



DISTRICT COUNCIL OF ROBE ASSESSMENT PANEL

Notice of Meeting

Pursuant to Section 83 of the Planning, Development and Infrastructure Act 2016, Notice is hereby given that a Meeting of the District Council of Robe Assessment Panel will be held on Wednesday, 29th September, 2021 at 11am at the District Council Chambers, Smillie Street, Robe.

A handwritten signature in blue ink that reads "D Dawson".

Damian Dawson
ASSESSMENT MANAGER

DISTRIBUTION LIST

Panel Members	Liz Travers – Presiding Member Meg Redman Mark Teakle Michael Talanskas Cr Ned Wright
Assessment Manager	Damian Dawson, Planning Chambers Pty Ltd

DISTRICT COUNCIL OF ROBE

ASSESSMENT PANEL

ORDER OF BUSINESS

1. **OPENING & WELCOME**
 - 1.1 **Acknowledgement of Traditional Owners**
2. **ATTENDANCE**
3. **APOLOGIES FOR ABSENCE**
4. **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
5. **BUSINESS WITH NOTICE**
6. **BUSINESS WITHOUT NOTICE**
7. **CONFLICT OF INTEREST**
8. **REPRESENTORS**
9. **EXCLUSION OF PUBLIC**
10. **APPLICATION**
 - 10.1 Application No. 21005006 – Lot 102 O’Byrne Avenue, Robe
 - 10.2 Application No. 21007156 – Lot 1 Backler Street, Robe
11. **CONCLUSION OF CLOSED MEETING**
12. **NEXT MEETING**
13. **CLOSURE**

1. OPENING & WELCOME

1.1 Acknowledgement of Traditional Owners

The District Council of Robe acknowledges that we are meeting on the traditional lands of the Boandik people and we respect their spiritual relationship with their Country. We also acknowledge the Boandik people's deep feelings of attachment and relationship with this land and that their cultural and heritage beliefs are still as important to the living Boandik people today.

1.2 The Presiding member to read the following statement to the Applicant/Owner/Representor that attended the meeting:-

- As from 1st October 2017, every Council is required to establish an Assessment Panel under provisions within the new Planning, Development and Infrastructure Act 2016 to determine and make decisions on development application as delegated to the Panel.
- When the Panel is considering an application, it must assess the proposal against the Planning and Design Code.
- The meeting itself is informal, however all decisions made by the Assessment Panel are formal.
- Representors will be allocated 5 minutes to make their presentation, after which, Panel Members may ask questions to clarify any issues. It is solely a questions and answer session. There will be no debate entered into.
- Once the Panel has heard all representations, you will be asked to leave as the Assessment Panel holds its discussions and reaches its decisions in confidence.
- Council Officer's will advise you of the decision as soon as practical after the meeting.

2. ATTENDANCE

3. APOLOGIES FOR ABSENCE

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

District Council of Robe
Council Assessment Panel

Minutes of the Special Council Assessment Panel Meeting held 25 August, 2021 commencing at 4pm held via Zoom.

PRESENT

Liz Travers (Presiding Member), Cr Ned Wright (Elected Member), Meg Redman (Independent Member) and Mark Teakle (Independent Member).

APOLOGY

Michelle Gibbs (Development Officer)

IN ATTENDANCE

Damian Dawson (Assessment Manager)

OPENING AND WELCOME

Acknowledgement of Traditional Owners.

Presiding Member welcomed members and staff to the meeting.

EXCLUSION OF PUBLIC

Cr N Wright moved that the Panel resolves that it will exclude the public from attendance during that part of the meeting that consists of its discussion or determination by the Panel under Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017, excepting for the following persons:-

- Damian Dawson (Assessment Manager)

Seconded Mr M Talanskas

Carried

The Panel moved into "Confidence" at 4.05pm.

ITEM FOR ERD COURT HEARING AND DECISION

Development No. 21000972
Applicant: Tim Rogers and Sonia Legoe
Address: 22 McIntyre Street, Robe
Nature of Development: Two storey dwelling

Moved Cr N Wright that:

The Assessment Panel resolve to accept the compromise plans submitted by Timothy Rogers and Sonia Legoe for Development Application Number 21000972 and

delegate authority to the Assessment Manager to negotiate planning consent conditions with the ERD Court and appellant.

Seconded Mr M Talanskas

Carried

CONCLUSION OF CLOSED MEETING

Moved Ms M Redman that the Panel resolves to conclude its exclusion of the public from attendance at the meeting under Regulation 13(2)(b) of the Planning, Development and Infrastructure (General) Regulations 2017.

The Panel moved out of "In Confidence" at 4.25pm.

Seconded Mr M Teakle

Carried

CLOSURE

Meeting closed at 4.30pm



ASSESSMENT MANAGER

PRESIDING MEMBER

5. BUSINESS WITH NOTICE

6. BUSINESS WITHOUT NOTICE

7. CONFLICT OF INTEREST

8. REPRESENTORS

The following representors and applicants/owners wish to be heard at the meeting -

- | | | |
|-----|---|-----------|
| 8.1 | Jeremy Leeson (representor) | In person |
| | Clint Mitchell, Empak Homes (applicant) | Zoom |
| 8.2 | Jim Jess (representor) | Zoom |
| | Bill Spiers, Robe Golf Club | In person |

9. EXCLUSION OF PUBLIC

moved that the Panel resolves that it will exclude the public from attendance during that part of the meeting that consists of its discussion or determination by the Panel under Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017, excepting for the following persons:-

- Damian Dawson (Assessment Manager)
- Michelle Gibbs (Development Officer/Minute Taker)

Seconded

10. DEVELOPMENT APPLICATIONS

11. CONCLUSION OF CLOSED MEETING

moved that the Panel resolves to conclude its exclusion of the public from attendance at the meeting under *Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017*.

Seconded

12. NEXT MEETING

13. CLOSURE

DEVELOPMENT NO.:	21005006
APPLICANT:	Empak Homes
ADDRESS:	LOT 102 O'BYRNE AV ROBE
NATURE OF DEVELOPMENT:	Two storey detached dwelling
ZONING INFORMATION:	<p>Zone:</p> <ul style="list-style-type: none"> • Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Affordable Housing • Hazards (Bushfire - Urban Interface) • Hazards (Flooding - Evidence Required) • Native Vegetation • Prescribed Wells Area • Water Protection Area <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Minimum Frontage • Minimum Site Area • Maximum Building Height (Levels)
LODGEMENT DATE:	6 May 2021
RELEVANT AUTHORITY:	District Council of Robe Assessment panel
PLANNING & DESIGN CODE VERSION:	Version 2021.5 22 April 2021
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	John Mason Consultant Planner – Planning Chambers
REFERRALS STATUTORY:	None
REFERRALS NON-STATUTORY:	None

CONTENTS:

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DETAILED DESCRIPTION OF PROPOSAL:

The proposal seeks the construction of a two-storey detached dwelling upon the subject land. The proposed dwelling will have a minimum setback of six metres from the south-eastern front boundary (O'Byrne Avenue), 6.74 metres from the rear boundary, 900mm from the northern (Dennis Avenue) boundary and 3.7 metres from the south-western boundary. The proposal will have a floor area of 120m² on the ground floor and 140m² on the first floor.

The dwelling will contain a single carport, three (3) bedrooms and family room on the ground floor and one (1) master bedroom, open plan living with kitchen and deck at the upper level.

The dwelling will have a wall height of 5.48 metres when measured from the finished floor level with an overall roof height of approximately 7.5 metres when measured from natural ground level.

Vehicle access to the site is gained via a new crossover from O'Byrne Avenue located at the south-eastern end of the lot.

The dwelling will be connected to a rainwater tank located along the rear boundary and a new septic tank feeding into Council's CWMS system.

External materials and finishes comprise of a mixture of stonework, rendered Harditex Cladding, stainless steel, and metal sheet roofing.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: LOT 102 O'BYRNE AV ROBE

Title ref.: CT 6090/2 **Plan Parcel:** D88612 AL102 **Council:** DC OF ROBE

The subject land is described in Certificate of Title Volume 6090 Folio 2 as being Allotment 102 in Deposited Plan 88612. The land has a frontage of 21.1 metres to O'Byrne Avenue, 8.33m to Powell Avenue, 18.27m to Dennis Avenue and a site area of 556m².

The land is currently vacant of any built form and vegetation. The allotment is located at the intersection of O'Byrne Avenue, Powell Avenue and Dennis Avenue.

Locality

The locality is predominantly characterised by low density residential allotments, with site areas ranging from approximately 500m² to 800m² consisting primarily of single and two storey detached dwellings.

The immediate locality can be characterised by a two storey detached dwelling to the south-west (north facing dwelling) and a two storey detached dwelling to the south (east facing). The Long Beach coastal dunes are located within 100m of the subject land.



Figure 1: Subject Land and Locality

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Detached dwelling: Code Assessed - Performance Assessed
New housing
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code – Not listed as DTS or Restricted within the Zone.

PUBLIC NOTIFICATION

- **REASON**
Table 5 – the dwelling exceeds one storey in height.

- LIST OF REPRESENTATIONS

Representations Received			
		Support / Oppose	Wish to be Heard
1	Mr. Jeremy Leeson 19 Skylark Close, Flagstaff Hill	Oppose	Yes



LEGENDS
 — SUBJECT LAND
 ● REPRESENTOR

Figure 3: Representation Map

- SUMMARY

A summary of the representor comments and the applicant’s response is provided below:

Summary of Representations	
Representation	Applicant’s Response
900mm setback to secondary setback is short of the requirement.	No comment
Privacy and overlooking an issue specifically, the balcony will enable views into a living room.	Privacy screening has been added to the balcony in front of bed 1 and this is considered an adequate compromise.
Dwelling design will impact on the resale value of the property.	No Comment.

Discussion:

The setbacks and privacy/overlooking are considered in the planning assessment section below. Property values and economic impact of development are not a planning consideration with regard to the Planning and Design Code or the *Planning, Development and Infrastructure Act, 2016*.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

Nil

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

The subject land is located within the Neighbourhood Zone. The assessment of the proposal has been limited to the provisions within the zone along with the relevant overlays and general polices as outlined within the attached extract of the Code provisions.



Figure 3: Zone Map

Quantitative Provisions

The following table provides an assessment against the relevant quantitative provisions contained within the P&D Code:

	Requirement	Proposal
Building Height	1 Level	2 Level
Site Coverage	60%	31%
Primary Street Setback	Where there is only one existing building on adjoining sites which face the same primary street, not less than the setback to the building line of that building or not less than 5m where no building exists on an adjoining site with the same primary street frontage.	6m with minor encroachment of portico/ stonework feature
Side Boundary Setback	900 mm for walls up to 3 m height then an additional 1/3 of the wall height above 3 m <ul style="list-style-type: none"> - Proposed wall height of 6.2 m on western side requires a setback of 1.9 metres - Proposed wall height of 3 m on eastern side requires 900 mm 	South - Western Boundary – 3.7m to carport and 7.3m to dwelling
Secondary Street Setback	900mm from the boundary of the allotment with the secondary street frontage	900mm to upper level deck/ balcony
Rear Boundary	- 4 m for the first building level - 6 m for any second building level	Ground floor - 5.8 m (min) Upper level – 6 m

The proposal easily satisfies the side boundary setback provisions outlined above. It exceeds the building height requirement by one storey and is at odds with the front boundary setback requirements when considered in relation to the setback of the adjoining dwelling to the south. Both of these elements are discussed further below.

Land Use

As noted below the Desired Outcome of the Neighbourhood Zone encourages the development of dwellings consistent with the existing characteristics of the locality.

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.

The proposed construction of a detached dwelling upon the land satisfies the desire of the zone for residential development as noted within DO 1 and Performance Outcome (PO) 1.1 and Designated Performance Feature (DPF) 1.1 which lists detached dwellings as an envisaged land use.

The subject land is an existing residential allotment which satisfies the minimum allotment size and frontage to accommodate a detached dwelling. The development of a dwelling upon the land is therefore supported.

Building Height

The Neighbourhood Zone provides the following guidance in relation to building height:

PO 4.1

Building height is consistent with the maximum height expressed in any relevant Building Height Technical and Numeric Variation, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.

DTS/DPF 4.1

Building height (excluding garages, carports and outbuildings) is no greater than:

Maximum building height is 1 level

The proposed two-storey detached dwelling exceeds the maximum building height/levels by one level. It is noted that there several dwellings within the locality and along Dennis Avenue and O'Byrne Avenue that are two storeys in height, with many more across the Neighbourhood Zone in Robe. The additional building height proposed is not considered to be fatal to the assessment of the application, as it is still consistent with the prevailing character and complementary to the height of nearby buildings as sought by PO 4.1.

The differentiation in external materials between the lower and upper levels, together with the use of larger windows, balcony and portico, provides for a suitable degree of articulation and detailing to reduce the overall visual scale and bulk of the building.

