concert hall / theatre	0.2 spaces per seat.
Hotel	1 space for every 2m ² of total floor area in a public bar plus 1 space for every 6m ² 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.
Indoor recreation facility	6.5 spaces per 100m ² of total floor area for a Fitness Centre 4.5 spaces per 100m ² of total floor area for all other indoor recreation facilities.
Industry/Employment Uses	
Fuel depot	1.5 spaces per 100m ² total floor area 1 spaces per 100m ² of outdoor area used for fuel depot activity purposes.
Industry	1.5 spaces per 100m ² of total floor area.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
Store	0.5 spaces per 100m2 of total floor area.	
Timber yard	1.5 spaces per 100m2 of total floor area	
	1 space per 100m2 of outdoor area used for display purposes.	
Warehouse	0.5 spaces per 100m2 total floor area.	
	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 100m2 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	
Development generally			
All classes of development	No minimum.	No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is: 1 space for each dwelling with a total floor area less than 75 square metres 2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres 3 spaces for each dwelling with a total floor area greater than 150 square metres. Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.	Capital City Zone City Main Street Zone City Riverbank Zone Adelaide Park Lands Zone Business Neighbourhood Zone (within the City of Adelaide) The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m2 of gross leasable floor area.	5 spaces per 100m2 of gross leasable floor area.	City Living Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
			Urban Neighbourhood Zone
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	6 spaces per 100m ² of gross leasable floor area.	Strategic Innovation Zone Suburban Activity Centre Zone Suburban Business Zone Business Neighbourhood Zone Suburban Main Street Zone Urban Activity Centre Zone
Tourist accommodation	1 space for every 4 bedrooms up to 100 bedrooms plus 1 space for every 5 bedrooms over 100 bedrooms	1 space per 2 bedrooms up to 100 bedrooms and 1 space per 4 bedrooms over 100 bedrooms	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
Residential development			
Residential component of a multi-storey building	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.	None specified.	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
Residential flat building	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.	None specified.	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

Table 2 - CriteriaThe 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
The designated area is wholly located within Metropolitan Adelaide and any part of the development site satisfies one or more of the following:	(a) All zones in the City of Adelaide (b) Strategic Innovation Zone in the following locations: (i) City of Burnside (ii) City of Marion (iii) City of Mitcham

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
(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⁾	(c) Urban Corridor (Boulevard) Zone	
(b) is within 400 metres of a bus interchange ⁽¹⁾	(d) Urban Corridor (Business) Zone	
(c) is within 400 metres of an O-Bahn interchange ⁽¹⁾	(e) Urban Corridor (Living) Zone	
(d) is within 400 metres of a passenger rail station ⁽¹⁾	(f) Urban Corridor (Main Street) Zone	
(e) is within 400 metres of a passenger tram station ⁽¹⁾	(g) Urban Neighbourhood Zone	
(f) is within 400 metres of the Adelaide Parklands.		

[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									
	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.									
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	<table border="1"> <thead> <tr> <th>Designated Area</th> <th>Relevant part of the State</th> </tr> </thead> <tbody> <tr> <td></td> <td>The bicycle parking rate applies to a designated area located in a relevant part of the State described below.</td> </tr> <tr> <td>All zones</td> <td>City of Adelaide</td> </tr> <tr> <td>Business Neighbourhood Zone Strategic Innovation Zone Suburban Activity Centre Zone Suburban Business Zone</td> <td>Metropolitan Adelaide</td> </tr> </tbody> </table>	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 Strategic Innovation Zone Suburban Activity Centre Zone Suburban Business Zone	Metropolitan Adelaide	
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 Strategic Innovation Zone Suburban Activity Centre Zone Suburban Business Zone	Metropolitan Adelaide									

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023
	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)

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:	DTS/DPF 2.3 None are applicable.

Policy24		P&D Code (in effect) Version 2023.5 30/03/2023	
potential environment harm.		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)

Desired Outcome	
DO 1	Appropriately designed and located accommodation for seasonal and short-term workers in rural areas that minimises environmental and social impacts.

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

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	DTS/DPF 1.3

Policy24	P&D Code (in effect) Version 2023.5 30/03/2023
Workers' accommodation and settlements are built with materials and colours that blend with the landscape.	None are applicable.
PD 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.

10 MATTERS DEFERRED

Nil

11 REVIEW OF DECISION OF ASSESSMENT MANAGER

Nil

12 ERD COURT MATTERS

Nil

13 CONCURRENCE APPROVALS

14 PROCEDURAL MATTERS

Nil

15 NEXT MEETING

Tuesday 22 August 2023

16 CLOSURE