Setbacks, Design & Appearance

As noted above the proposal satisfies the relevant side and rear setback requirements. The Neighbourhood Zone provides the following guidance in relation to the setback of dwellings from the primary street frontage:

PO 5.1

Buildings are set back from primary street boundaries consistent with the existing streetscape.

DTS/DPF 5.1

The building line of a building set back from the primary street boundary:

- a. at least the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment)*
- b. where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), not less than the setback to the building line of that building*

or

- c. not less than 5m where no building exists on an adjoining site with the same primary street frontage.*

The proposed primary street setback of six metres is sufficient, given it only marginally sits forward of the dwelling to the southwest, which achieves an approximate 6.5m setback to the second storey balcony. The portico encroaching forward of the front of the proposed dwelling is considered to improve its overall design when viewed from O'Byrne Avenue and is inconsequential to the front setback requirement.

The following provisions provide guidance as to the general design and appearance of dwelling sought within the Zone:

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 2m² facing the primary street.*

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 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.

Dwelling Type	Minimum Rate
Dwelling (at ground level)	<p>Total private open space area:</p> <ol style="list-style-type: none"> 1. Site area <301m²: 24m² located behind the building line. 2. Site area ≥ 301m²: 60m² located behind the building line. <p>Minimum directly accessible from a living room: 16m² / with a minimum dimension 3m.</p>
Dwelling (above ground level)	<p>Studio (no separate bedroom): 4m² with a minimum dimension 1.8m</p> <p>One bedroom: 8m² with a minimum dimension 2.1m</p> <p>Two bedroom dwelling: 11m² with a minimum dimension 2.4m</p> <p>Three + bedroom dwelling: 15m² with a minimum dimension 2.6m</p>

The proposed dwelling is appropriately designed and sited to overlook the public realm and roadways. The dwelling takes advantage of the views to the north and towards the coast and dunes areas. The upper level living areas and upper level deck all look to the north providing passive surveillance of Dennis Avenue and the south facing ground level living room provides an outlook to O'Byrne Avenue.

The rear garden provides a suitable area of private open space to supplement the upper level deck with sufficient space for meaningful landscaping within both front, side and rear yards.

The dwelling design is contemporary and utilises a range of natural materials and finishes consistent with the beachside character of Robe. It is sufficiently setback from the adjoining boundaries to not be overbearing or

result in any significant overshadowing or overlooking. Living areas are proposed at upper level of the dwelling to take advantage of solar orientation and good passive solar design, with high levels of natural light and ventilation provided.

Overall, the design and appearance of the proposed dwelling is supported with an appropriate mixture of materials proposed and a high level of residential amenity anticipated.

Traffic Impact, Access and Parking

The following zone provisions provide guidance regarding access and 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.

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.*

A new crossover/access is proposed from O'Byrne Avenue. The access point is clear of any infrastructure within the road reserve and appropriately located to provide safe and convenient access to the subject allotment.

A single carport with driveway exceeding 5.5m is proposed and will provide a sufficient level of off-street parking for the proposed dwelling.

Impacts/interface

Consideration has been given to the potential impacts of the proposal upon the adjoining dwellings to the west and southwest. As noted above, the proposed dwelling achieves the minimum setback of 900mm to the secondary street boundary (Dennis Avenue). Whilst it is noted that the proposed dwelling will sit forward of the adjoining dwelling to the west on Dennis Avenue, there is an adequate degree of separation between them. The proposed side and rear setbacks will allow the adjoining dwelling to the west to retain views from their upper-level windows to the north. The proposal will potentially limit some views currently enjoyed to the east, however the desired rear setback is exceeded with the proposal and the open nature of the proposed rear balcony will still allow some views through it in this direction.

It is noted that the applicant has amended the plans following concerns raised by the western neighbour during the public notification period. Additional screening has been added to the southern end of the western edge of the rear deck to limit views into the adjoining property. The views from the upper level of the proposed dwelling will generally be directed towards Dennis Avenue across the public road and portion of the front yard of 4 Dennis Avenue as shown within Figure 4 below. This is considered to be acceptable in this instance given the open nature of front yards within the locality.



Figure 4: View south from Dennis Avenue toward the subject land (behind fence on the left-hand side) and two storey neighbouring property at 4 Dennis Avenue.

The adjoining dwelling to the south on O'Byrne Avenue is not considered to be impacted with the proposed dwelling achieving a comparable front setback with screening proposed on the southern elevation of the balcony.

Overlays

The following Overlays apply to the subject land:

- Affordable Housing
- Hazards (Bushfire Urban Interface)
- Hazards (Flooding Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

There are no specific provisions within the overlays that are of relevant to the assessment of the proposal in this instance.

CONCLUSION

The proposal seeks to develop a well-considered and designed two storey detached dwelling upon the subject land. The dwelling on balance, achieves the relevant provisions regarding side and rear setbacks, private open space, site coverage and car parking. The proposal exceeds the desired minimum building height of one level, however the two storey design is consistent with the established character of two storey dwellings along O'Byrne Avenue, Dennis Avenue and within the wider Neighbourhood Zone of Robe.

The dwelling will sit forward of the neighbouring dwelling to the west however, it does accord with the desired secondary street setback to Dennis Avenue and desired rear setback of six metres. Overlooking is not considered unreasonable toward this neighbouring property, noting that the front yard is open to Dennis Avenue.

Overall, the proposal is considered to achieve the intent of the Code in relation to the development of dwellings within the Neighbourhood Zone.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. 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
2. Development Application Number 21000972, by Empak Homes is granted Planning Consent subject to the following conditions:

CONDITIONS

1. The Development shall be carried out in accordance with plan/s and details as approved by Council except where required to be varied by any condition of consent or where approval is sought from and granted by Council, for any variation. Reason: To ensure the development proceeds in an orderly manner.
2. The front setback area (between the front property boundary and front of the dwelling) shall be landscaped with suitable trees, shrubs, lawn and/or ground cover and may include some paving, retaining and the like. Such landscaping shall be completed within 2 years of completion of the dwelling and shall be maintained in good condition at all times and any dead or diseased vegetation shall be promptly replaced to the reasonable satisfaction of Council.
3. The 1500mm high rendered privacy screen to be constructed on the upper level balcony shall be completed prior to occupation of the dwelling.
4. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - (a) result in the entry of water into a building; or
 - (b) affect the stability of a building or;
 - (c) create unhealthy or dangerous conditions on the site or within the building; or
 - (d) flow or discharge onto the land or an adjoining owner and not flow across property boundaries and onto the adjoining road.
5. Approval shall be obtained from the District Council of Robe for a new On-Site Wastewater system or alteration to an existing system prior to issue of Development Approval. An application form can be downloaded from Council's website and submitted with a wastewater engineers report (if applicable) and relevant plans. Once approval has been granted, please upload the Wastewater Approval to PlanSA ePlanning Platform.

ADVISORY NOTES

General Notes

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.

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.

OFFICER MAKING RECOMMENDATION

Name: John Mason

Title: Consultant Planner

Date: 24 September 2021

ATTACHMENT 1

Application Documents

Development Locations

Location 1

Location reference

LOT 102 O'BYRNE AV ROBE SA 5276

Title Ref

CT 6090/2

Plan Parcel

D88612 AL102

Council

DC OF ROBE

Zone Overlays

Zones

- Neighbourhood

Sub-zones

(None)

Overlays

- Affordable Housing
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

Variations

- Minimum Frontage
- Minimum Site Area
- Maximum Building Height (Levels)

Application Contacts

Applicant(s)

Stakeholder info

Empak Homes
SHOP 3 125 NORTH TERRACE
MOUNT GAMBIER
SA
5290
Tel. 87257066
admin@empak.com.au

Contact

Stakeholder info

Miss April Hockey
Tel. 0887257066
april@empak.com.au

Invoice Contact

Stakeholder info

Empak Homes
SHOP 3 125 NORTH TERRACE
MOUNT GAMBIER
SA
5290
Tel. 87257066
admin@empak.com.au

Invoice sector type**Land owners****Stakeholder info**

Mr Simon Cox
PO Box 41
Penola
SA
5277
Tel. 0418 174 069
simonacox@icloud.com

Stakeholder info

Mrs Debra Cox
PO Box 41
Penola
SA
5277
Tel. 0418 174 069
simonanddebcox@bigpond.com

Nature Of Development**Nature of development**

Private Dwelling

Development Details**Current Use**

Vacant Land

Proposed Use

Private Dwelling

Development Cost

\$369,170.00

Proposed Development Details

Private Dwelling

Element Details

You have selected the following elements

New housing**New House**

Is there a brush fence within 3m of the proposed house?

No

Are you proposing to add or modify a driveway?

No

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?

Unsure

Consent Details

Have any of the required consents for this development already been granted using a different system?

No

Consent list:

- Planning Consent
- Building Consent

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at District Council of Robe

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Relevant Authority

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

Native Vegetation Declaration

The proposed development will not or would not, involve the clearance of Native Vegetation under the Native Vegetation Act 1991, including any clearance that may occur in connection with a relevant access point and/or driveway, and/or within 10m of a building (other than a residential building or tourist accommodation), and/or within 20m of a dwelling or

addition to an existing dwelling for fire prevention and control, and/or 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.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
0367 (Certificate of Title) 20210323162047353.pdf	Certificate of Title	14 Apr 2021 2:08 PM
20_358_SK2_REV_B.pdf	Floor Plans	14 Apr 2021 2:08 PM

Application Created User and Date/Time

Created User

april.hockey

Created Date/Time

14 Apr 2021 2:08 PM

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 6090 Folio 2

Parent Title(s) CT 5595/132
Creating Dealing(s) RTU 11694612
Title Issued 25/01/2012 Edition 4 Edition Issued 08/11/2017

Estate Type

FEE SIMPLE

Registered Proprietor

SIMON ANDREW COX
DEBRA TERRE COX
OF PO BOX 41 PENOLA SA 5277
AS JOINT TENANTS

Description of Land

ALLOTMENT 102 DEPOSITED PLAN 88612
IN THE AREA NAMED ROBE
HUNDRED OF WATERHOUSE

Easements

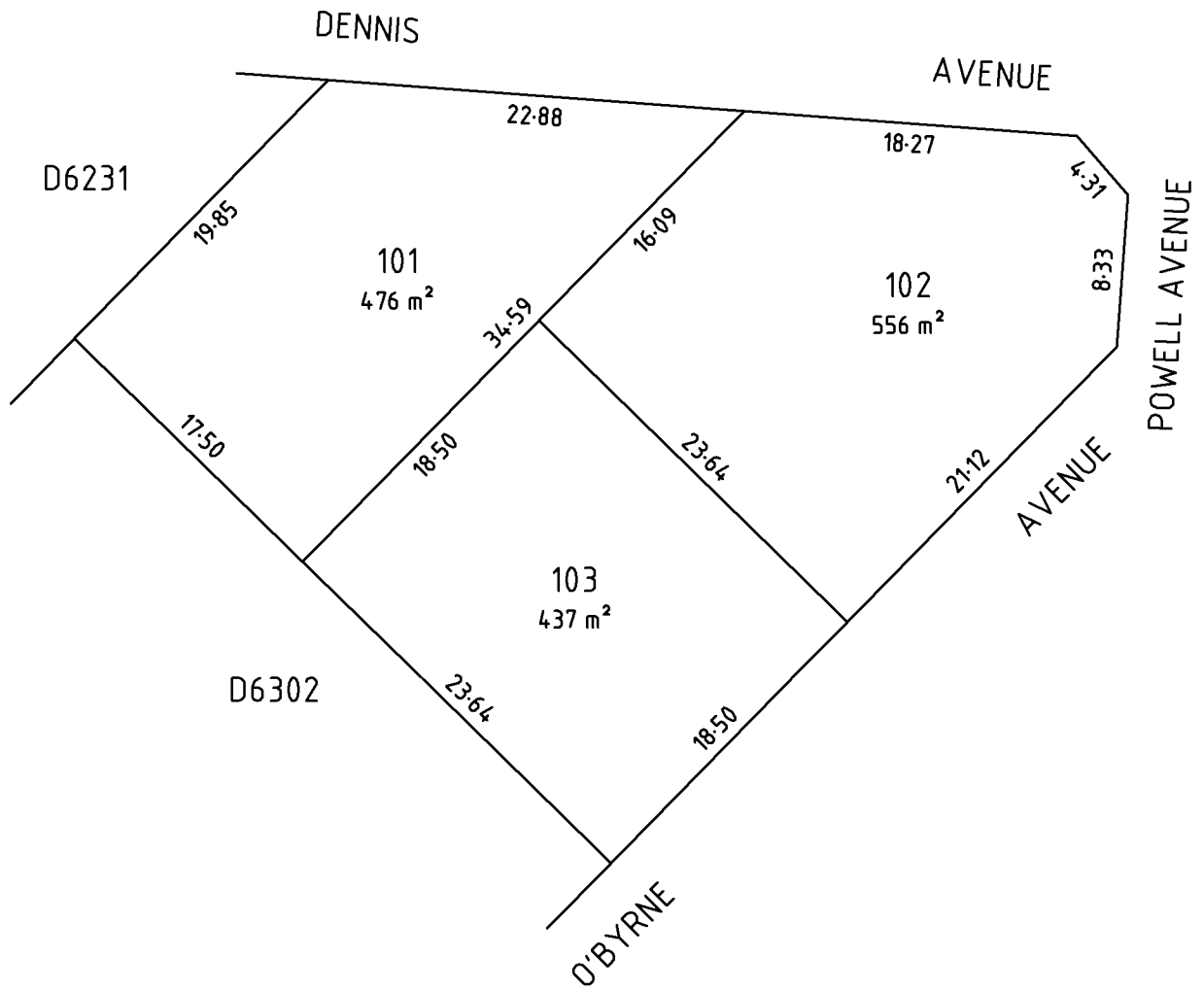
NIL

Schedule of Dealings

Dealing Number	Description
12818533	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

Notations

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



Certificate of Title

Title Reference: CT 6090/2
Status: CURRENT
Parent Title(s): CT 5595/132
Dealing(s) Creating Title: RTU 11694612
Title Issued: 25/01/2012
Edition: 4

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
30/10/2017	08/11/2017	12818533	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)
30/10/2017	08/11/2017	12818532	TRANSFER	REGISTERED	SIMON ANDREW COX, DEBRA TERRE COX
30/10/2017	08/11/2017	12818531	DISCHARGE OF MORTGAGE	REGISTERED	11816050
26/02/2016	31/03/2016	12484812	WITHDRAWAL OF CAVEAT	REGISTERED	12010779
26/09/2013	30/09/2013	12010779	CAVEAT	REGISTERED	COMMISSIONER OF STATE TAXATION
06/09/2012	18/09/2012	11816050	MORTGAGE	REGISTERED	BENDIGO & ADELAIDE BANK LTD. (ACN: 068 049 178)
06/09/2012	18/09/2012	11816046	DISCHARGE OF MORTGAGE	REGISTERED	10544310
13/09/2006	28/09/2006	10544310	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION

ENERGY EFFICIENCY DEEMED TO SATISFY

NCC PART 3.12 COMPLIANCE

3.12.0.1 - HEATING & COOLING LOADS

(a) (i) - REFER TO FIRSTRATE REPORT FOR 6 STAR RATING

3.12.1 - BUILDING FABRIC

OPTION 1 - REFER TO FIRSTRATE REPORT FOR 6 STAR RATING
R-VALUE OF ADDED INSULATION

ROOF 'SURFMIST' COLOUR & R4.0 BATTS
INT WALLS R2.0 BATTS
EXT WALLS R2.0 BATTS & SULATION
FLOOR CONCRETE SLAB ON GROUND

TESTING & INSTALLATION OF ALL INSULATION TO BE IN ACCORDANCE WITH PART 3.12.1

ALL IN SLAB HEATING SYSTEMS MUST HAVE SLAB EDGE INSULATION IN ACCORDANCE WITH PART 3.12.1.5 (c)

3.12.2 - EXTERNAL GLAZING

OPTION 1 - REFER TO FIRSTRATE REPORT FOR 6 STAR RATING

ALL GLAZING REQUIRED TO ACHIEVE THE BELOW STATED U-VALUE & SHGC VALUE UNLESS NOTED OTHERWISE:
ALUMINIUM SLIDING WINDOW - U=6.30 & SHGC=0.76
ALUMINIUM SINGLE/DBL HUNG - U=6.33 & SHGC=0.74
ALUMINIUM AWNING WINDOW - U=6.23 & SHGC=0.71
ALUMINIUM FIXED WINDOW - U=6.30 & SHGC=0.76
ALUMINIUM SLIDING DOOR - U=6.85 & SHGC=0.77

3.12.3 - BUILDING SEALING

OPTION 1 - REFER TO FIRSTRATE REPORT FOR 6 STAR RATING

CHIMNEYS & FLUES, ROOF LIGHTS, EXTERNAL WINDOWS & DOORS, EXHAUST FANS, ROOFS, WALLS & FLOORS AND EVAPORATIVE COOLERS ALL MUST BE FITTED AND INSTALLED IN ACCORDANCE WITH PART 3.12.3 TO MINIMISE AIR LEAKAGE AND SEAL THE BUILDING & ALL EXHAUST FANS MUST BE SEALED

3.12.4 - AIR MOVEMENT

OPTION 1 - REFER TO FIRSTRATE REPORT FOR 6 STAR RATING

NATURAL LIGHT TO PROVIDED TO ALL HABITABLE ROOMS NO LESS THAN 10% OF THE FLOOR AREA & NO LESS THAN 5% VENTILATION TO BE PROVIDED AS REQUIRED BY PART 3.8.5

3.12.5 - SERVICES

A HEATED WATER SERVICE MUST BE DESIGNED & INSTALLED IN ACCORDANCE WITH THE WATERWORKS ACT 1932 & THE WATERWORKS REGULATIONS 1996 - REGULATED BY SA WATER

CENTRAL HEATING WATER PIPING SHALL BE PROVIDED WITH INSULATION TO THE INLET & OUTLET PIPES FOR A MINIMUM OF 500MM IN EACH DIRECTION. PIPES ON THE EXTERIOR OF A BUILDING SHALL HAVE A MINIMUM R0.6 INSULATION & INTERNAL PIPES A MINIMUM OF R0.45. A HEAT TRAP SHALL BE INSULATED AT THE OUTLET OF THE HOT WATER SERVICE.

HEATING & COOLING DUCTWORK SHALL BE A MINIMUM OF R1.5 UNDER SUSPENDED FLOORS & IN ROOF SPACES & A MINIMUM OF R1.0 IS ALLOWED FOR HEATING ONLY OR COOLING ONLY SYSTEMS.

ELECTRICAL RESISTANCE SPACE HEATING THAT SERVES MORE THAN ONE ROOM MUST HAVE SEPARATE ISOLATING SWITCHES FOR EACH ROOM & SEPARATE TEMP CONTROLLER AND TIME SWITCH FOR EACH GROUP OF ROOMS WITH COMMON HEATING NEEDS & POWER LOADS OF NOT MORE THAN 110W/SQM FOR LIVING AREAS & 150W/SQM FOR BATHROOMS

THE LAMP POWER DENSITY OF ARTIFICIAL LIGHTING MUST NOT EXCEED 5W/SQM FOR CLASS 1 BUILDINGS, 4W/SQM TO VERANDAS OR BALCONIES & 3W/SQM TO CLASS 10 BUILDINGS

A WATER HEATER IN A HOT WATER SUPPLY SYSTEM MUST BE A SOLAR HEATER OR A HEAT PUMP HEATER COMPLYING WITH 3.12.5.6(b) OR A GAS WATER HEATER COMPLYING WITH 3.12.5.6(c) OR AN ELECTRIC RESISTANCE HEATER ONLY AS DESCRIBED IN 3.12.5.6(d)

RAINWATER TANKS

RAINWATER TANK TO BE INSTALLED IN LOCATION SHOWN ON SITE PLAN OF CAPACITY NOT LESS THAN 1 KILOLITRE (1000 LITRES) AND CATCHMENT AREA OF NOT LESS THAN 50SQM.

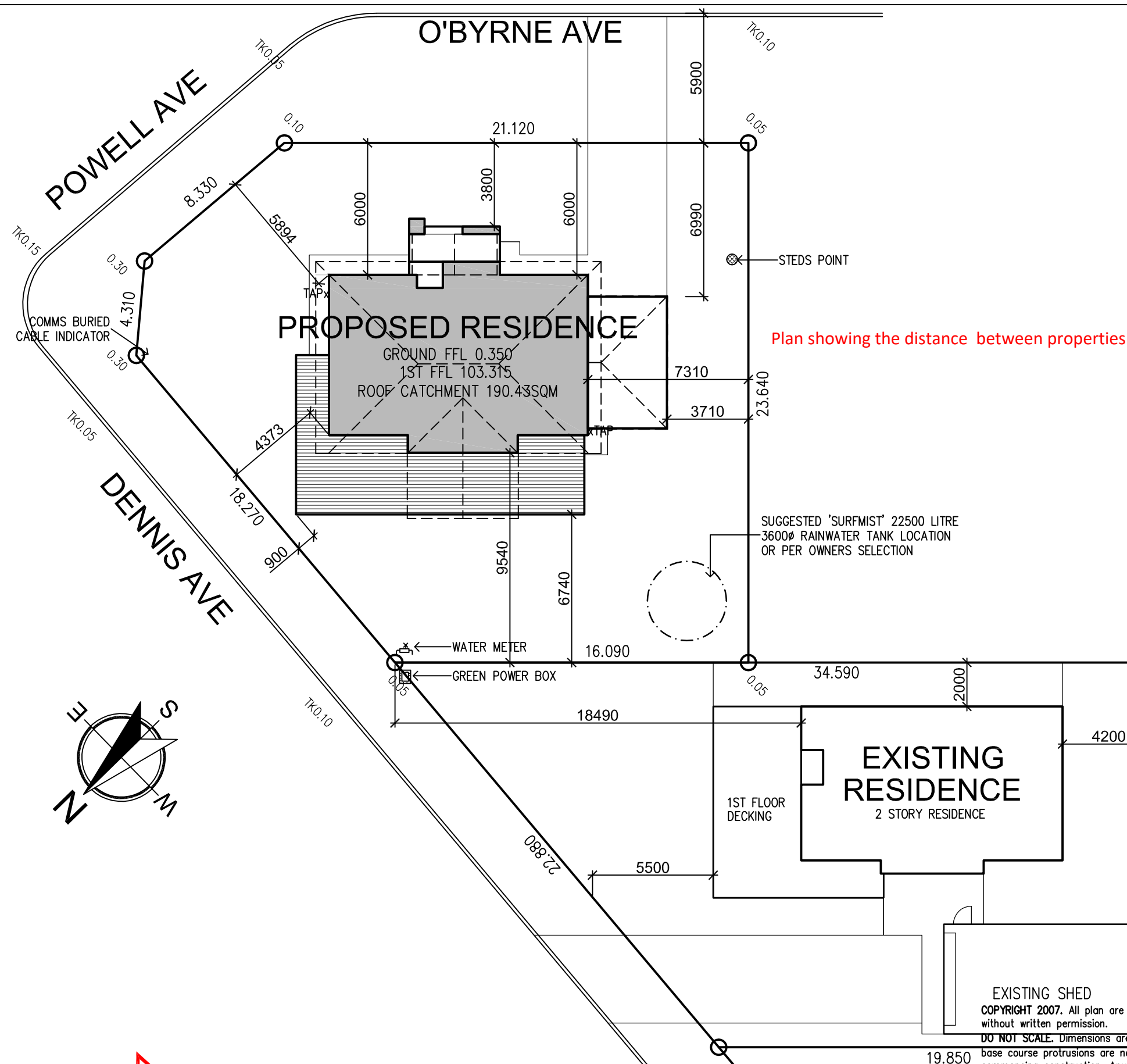
PROVIDE MOSQUITO PROOF, NON DEGRADABLE SCREEN TO PROTECT WATER QUALITY & OVERFLOW TO BE PLUMBED TO STREET OR SOAKAGE PITS TO COUNCILS REQUIREMENTS.

DELIVER RAINWATER TO A WC TOILET, WATER HEATER OR THE COLD WATER OUTLETS IN THE LAUNDRY.

FLOOR COVERINGS

UNLESS NOTED OTHERWISE ON FLOOR PLANS FLOOR COVERINGS SHALL BE AS FOLLOWS:

BEDROOM, FAMILY & LOUNGE - CARPET
KITCHEN, DINING & WET AREAS - TILED
GARAGE - NONE



ALL DIMENSIONS ON SITE PLAN ARE TAKEN FROM THE EXTERNAL WALL OF THE PROPOSED RESIDENCE REFER TO ATTACHED REPORT FOR ENERGY RATING LEVELS SHOWN ARE FOR INDICATIVE PURPOSES ONLY

GUTTERS DOWNPIPES & OVERFLOW PROVISION

NCC PART 3.5.2.3 to 3.5.2.5

RAINFALL DURATION INTENSITIES

LOCATION ROBE
100 yr 5 MIN RFI (mm/h) 144

3.5.2.3 - GUTTER SELECTION

ROOF AREA (sqm) 190.43
NO. OF DOWNPIPES 5
CATCHMENT PER DP 38.09

EAVES GUTTERS MUST BE PROVIDED IN ACC WITH THE FOLLOWING FOR DESIGN RAINFALL INTENSITY 160 mm/h MAX.

MAX ROOF CATCHMENT PER DOWNPIPE
UP TO 50SQM - GUTTERS TYPE A or C
UP TO 60SQM - GUTTERS TYPE A or E
UP TO 70SQM - GUTTERS TYPE B or E

GUTTER TYPE A, MED RECT GUTTER - 6500mm2
GUTTER TYPE B, LARGE RECT GUTTER - 7900mm2
GUTTER TYPE C, 115mm D GUTTER - 5200mm2
GUTTER TYPE D, 125mm D GUTTER - 6300mm2
GUTTER TYPE E, 150mm D GUTTER - 9000mm2

3.5.2.4 - INSTALLATION / OVERFLOW

GUTTERS MUST BE INSTALLED WITH A FALL OF NOT LESS THAN 1:500 FOR EAVES GUTTERS UNLESS FIXED TO METAL FASCIAS AND 1:100 FOR BOX GUTTERS. EAVES GUTTERS MUST BE SUPPORTED BY BRACKETS SECURELY FIXED AT STOP ENDS AND NOT MORE THAN 1.2M CENTRES AND CAPABLE OF REMOVING THE OVERFLOW VOLUME SHOWN BELOW AS PER TABLE 3.5.2.3. OVERFLOW PROVISION DO NOT APPLY TO AN EAVE > 450MM WHICH HAS NO LINING OR A RAKED EAVE OR VERANDAH SLOPING AWAY FROM THE BUILDING.

RIDGE TO GUTTER MAX (m) 5.131

OVERFLOW MIN REQ (L/s/m) 0.25

OVERFLOW MEASURES TO BE IN ACCORDANCE WITH TABLE 3.5.2.4 WILL ACHIEVE THE FOLLOWING VALUES

0.5L/S/M - FRONT FACED SLOTTED GUTTER WITH MIN SLOT AREA 1200mm2 PER METRE AND THE LOWER EDGE OF THE SLOT IS 25MM BELOW THE TOP OF THE FASCIA
1.0L/S/M - A PERMANENT 10MM SPACER INSTALLED BETWEEN GUTTER AND FASCIA FOR CONTROLLED BACK GAP
1.5L/S/M - FRONT BEAD OF GUTTER INSTALLED A MINIMUM OF 10MM BELOW THE BACK OF THE FASCIA

3.5.2.5 - DOWNPIPES

DOWNPIPES MUST NOT SERVE MORE THAN 12M OF GUTTER LENGTH FOR EACH DOWNPIPE AND BE LOCATED AS CLOSE AS POSSIBLE TO VALLEY GUTTERS.
90° DOWNPIPES HAVE BEEN SELECTED TO SUIT ALL GUTTER TYPES A,B,C,D & E

TOTAL GUTTER LENGTH (m) 49.41
LENGTH PER DP (m) 9.88

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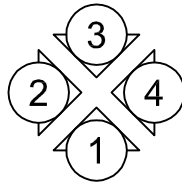
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EMPAK HOMES
BUILDERS and CONTRACTORS
Builder's Licence: G8717
ABN 42 667 615 109

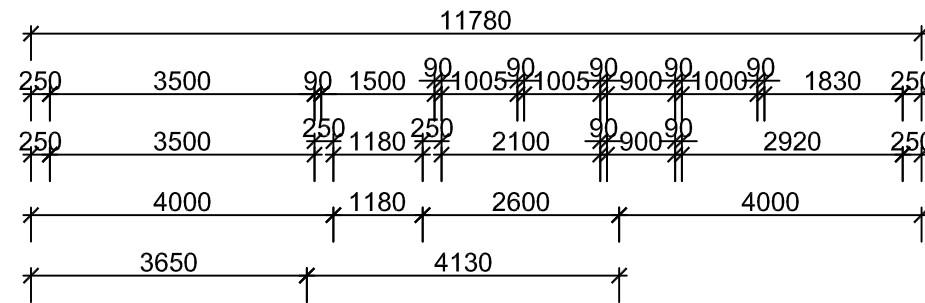
Shop 3 / 4, 125 North Terrace
Conroe Heights, MT. GAMBIER, S.A. 5290
Phone: (08) 8725 7066 Fax: (08) 8725 8482

REV:	DETAILS:	DATE:	BY:	SITE PLAN			CLIENT
G	ADD NEIGHBOUR TO SITE PLAN	10.09.21	BKT	DRAWN	S HARGREAVES	Bushfire Risk Classification	PROPOSED RESIDENCE
C	CHGS AS REQUESTED	12.04.21	SH	DATE	09.12.20	Wind Speed Classification	S & D COX
D	CHGS TO PORTICO AS REQUESTED	17.06.21	SH	SCALE	1:200	GEN N3	LOT 102 CRN DENNIS, POWELL & O'BYRNE AVE, ROBE
E	CHGS TO PORTICO AS REQUESTED	30.06.21	SH	JOB NO.	20_358		
F	UPDATES AS REQUESTED	04.08.21	BKT	SHEET NO.	17 OF 18		

Sheet size
A3



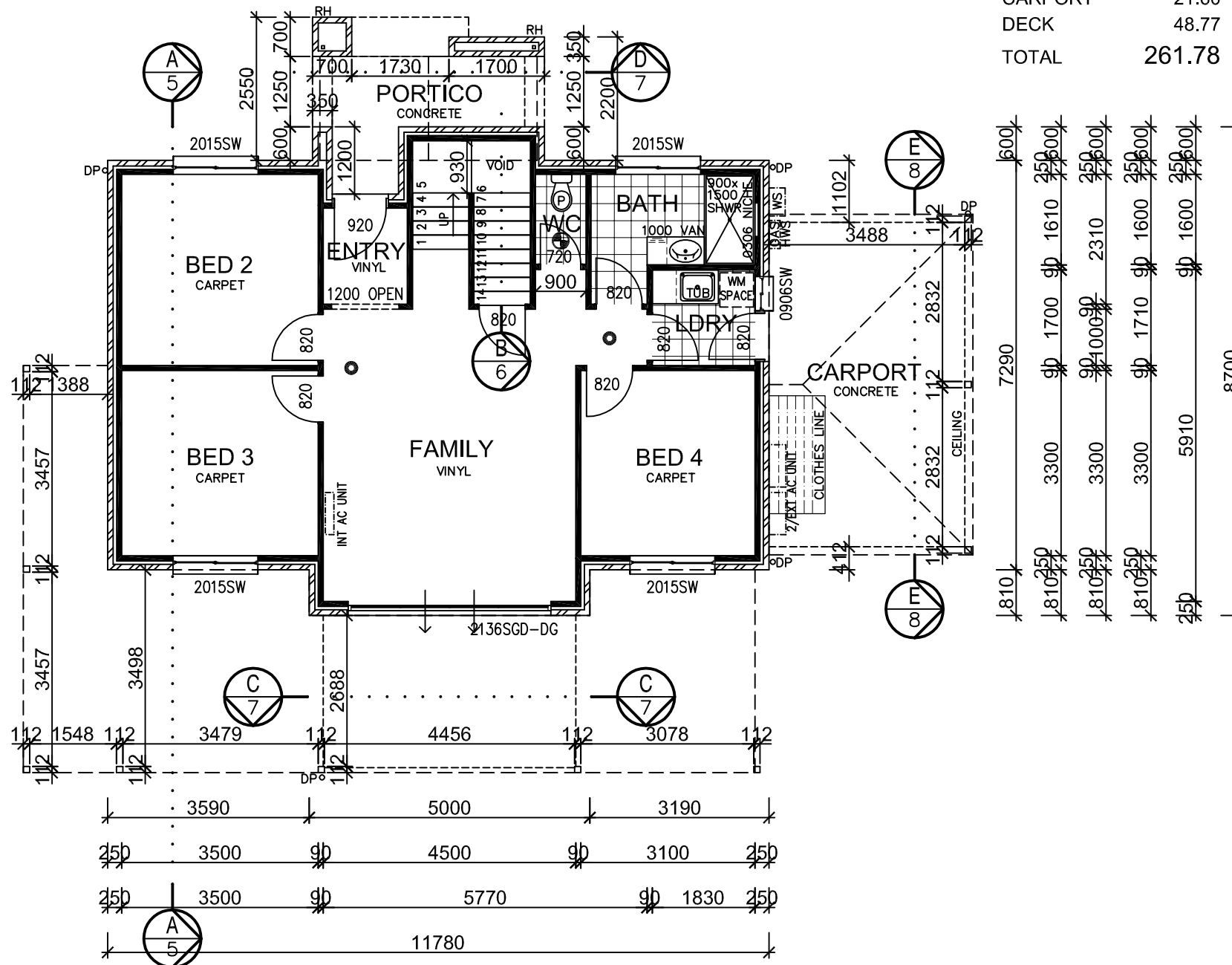
ELEVATION KEY



AREA

GF RESIDENCE	90.78
FF RESIDENCE	92.40
PORTCO	8.23
CARPORT	21.60
DECK	48.77
TOTAL	261.78

- SITE CLASSIFICATION ASSUMED TO BE CLASS 'A' IN ACCORDANCE WITH AS2870. OWNER OR BUILDER TO VERIFY ON SITE
- STORM WATER & RAIN WATER TANK OVER FLOW TO BE DISCHARGED TO SOAKAGE PITS LOCATED 3000 MINIMUM FROM FOOTINGS OR TO STREET TO LOCAL COUNCIL REQUIREMENTS.
- ALL MASONRY TO BE IN ACCORDANCE WITH AS3700-2018 FOR RESIDENTIAL CONSTRUCTION AND AS4773.1-2015
- UNLESS DENOTED ON PLAN ALL SPECIFIED TIMBER MEMBERS AND SIZES CANNOT BE SUBSTITUTED UNLESS AUTHORISED IN WRITING FROM THE DRAFTSMAN.
- TERMITE PROTECTION TO BE PROVIDED IN ACCORDANCE WITH PART 3.1.3 TERMITE RISK MANAGEMENT OF THE B.C.A. AND AS3660.2:2017 TERMITE MANAGEMENT.
- TREATED PINE HAZARD LEVEL TREATMENT SHALL BE:-
 - H3 - FOR OUTDOOR TIMBER ABOVE GROUND LEVEL
 - H4 - FOR OUTDOOR TIMBER IN GROUND (PERGOLAS, FENCING)
 - H5 - FOR SEVERE WET CONDITIONS (HOUSE STUMPS, RETAINING WALLS)
 ALL TREATED PINE MUST BE STRESS GRADED MINIMUM F5
- ALL EXTERNAL AND INTERNAL WALL FRAMES 1800 IN LENGTH OR MORE SHALL HAVE METAL STRAP BRACING TO PROVIDE TEMPORARY RESTRAINT DURING CONSTRUCTION AND SHALL REMAIN AFTERWARD AS PERMANENT BRACING.
- WHERE POINT LOADS OCCUR DUE TO ROOF TRUSSES OR THE LIKE, A DOUBLE STUD SHALL BE INSTALLED DIRECTLY BENEATH THE CONCENTRATION OF THE LOAD. IF IT OCCURS OVER A LINTEL THEN THE LINTEL SHALL BE RESIZED IN ACCORDANCE WITH AS1684.2-2010
- CJ - CONTROL JOINTS SHALL BE USED IN MASONRY CONSTRUCTION TO REDUCE CRACKING OR DISTRESS OF MASONRY CAUSED BY CONTRACTION OR EXPANSION OF THE MASONRY UNITS. A CONTROL JOINT MAY PERFORM ONE OR MORE OF THE FOLLOWING FUNCTIONS: (a) ARTICULATION JOINT (b) CONTRACTION JOINT (c) EXPANSION JOINT - REFER TO AS4773.1-2015 SECT. 13 FOR DETAILS OF ALL CONTROL JOINT TYPES
- DP - DENOTES SUGGESTED 90# DOWN PIPE LOCATIONS. PROVISIONS FOR OVERFLOW MUST BE MADE AS PER NCC PART 3.5.3.4 (SEE GUTTER, DOWNPIPE & OVER FLOW TABLES)
- RH - DENOTES SUGGESTED LOCATION FOR 90# DOWNPIPE AND RAIN HEAD WITH 90# OVERFLOW POP OR SIMILAR TO OWNERS SELECTION
- SPR - DENOTES SUGGESTED LOCATION FOR 90# DOWNPIPE WITH 90# HORIZONTAL PVC SPREADER TO DIVERT STORMWATER EVENLY TO LOWER ROOF
- GUTTERS & BOX GUTTERS TO BE SIZED & INSTALLED IN ACCORDANCE WITH NCC PART 3.5.3.3
- ☉ - DENOTES HARDWIRED SMOKE DETECTORS INSTALLED TO AS3786 - 9VOLT BATTERY BACKUP. ALL DETECTORS MUST BE INTERCONNECTED WITH ONE ANOTHER
- PROVIDE 'DALCO' REMOVABLE DOOR HINGES TO TOILET DOOR - INSTALL TO MANUFACTURERS INSTRUCTIONS.
- PROVIDE F92 MESH IN SLAB IN WET AREAS AND ALL OTHER AREAS THAT ARE TO BE TILED IF TILING IS TO COMMENCE WITHIN 3 MONTHS OF THE SLAB BEING POURED.
- ALL SHOWERS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH BCA PART: 3.8.1 FOR WET AREAS
- ROOF TRUSSES TO BE STRENGTHENED WHERE HOT WATER OR AIR CONDITIONING UNITS ARE TO BE SUPPORTED. ROOF TRUSS MANUFACTURER TO VERIFY WITH BUILDER/OWNER.
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- DG - DENOTES WINDOWS & OR DOORS THAT ARE REQUIRED TO BE DOUBLE GLAZED (OR SIMILAR SYSTEM WITH EQUIVALENT VALUES OF U-VALUE 4.10 & SHGC 0.52) TO COMPLY WITH 6 STAR 'FIRST RATE' ENERGY REPORT
- GLAZING CONSTRUCTION & INSTALLATION TO BE IN ACCORDANCE WITH AS1288-GLASS IN BUILDINGS SELECTION & INSTALLATION & AS2047 WINDOWS IN BUILDING SELECTION & INSTALLATION
- ALL MECHANICAL VENTILATION TO KITCHEN SANITARY COMPARTMENT AND/OR LAUNDRY WILL BE EXHAUSTED OUTSIDE AND NOT THE ROOF SPACE. IF TO ROOF SPACE, WHIRLY BIRDS & EAVE VENTS ARE REQUIRED.
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 - 25L/S FOR A BATHROOM OR SANITARY COMPARTMENT
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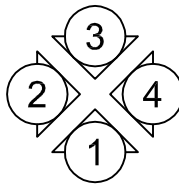


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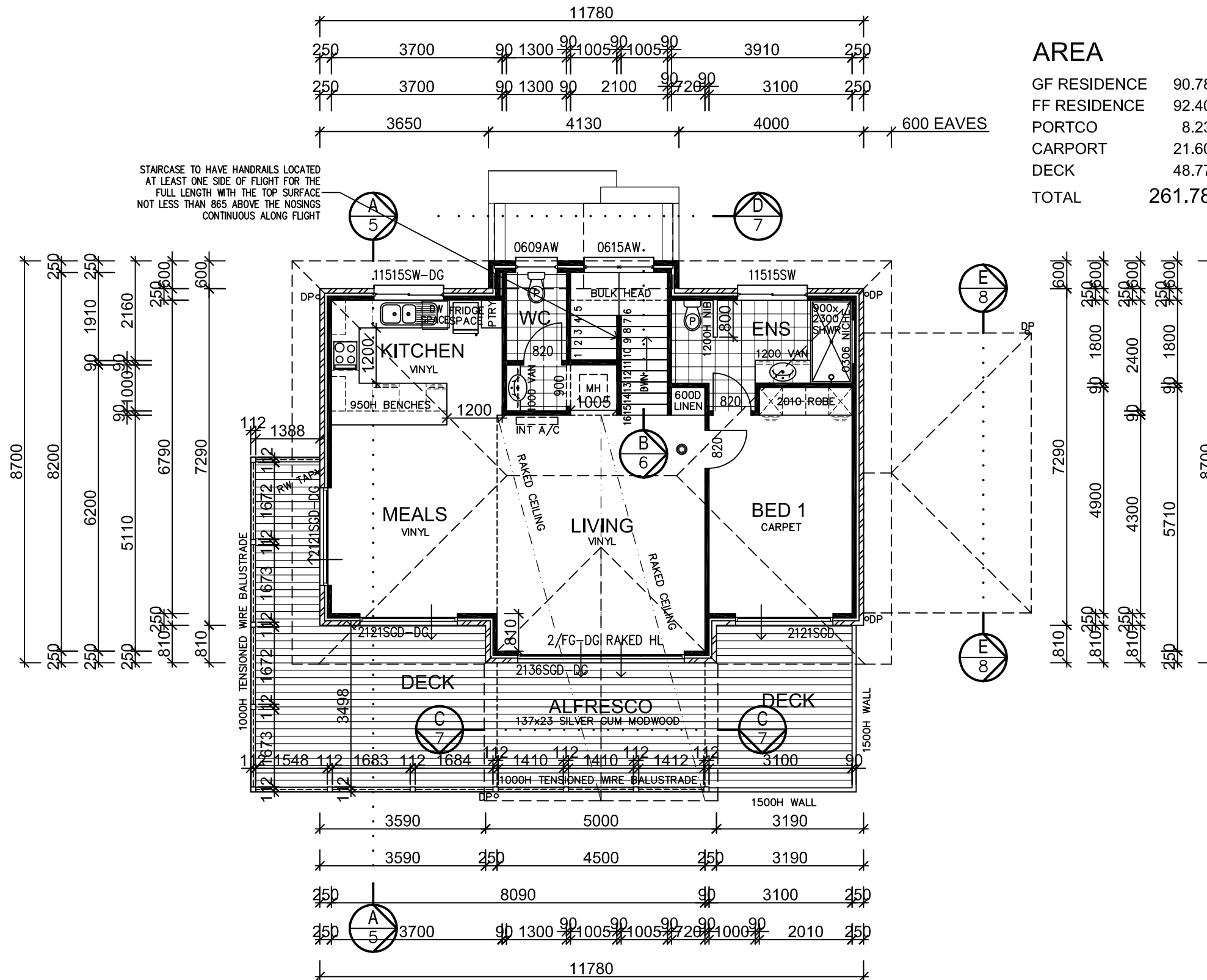
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 Conroe Heights, MT. GAMBIER, S.A. 5290
 Phone: (08) 8725 7066 Fax: (08) 8725 8482

REV:	DETAILS:	DATE:	BY:	GROUND FLOOR PLAN			CLIENT	Sheet size
G	ADD NEIGHBOUR TO SITE PLAN	10.09.21	BKT	DRAWN	S HARGREAVES	Bushfire Risk Classification	PROPOSED RESIDENCE S & D COX LOT 102 CRN DENNIS, POWELL & O'BYRNE AVE, ROBE	A3
C	CHGS AS REQUESTED	12.04.21	SH	DATE	09.12.20	Wind Speed Classification		
D	CHGS TO PORTICO AS REQUESTED	17.06.21	SH	SCALE	1:100	GEN		
E	CHGS TO PORTICO AS REQUESTED	30.06.21	SH	JOB NO.	20_358	N3		
F	UPDATES AS REQUESTED	04.08.21	BKT	SHEET NO.	1 OF 18			

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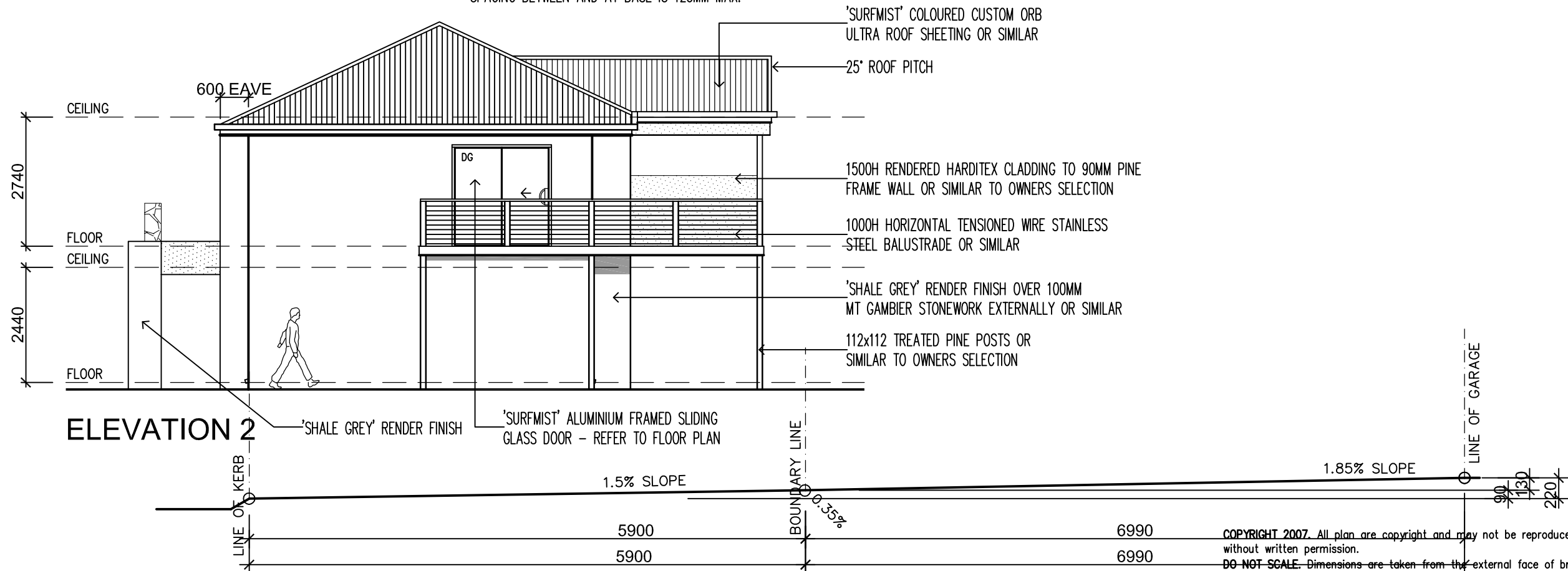
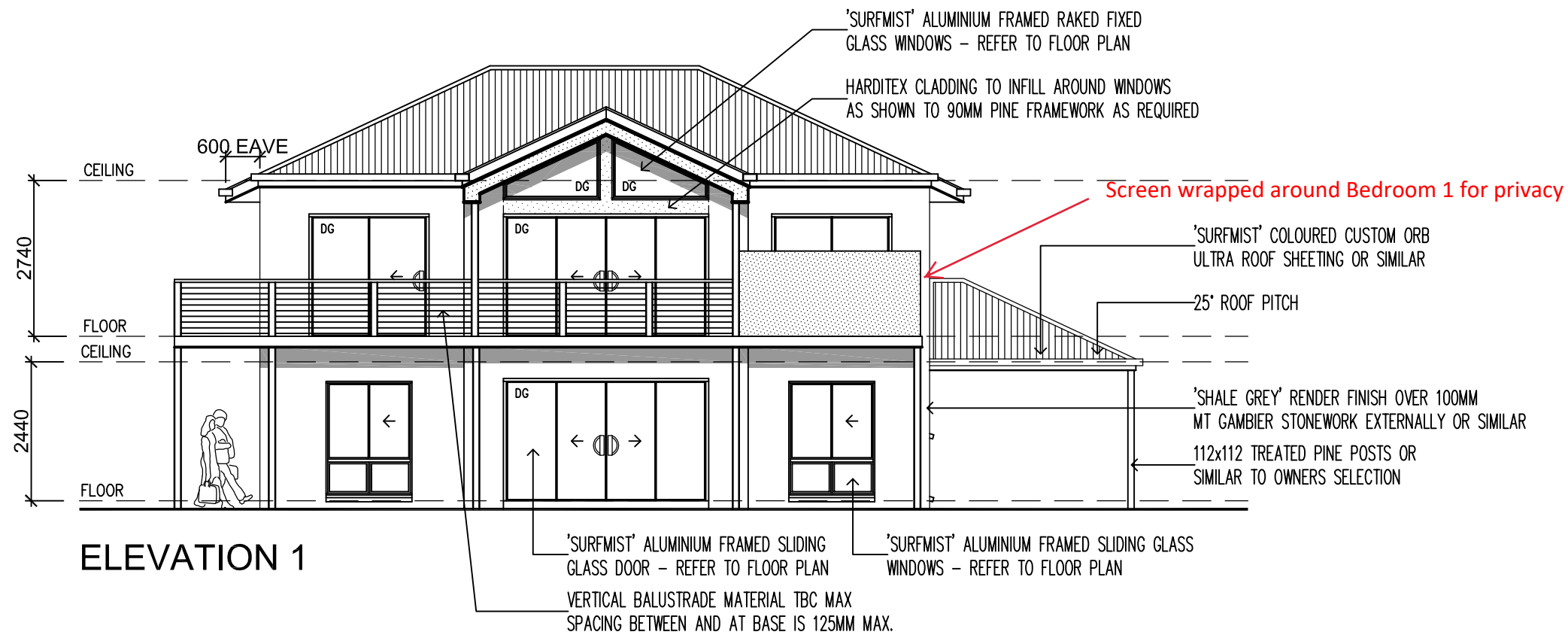
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REV:	DETAILS:	DATE:	BY:	FIRST FLOOR PLAN		CLIENT		
G	ADD NEIGHBOUR TO SITE PLAN	10.09.21	BKT	DRAWN	S HARGREAVES	Bushfire Risk Classification	Wind Speed Classification	
C	CHGS AS REQUESTED	12.04.21	SH	DATE	09.12.20	GEN	N3	
D	CHGS TO PORTICO AS REQUESTED	17.06.21	SH	SCALE	1:100	PROPOSED RESIDENCE		
E	CHGS TO PORTICO AS REQUESTED	30.06.21	SH	JOB NO.	20_358	S & D COX		
F	UPDATES AS REQUESTED	04.08.21	BKT	SHEET NO.	2 OF 18	LOT 102 CRN DENNIS, POWELL & O'BYRNE AVE, ROBE		
								Sheet size
								A3



DRIVEWAY GRADIENT

1:50

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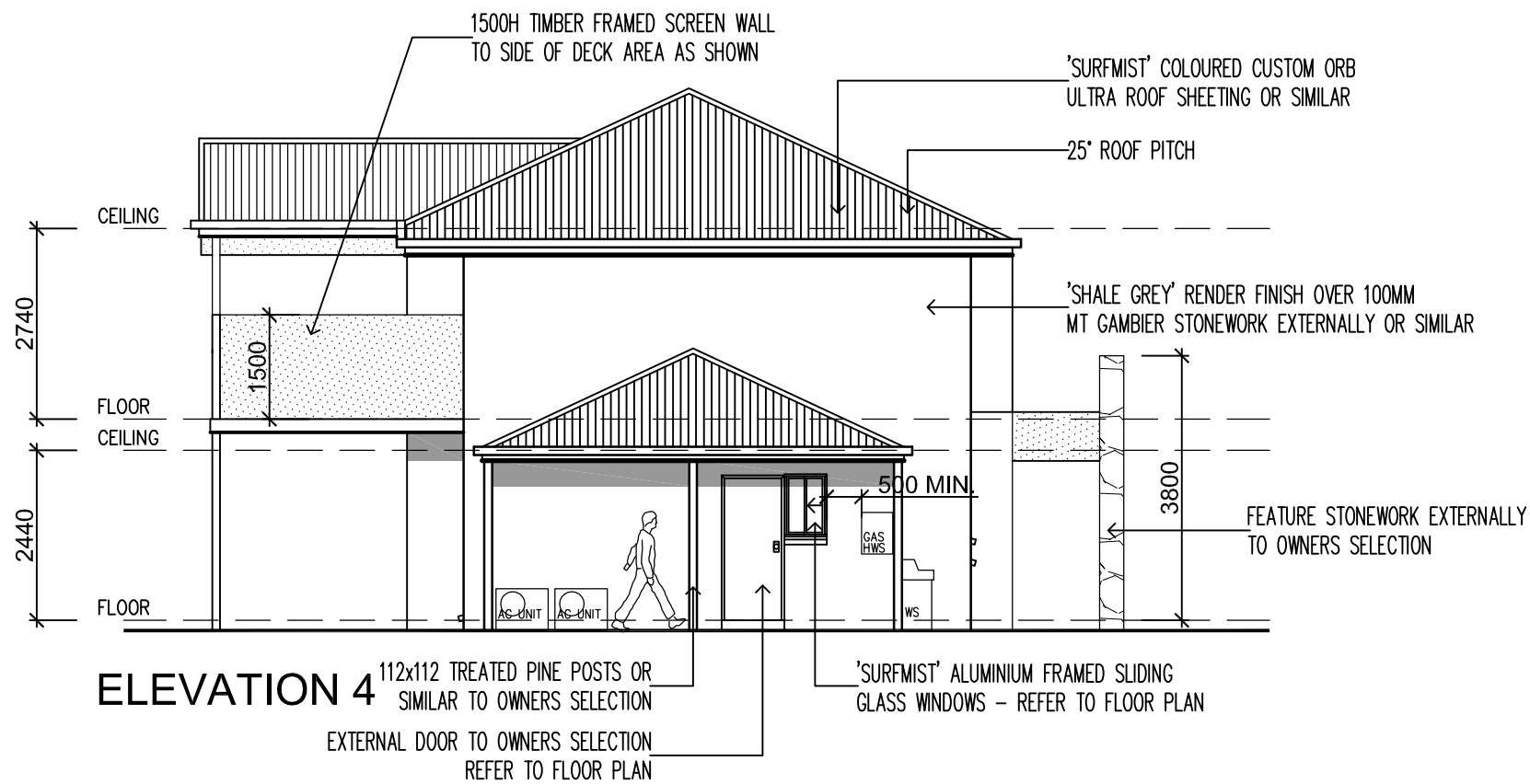


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REV:	DETAILS:	DATE:	BY:
G	ADD NEIGHBOUR TO SITE PLAN	10.09.21	BKT
C	CHGS AS REQUESTED	12.04.21	SH
D	CHGS TO PORTICO AS REQUESTED	17.06.21	SH
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ELEVATIONS 1				CLIENT	
DRAWN	S HARGREAVES	Bushfire Risk Classification	Wind Speed Classification	PROPOSED RESIDENCE	
DATE	09.12.20			S & D COX	
SCALE	1:100			LOT 102 CRN DENNIS, POWELL & O'BYRNE AVE, ROBE	
JOB NO.	20_358				
SHEET NO.	3 OF 18				
		GEN	N3		Sheet size
					A3



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Shop 3 / 4, 125 North Terrace
 Conroe Heights, MT. GAMBIER, S.A. 5290
 Phone: (08) 8725 7066 Fax: (08) 8725 8482

REV:	DETAILS:	DATE:	BY:	ELEVATIONS 2		CLIENT		Sheet size
G	ADD NEIGHBOUR TO SITE PLAN	10.09.21	BKT	DRAWN	S HARGREAVES	Bushfire Risk Classification	Wind Speed Classification	PROPOSED RESIDENCE S & D COX LOT 102 CRN DENNIS, POWELL & O'BYRNE AVE, ROBE A3
C	CHGS AS REQUESTED	12.04.21	SH	DATE	09.12.20	GEN	N3	
D	CHGS TO PORTICO AS REQUESTED	17.06.21	SH	SCALE	1:100			
E	CHGS TO PORTICO AS REQUESTED	30.06.21	SH	JOB NO.	20_358			
F	UPDATES AS REQUESTED	04.08.21	BKT	SHEET NO.	4 OF 18			

ATTACHMENT 2

Subject Land Map



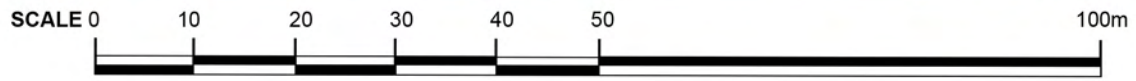
ESPLANADE

DENNIS AVENUE

O'BYRNE AVENUE

POWELL AVENUE

SUBJECT MAP



LEGEND

— SUBJECT LAND

ATTACHMENT 3

Zoning Map



CONSERVATION ZONE

ESPLANADE

NEIGHBOURHOOD ZONE

DENNIS AVENUE

O'BYRNE AVENUE

POWELL AVENUE

ZONE MAP

LEGEND

SUBJECT LAND

ATTACHMENT 4

Representation Map



ESPLANADE

DENNIS AVENUE

O'BYRNE AVENUE

POWELL AVENUE

1

LEGENDS

-  SUBJECT LAND
-  REPRESENTOR

ATTACHMENT 5

Representations

Details of submitter No: 1 - Jeremy Leeson

Submitter:	Jeremy Leeson
Submitter Address:	19 Skylark Close, Flagstaff Hill, Australia, 5159

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Jeremy

Last name:

Leeson

Daytime Phone:

0455337660

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

Nominated Speaker:

Jeremy Leeson

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:

We oppose this development very strongly. Our house is the adjoining property on Dennis Avenue and we will be severely impacted by this proposed dwelling. In particular, the proposed setback on Dennis Avenue does not conform to regulations as we know them. The proposed setback of 900mm (less than 1 metre) seems to be ridiculously short of what is required for council approval. The proposed house with a very large balcony will look straight into our front living room. In addition to not meeting the required setbacks there appears to be no screening at all to provide any level of privacy whatsoever. The setback of 900mm also seems to set a dangerous precedence for future dwellings if approved. If this goes ahead it will have a major impact for us and could potentially affect the resale value of our property. We strongly oppose this development and would like to insist on being kept informed of any decisions regarding it. We also ask what steps we need to take to ensure that we are listened to and that planning regulations are followed to prevent the flagrant disregard for them that this development seems to have.

Attached Documents

File

No records to display.

ATTACHMENT 6

Response to Representations

From: [Maureen Tyler](#)
To: [Michelle Gibbs](#)
Subject: FW: 21005006
Date: Wednesday, 22 September 2021 1:39:28 PM
Attachments: [image001.png](#)

From: April | Empak Homes <april@empak.com.au>
Sent: Wednesday, 22 September 2021 1:39 PM
To: Council <council@robe.sa.gov.au>
Subject: 21005006



Good Afternoon,

In reference to the above application I am unable to find where I wrote a response to go with our new plans so I am sending again just to make sure.

- Elevation 1 is showing the privacy screen that is wrapped around Bedroom 1. This is our compromise with the response to keep privacy for both parties.
- On the site plan we have included the location of the other property to show how far apart they are. Privacy is not an issue.

Any questions please let me know 😊

Kind Regards,

April Hockey | Empak Homes
Receptionist
Shops 3 & 4 125 North Terrace, Mount Gambier, SA 5290
t: 08 8725 7066
e: april@empak.com.au | w: www.empak.com.au

Empak Homes disclaimer

This e-mail and any attachments to it may be confidential and/or subject to legal professional privilege. If you are not the intended recipient you may not disclose or use the information contained in the message in any way. If received in error please delete all copies and contact the sender by return e-mail. No warranty is made that any attachments are free from viruses. It is the recipient's responsibility to establish its own protection against viruses and other damage.

APPENDIX 1

Relevant P&D Code Policies

LOT 102 O'BYRNE AV ROBE SA 5276

Address:

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

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



Property Zoning Details

Local Variation (TNV)

Minimum Frontage (*Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m*)

Minimum Site Area (*Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm*)

Maximum Building Height (Levels) (*Maximum building height is 1 level*)

Overlay

- Affordable Housing
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

Zone

Neighbourhood

Selected Development(s)

Detached dwelling

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

Detached dwelling - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Neighbourhood Zone

Assessment Provisions (AP)

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		
Land Use and Intensity			
<p>PO 1.1</p> <p>Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Ancillary accommodation (b) Community facility (c) Consulting room (d) Dwelling (e) Educational establishment (f) Office (g) Outbuilding (h) Pre-school (i) Recreation area (j) Retirement facility (k) Shop (l) Supported accommodation. 		
Site Dimensions and Land Division			
<p>PO 2.1</p> <p>Allotments/sites created for residential purposes are consistent with the density and dimensions expressed in any relevant <i>Minimum Site Area Technical and Numeric Variation</i> and <i>Minimum Frontage Technical and Numeric Variation</i>, or are otherwise generally consistent with the prevailing pattern of development in the locality and suitable for their intended use.</p>	<p>DTS/DPF 2.1</p> <p>Development will not result in more than 1 dwelling on an existing allotment</p> <p>or</p> <p>Allotments/sites for residential purposes accord with the following:</p> <ul style="list-style-type: none"> (a) where allotments/sites are connected to mains sewer or a Community Wastewater Management System: <ul style="list-style-type: none"> (i) site areas (or allotment areas in the case of land division) are not less than the following (average site area per dwelling, including common areas, applies for group dwellings or dwellings within a residential flat building): <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Minimum Site Area</th> </tr> </thead> <tbody> <tr> <td>Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group</td> </tr> </tbody> </table>	Minimum Site Area	Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group
Minimum Site Area			
Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group			

	<p>dwelling is 450 sqm; residential flat building is 450 sqm</p> <p>(ii) site frontages are not less than:</p> <table border="1" data-bbox="831 241 1520 383"> <tr> <th style="text-align: center;">Minimum Frontage</th> </tr> <tr> <td>Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m</td> </tr> </table> <p>(b) where allotments/sites are not connected to mains sewer or an approved common waste water disposal service:</p> <p>(i) site areas are not less than the greater of:</p> <p style="margin-left: 40px;">A. 1200m²</p> <p style="margin-left: 40px;">B. the following:</p> <table border="1" data-bbox="831 685 1520 826"> <tr> <th style="text-align: center;">Minimum Site Area</th> </tr> <tr> <td>Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm</td> </tr> </table> <p>(ii) site frontages are not less than the greater of:</p> <p style="margin-left: 40px;">A. 20m</p> <p style="margin-left: 40px;">B. the following:</p> <table border="1" data-bbox="831 1025 1520 1167"> <tr> <th style="text-align: center;">Minimum Frontage</th> </tr> <tr> <td>Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m</td> </tr> </table> <p>In relation to DTS/DPF 2.1, in instances where:</p> <p>(c) more than one value is returned in the same field, refer to the <i>Minimum Frontage Technical and Numeric Variation</i> layer or <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</p> <p>(d) no value is returned for DTS/DPF 2.1(a)(i) and/or (ii) (i.e. there is a blank field), then none are applicable and the relevant development cannot be classified as deemed-to-satisfy</p> <p>(e) no value is returned for DTS/DPF 2.1(b)(i)(B) and/or 2.1(b)(ii)(B), the value for DTS/DPF 2.1(b)(i)(B) and/or 2.1(b)(ii)(B) is zero.</p>	Minimum Frontage	Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m	Minimum Site Area	Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm	Minimum Frontage	Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m
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Minimum Frontage							
Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m							
<p>PO 2.2</p> <p>Development results in sites suitable for their intended purpose.</p>	<p>DTS/DPF 2.2</p> <p>Where the site of a dwelling does not comprise an entire allotment:</p> <p>(a) The balance of the allotment accords with site area and frontage requirements specified in DTS/DPF 2.1</p> <p>(b) If there is an existing dwelling on the allotment that will remain on the allotment after completion of the development it will not contravene:</p> <p style="margin-left: 40px;">(i) Private open space requirements specified in Design Table 1 - Private Open Space</p> <p style="margin-left: 40px;">(ii) Car parking requirements specified in Transport, Access and Parking Table 1 - General Off-Street</p>						

	Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.		
Site coverage			
<p>PO 3.1</p> <p>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.</p>	<p>DTS/DPF 3.1</p> <p>The development does not result in site coverage exceeding 60% of the site area.</p>		
Building Height			
<p>PO 4.1</p> <p>Building height is consistent with the maximum height expressed in any relevant <i>Building Height Technical and Numeric Variation</i>, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.</p>	<p>DTS/DPF 4.1</p> <p>Building height (excluding garages, carports and outbuildings) is no greater than:</p> <p>(a) the following:</p> <table border="1" style="margin-left: 40px;"> <thead> <tr> <th style="text-align: center;">Maximum Building Height (Levels)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Maximum building height is 1 level</td> </tr> </tbody> </table> <p>(b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - 2 building levels up to a height of 9m.</p> <p>In relation to DTS/DPF 4.1, in instances where:</p> <p>(a) more than one value is returned in the same field, refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation</i> layer or <i>Maximum Building Height (Meters) Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development.</p> <p>(b) only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.</p>	Maximum Building Height (Levels)	Maximum building height is 1 level
Maximum Building Height (Levels)			
Maximum building height is 1 level			
Primary Street Setback			
<p>PO 5.1</p> <p>Buildings are set back from primary street boundaries consistent with the existing streetscape.</p>	<p>DTS/DPF 5.1</p> <p>The building line of a building set back from the primary street boundary:</p> <p>(a) at least the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment)</p> <p>(b) where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), not less than the setback to the building line of that building</p> <p>or</p> <p>(c) not less than 5m where no building exists on an adjoining site with the same primary street frontage.</p>		
Secondary Street Setback			
<p>PO 6.1</p>	<p>DTS/DPF 6.1</p>		

<p>Buildings are set back from secondary street boundaries to maintain a pattern of separation between buildings and public streets and reinforce a consistent streetscape character.</p>	<p>Building walls are set back at least 900mm from the boundary of the allotment with the secondary street frontage.</p>
<p>Boundary Walls</p>	
<p>PO 7.1</p> <p>Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.</p>	<p>DTS/DPF 7.1</p> <p>Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on side boundary and satisfy (a) or (b) below:</p> <ul style="list-style-type: none"> (a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height (b) side boundary walls do not: <ul style="list-style-type: none"> (i) exceed 3.2m in height from the lower of the natural or finished ground level (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, exceed a length equal to 45% of the length of the boundary (iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.
<p>PO 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a low density streetscape character.</p>	<p>DTS/DPF 7.2</p> <p>Dwelling walls in a semi-detached, row or terrace arrangement are set back from side boundaries shared with allotments outside the development site at least 900mm.</p>
<p>Side Boundary Setback</p>	
<p>PO 8.1</p> <p>Buildings are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 8.1</p> <p>Building walls are set back from the side boundary at least:</p> <ul style="list-style-type: none"> (a) On sites greater than 800m²: <ul style="list-style-type: none"> (i) Other than a wall facing a southern boundary 1900mm from both side boundaries (ii) At least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern boundary (b) On sites 800m² or less, and other than walls located on a side boundary: <ul style="list-style-type: none"> (i) at least 900mm where the wall is up to 3m (ii) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m (iii) at least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern side boundary.
<p>Rear Boundary Setback</p>	
<p>PO 9.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours 	<p>DTS/DPF 9.1</p> <p>Dwelling walls are set back from the rear boundary at least:</p> <ul style="list-style-type: none"> (a) if the size of the site is less than 301m²— <ul style="list-style-type: none"> (i) 3m in relation to the ground floor of the dwelling (ii) 5m in relation to any second building level of the dwelling

<p>(c) private open space (d) space for landscaping and vegetation.</p>	<p>(iii) 5m plus an additional 1m setback added for every 1m height increase above a wall height of 7m.</p> <p>(b) if the size of the site is 301m² or more—</p> <p>(i) 4m in relation to the ground floor of the dwelling</p> <p>(ii) 6m in relation to any second building level of the dwelling</p> <p>(iii) 6m plus an additional 1m setback added for every 1m height increase above a wall height of 7m.</p>
<p>Concept Plans</p>	
<p>PO 11.1 Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 11.1 The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 11.1, in instances where:</p> <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 11.1 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

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

<p>Class of Development (Column A)</p>	<p>Exceptions (Column B)</p>
<p>1. A kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	<p>None specified.</p>
<p>2. All development undertaken by:</p> <p>(a) the South Australian Housing Trust either individually or jointly with other persons or bodies or</p> <p>(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.</p>	<p>Except development involving any of the following:</p> <ol 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.

<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) 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 (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>Except development that:</p> <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 a side boundary (not being a boundary with a primary street or secondary street) 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>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> <ul 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 a side boundary (not being a boundary with a primary street or secondary street) 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 	<p>None specified.</p>

(f) tree damaging activity.	
6. Demolition.	<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.
Placement of Notices - Exemptions for Performance Assessed Development	
None specified.	
Placement of Notices - Exemptions for Restricted Development	
None specified.	

Part 3 - Overlays

Affordable Housing Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Affordable housing is integrated with residential and mixed use development.
DO 2	Affordable housing caters for a variety of household structures.

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 Development comprising 20 or more dwellings / allotments incorporates affordable housing.	DTS/DPF 1.1 Development results in 0-19 additional allotments / dwellings.
PO 1.2 Development comprising 20 or more dwellings or residential allotments provides housing suited to a range of incomes including households with low to moderate incomes.	DTS/DPF 1.2 Development comprising 20 or more dwellings / or residential allotments includes a minimum of 15% affordable housing except where: <ol style="list-style-type: none"> (a) it can be demonstrated that any shortfall in affordable housing has been provided in a previous stage of development or (b) it can be demonstrated that any shortfall in affordable

	housing will be accommodated in a subsequent stage or stages of development.
PO 1.3 Affordable housing is distributed throughout the development to avoid an overconcentration.	DTS/DPF 1.3 None are applicable.
Built Form and Character	
PO 2.1 Affordable housing is designed to complement the design and character of residential development within the locality.	DTS/DPF 2.1 None are applicable.
Affordable Housing Incentives	
PO 3.1 To support the provision of affordable housing, minimum allotment sizes may be reduced below the minimum allotment size specified in a zone while providing allotments of a suitable size and dimension to accommodate dwellings with a high standard of occupant amenity.	DTS/DPF 3.1 The minimum site area specified for a dwelling can be reduced by up to 20%, or the maximum density per hectare increased by up to 20%, where it is to be used to accommodate affordable housing except where the development is located within the Character Area Overlay or Historic Area Overlay.
PO 3.2 To support the provision of affordable housing, building heights may be increased above the maximum specified in a zone.	DTS/DPF 3.2 Where a building incorporates dwellings above ground level and includes at least 15% affordable housing, the maximum building height specified in any relevant zone policy can be increased by 1 building level in the: <ul style="list-style-type: none"> (a) Business Neighbourhood Zone (b) City Living Zone (c) Established Neighbourhood Zone (d) General Neighbourhood Zone (e) Hills Neighbourhood Zone (f) Housing Diversity Neighbourhood Zone (g) Neighbourhood Zone (h) Master Planned Neighbourhood Zone (i) Master Planned Renewal Zone (j) Master Planned Township Zone (k) Rural Neighbourhood Zone (l) Suburban Business Zone (m) Suburban Neighbourhood Zone (n) Township Neighbourhood Zone (o) Township Zone (p) Urban Renewal Neighbourhood Zone (q) Waterfront Neighbourhood Zone and up to 30% in any other zone, except where: <ul style="list-style-type: none"> (a) the development is located within the Character Area Overlay or Historic Area Overlay or (b) other height incentives already apply to the development.
Movement and Car Parking	
PO 4.1	DTS/DPF 4.1

<p>Sufficient car parking is provided to meet the needs of occupants of affordable housing.</p>	<p>Dwellings constituting affordable housing are provided with car parking in accordance with the following:</p> <ul style="list-style-type: none"> (a) 0.3 carpark per dwelling within a building which incorporates dwellings located above ground level within either: <ul style="list-style-type: none"> (i) 200 metres of any section of road reserve along which a bus service operates as a high frequency public transit service⁽²⁾ (ii) is within 400 metres of a bus interchange⁽¹⁾ (iii) is within 400 metres of an O-Bahn interchange⁽¹⁾ (iv) is within 400 metres of a passenger rail station⁽¹⁾ (v) is within 400 metres of a passenger tram station⁽¹⁾ (vi) is within 400 metres of the Adelaide Parklands. <p style="text-align: center;">or</p> <ul style="list-style-type: none"> (b) 1 carpark per dwelling for any other dwelling. <p>[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.]</p>
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Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development for the purposes of the provision of affordable housing (applying the criteria determined under regulation 4 of the <i>South Australian Housing Trust Regulations 2010</i>).	Minister responsible for administering the <i>South Australian Housing Trust Act 1995</i> .	To provide direction on the conditions required to secure the provision of dwellings or allotments for affordable housing.	Development of a class to which Schedule 9 clause 3 item 20 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: <ul style="list-style-type: none"> (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb

Procedural Matters (PM) - Referrals

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

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

Native Vegetation Overlay

Assessment Provisions (AP)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and	DTS/DPF 1.1 An application is accompanied by: <ul style="list-style-type: none"> (a) a declaration stating that the proposal will not, or would

<p>building maintenance.</p>	<p>not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur:</p> <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area <p>or</p> <ul style="list-style-type: none"> (b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <ul style="list-style-type: none"> (a) significant wildlife habitat and movement corridors (b) rare, vulnerable or endangered plants species (c) native vegetation that is significant because it is located in an area which has been extensively cleared (d) native vegetation that is growing in, or in association with, a wetland environment. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.4</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>

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
<p>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'.</p>	<p>Native Vegetation Council</p>	<p>To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.</p>	<p>Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

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

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

Design

Assessment Provisions (AP)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
On-site Waste Treatment Systems	
PO 6.1	DTS/DPF 6.1

<p>Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.</p>	<p>Effluent disposal drainage areas do not:</p> <ul style="list-style-type: none"> (a) encroach within an area used as private open space or result in less private open space than that specified in Design Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
<p>Earthworks and sloping land</p>	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p> <ul style="list-style-type: none"> (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.
<p>PO 8.2</p> <p>Driveways and access tracks are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <ul style="list-style-type: none"> (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.
<p>PO 8.3</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8):</p> <ul style="list-style-type: none"> (a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development (c) are designed to integrate with the natural topography of the land. 	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on-site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
<p>PO 8.5</p> <p>Development does not occur on land at risk of landslip nor increases the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
<p>Overlooking / Visual Privacy (in building 3 storeys or less)</p>	
<p>PO 10.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential</p>	<p>DTS/DPF 10.1</p> <p>Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:</p>

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

	<p>front of any part of the building line of the dwelling</p> <p>(b) are set back at least 5.5m from the boundary of the primary street</p> <p>(c) have a garage door / opening not exceeding 7m in width</p> <p>(d) have a garage door /opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.</p>
Massing	
<p>PO 15.1</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 15.1</p> <p>None are applicable</p>
Private Open Space	
<p>PO 17.1</p> <p>Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</p>	<p>DTS/DPF 17.1</p> <p>Private open space is provided in accordance with Design Table 1 - Private Open Space.</p>
Car parking, access and manoeuvrability	
<p>PO 19.1</p> <p>Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.1</p> <p>Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):</p> <p>(a) single width car parking spaces:</p> <p>(i) a minimum length of 5.4m per space</p> <p>(ii) a minimum width of 3.0m</p> <p>(iii) a minimum garage door width of 2.4m</p> <p>(b) double width car parking spaces (side by side):</p> <p>(i) a minimum length of 5.4m</p> <p>(ii) a minimum width of 5.4m</p> <p>(iii) minimum garage door width of 2.4m per space.</p>
<p>PO 19.2</p> <p>Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.2</p> <p>Uncovered car parking spaces have:</p> <p>(a) a minimum length of 5.4m</p> <p>(b) a minimum width of 2.4m</p> <p>(c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m</p>
<p>PO 19.3</p> <p>Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-street parking.</p>	<p>DTS/DPF 19.3</p> <p>Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.</p>
<p>PO 19.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 19.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <p>(a) is provided via a lawfully existing or authorised access</p>

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

PO 22.2 The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.	DTS/DPF 22.2 None are applicable.
PO 22.3 Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.	DTS/DPF 22.3 None are applicable.
PO 22.4 Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	DTS/DPF 22.4 Dwelling sites/allotments are not in the form of a battle-axe arrangement.
Carparking, access and manoeuvrability	
PO 24.4 Residential driveways in a battle-axe configuration are designed to allow safe and convenient movement.	DTS/DPF 24.4 Where in a battle-axe configuration, a driveway servicing one dwelling has a minimum width of 3m.

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.

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Supply	
<p>PO 11.2</p> <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	
<p>PO 12.1</p> <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 (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm. 	<p>DTS/DPF 12.1</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.
<p>PO 12.2</p> <p>Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.</p>	<p>DTS/DPF 12.2</p> <p>Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.</p>

Interface between Land Uses

Assessment Provisions (AP)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Overshadowing	
<p>PO 3.1</p> <p>Overshadowing of habitable room windows of adjacent residential land uses in:</p> <p>a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.1</p> <p>North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.</p>
<p>PO 3.2</p> <p>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</p> <p>a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.2</p> <p>Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:</p> <p>a. for ground level private open space, the smaller of the following:</p> <p>i. half the existing ground level open space</p> <p>or</p> <p>ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>

Site Contamination

Assessment Provisions (AP)

Desired Outcome	
DO 1	Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p>

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

Assessment Provisions (AP)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Vehicle Parking Rates	
PO 5.1	DTS/DPF 5.1

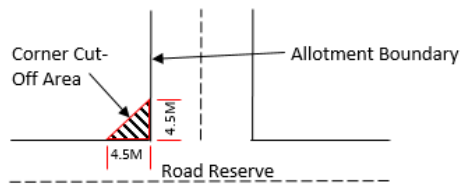
<p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <ul style="list-style-type: none"> (a) availability of on-street car 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. 	<p>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:</p> <ul style="list-style-type: none"> (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.
<p>Corner Cut-Offs</p>	
<p>PO 10.1 Development is located and designed to ensure drivers can safely turn into and out of public road junctions.</p>	<p>DTS/DPF 10.1 Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:</p> 

Table 1 - General Off-Street Car Parking Requirements

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

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

	<p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Row Dwelling where vehicle access is from the primary street	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Semi-Detached Dwelling	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Aged / Supported Accommodation	
Retirement village	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling.</p> <p>0.2 spaces per dwelling for visitor parking.</p>
Supported accommodation	0.3 spaces per bed.
Residential Development (Other)	
Ancillary accommodation	No additional requirements beyond those associated with the main dwelling.
Residential park	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling.</p> <p>0.2 spaces per dwelling for visitor parking.</p>
Student accommodation	0.3 spaces per bed.
Workers' accommodation	0.5 spaces per bed plus 0.2 spaces per bed for visitor parking.
Tourist	
Caravan park / tourist park	<p>Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation.</p> <p>Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation.</p> <p>A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.</p>

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

Community facility	10 spaces per 100m ² of total floor area.
Hall / meeting hall	0.2 spaces per seat.
Place of worship	1 space for every 3 visitor seats.
Pre-school	1 per employee plus 0.25 per child (drop off/pick up bays)
Educational establishment	<p>For a primary school - 1.1 space per full time equivalent employee plus 0.25 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.</p> <p>For a secondary school - 1.1 per full time equivalent employee plus 0.1 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.</p> <p>For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any time.</p>
Health Related Uses	
Hospital	<p>4.5 spaces per bed for a public hospital.</p> <p>1.5 spaces per bed for a private hospital.</p>
Consulting room	4 spaces per consulting room excluding ancillary facilities.
Recreational and Entertainment Uses	
Cinema complex	0.2 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	<p>6.5 spaces per 100m² of total floor area for a Fitness Centre</p> <p>4.5 spaces per 100m² of total floor area for all other Indoor recreation facilities.</p>
Industry/Employment Uses	
Fuel depot	<p>1.5 spaces per 100m² total floor area</p> <p>1 spaces per 100m² of outdoor area used for fuel depot activity purposes.</p>
Industry	1.5 spaces per 100m ² of total floor area.

Store	0.5 spaces per 100m ² of total floor area.
Timber yard	1.5 spaces per 100m ² of total floor area 1 space per 100m ² of outdoor area used for display purposes.
Warehouse	0.5 spaces per 100m ² 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 100m ² of total building floor area.

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

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

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

Class of Development	Car Parking Rate		Designated Areas
	Minimum number of spaces	Maximum number of spaces	
<p>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.</p>			
Development generally			
All classes of development	No minimum.	<p>No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:</p> <p>1 space for each dwelling with a total floor area less than 75 square metres</p> <p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than</p>	<p>Capital City Zone</p> <p>City Main Street Zone</p> <p>City Riverbank Zone</p> <p>Adelaide Park Lands Zone</p> <p>Business Neighbourhood Zone (within the City of Adelaide)</p> <p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>

		150 square metres. Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.	
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	5 spaces per 100m ² 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 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	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

	0.25 spaces per dwelling for visitor parking.		Urban Neighbourhood Zone
Residential flat building	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling</p> <p>1 bedroom dwelling - 0.75 spaces per dwelling</p> <p>2 bedroom dwelling - 1 space per dwelling</p> <p>3 or more bedroom dwelling - 1.25 spaces per dwelling</p> <p>0.25 spaces per dwelling for visitor parking.</p>	None specified.	<p>City Living Zone</p> <p>Urban Activity Centre Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>

Table 2 - Criteria:

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

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

[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.]

DEVELOPMENT NO.:	21007156
APPLICANT:	Robe Golf Club
ADDRESS:	LOT 1 BACKLER ST ROBE
NATURE OF DEVELOPMENT:	Retrospective approval for additional tee block on the 4 th hole
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Conservation • Recreation <p>Overlays:</p> <ul style="list-style-type: none"> • Coastal Areas • Hazards (Bushfire - Medium Risk) • Hazards (Flooding - Evidence Required) • Native Vegetation • Prescribed Wells Area • Water Protection Area <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Nil
LODGEMENT DATE:	16 Jun 2021
RELEVANT AUTHORITY:	Assessment panel at District Council of Robe
PLANNING & DESIGN CODE VERSION:	Version 2021.5 22 April 2021
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Damian Dawson – Assessment Manager
REFERRALS STATUTORY:	Coast Protection Board
REFERRALS NON-STATUTORY:	Nil

CONTENTS:

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ATTACHMENT 3:	Zoning Map	Pg 98	ATTACHMENT 7:	Prescribed Body Responses	Pg 147
ATTACHMENT 4:	Representation Map	Pg 100	APPENDIX 1:	Relevant P&D Code Policies	Pg 149

DETAILED DESCRIPTION OF PROPOSAL:

The application seeks retrospective approval of an additional tee block at the 4th hole of the Robe Golf Course within the north western portion of the subject land to the rear of the dwellings on Backler Street. The subject site slopes down from the south to the north, as such approximately 60 cubic metres of fill has been added on the northern side to establish a levelled area of approximately 8 metres long by 4 metres wide. The northern and north western edges of the levelled area has been battered down the slope to natural ground. The height of the fill is approximately 2 metres. No retaining walls are proposed.

The additional tee block is located to the rear of the existing tee blocks, approximately 4 metres from the northern boundary. A gravelled ramp and parking area for golf carts is provided on the northern edge to the tee block at the top. Mesh panels approximately 2 metres in height have been erected on the northern edge to protect adjoining neighbours from any stray golf balls.

BACKGROUND:

The Robe Golf Course comprises 18 holes, with holes 1 – 6 built in the 1980's. The holes are constructed over three parcels of land, Sections 131 and 132 and Allotment 1 in Deposited Plan 112925. Allotment 1 is owned by the District Council of Robe and leased to the Robe Golf Club. Due to a long-term stormwater drainage issue at the western end of Backler Street, Council engaged contractors to undertake remediation work that involved clearing of remnant vegetation along the northern boundary of the dwellings at 35-39 Backler Street to install stormwater infrastructure from Backler Street to pump stormwater, approximately 30 metres to the south, behind the existing tee block.

Adjoining owners were notified by Council of the work to be undertaken from June 2020.

The Robe Golf Club engaged their own contractor in October to create an additional tee block to the rear of the existing tees for the more experienced golfers. The additional tee block was located in an area that was disturbed during the Council drainage works.

SUBJECT LAND & LOCALITY:

Location reference: Lot 1 Backler Street, Robe

Title ref.: CT 6180/819 **Plan Parcel:** D112925 AL1 **Council:** DC OF ROBE

Site Description:

Allotment 1 is an irregular shaped allotment comprising an area of approximately 17 hectares. The allotment has a frontage to Backler Street of 20 metres to the north. It currently contains 6 fairways, tee blocks and putting greens. The bulk of the land is undulating with some areas of dune on its south western side which remain undeveloped with native vegetation.

The land is shown below in Figure 1, with the proposed tee block and existing tee blocks shown in Figures 2 and 3 and adjoining residential land in Figure 4.



Figure 1: Subject land and locality

- LEGENDS**
- SUBJECT LAND
 - SUBJECT SITE



Figure 2: Existing tee block in the foreground with additional/proposed tee block at the rear as it currently appears.



Figure 3: Existing tee block in foreground with proposed tee block at the rear, as it appeared when first constructed.



Figure 4: View of rear of 39 Backler Street as seen from buggy parking area adjacent existing tee block.

Locality

The locality comprises of vacant coastal land, recreational land and residential development across three zones: Neighbourhood, Recreation and Conservation Zone. As well as the existing golf course on the subject land, several recreational uses are present to the south and east including an oval, netball and tennis courts.

The northern boundary of the allotment adjoins residential dwellings, many with windows and balconies with views over the golf course.

The zoning for the subject land is shown below in Figure 5. It is noted that the proposed tee block is located across both the Conservation Zone and Recreation Zone.



Figure 5: Zoning plan

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Other - Community - Retrospective approval for an additional tee block for the 4th hole: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:** Code Assessed - Performance Assessed
- **REASON**
P&D Code – not listed as Deemed to Satisfy or Restricted Development within the subject zones.

PUBLIC NOTIFICATION

- **REASON**

Table 5 P& D Code did not exclude the proposal from public notification. In addition the proposal was not considered minor in nature and the proximity to the adjoining residential boundary was such that it could potentially be subject to reasonable complaint from owners in the locality and therefore public notification was required.

• **LIST OF REPRESENTATIONS**

Council received nine (9) representations during the notification period. Representations were received from the following parties:

Representations Received			
		Support/Oppose	Wish to be heard
1	Mr John Davidson 5 Domaschenz Street, Robe	Oppose	No
2	Mr James Jess 39 Backler Street, Robe	Oppose	Yes
3	Ms Lorelee Jess 39 Backler Street, Robe	Oppose	No
4	Mr Alastair & Ms Robbie Douglas PO Box 332, Robe	Support	No
5	Mr Charles Goode 9 Tenison Drive, Mt Gambier	Support	No
6	Ms Trish Millar 140/220 Greenhill Road, Eastwood SA	Support	No
7	Mr Richard White PO Box 575, Robe	Support	No
8	Mr Robert Cowan and Mrs G Cowan	Support with some concerns	No
9	Mr Jock Macfarlane PO Box 234, Robe	Support	No

The location of the representor's is shown within Figure 6 below:-



Figure 6: Location of Representors

LEGENDS
 SUBJECT LAND
 SUBJECT SITE
 REPRESENTORS

- **SUMMARY**

Summary of Representations opposing development	
Representation	Applicant's Response
Concerns regarding repeated violation of native vegetation	Issues with Native Vegetation Council of SA have been resolved
Concerns about illegally clearing of native vegetation, proximity to boundary, golfers looking directly down into home and yard, loss of privacy, noise from golfers, devaluation of property	Issues with Native Vegetation Council of SA have been resolved, photos 1 and 2 provided showing extensive vegetation between the tee block and the Jess house.
Concerns regarding infringement on home, noise and visual intrusion, obstructs and inhibits native animals, development boundary infringes their land, introduction of weeds.	Existing extensive vegetation between tee block and Jess house, revegetation of areas cleared by Council with native plants and removal of weeds

The matters raised by the representors has been considered within the assessment outlined below.

AGENCY REFERRALS

Coast Protection Board

The agency confirmed that they had no formal comment to make on the application.

INTERNAL REFERRALS

None undertaken.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code), which are contained in Appendix One. A small portion of the land, connecting the larger parcel with Backler Street on the northern boundary, is located within the Neighbourhood Zone. This land is not impacted upon by the proposal and as such the zone provisions and overlays which apply exclusively to this portion of the subject land have not been considered or included within the Code extract attached.

The Code provides very little guidance in the way of policies specifically directed at the appropriate location, scale and impact of sporting facilities and infrastructure. As such guidance has been taken from the general polices which relate to the impact of development by way of bulk/scale, noise and vegetation clearance.

Land Use

The use of the tee is an extension of the long standing golf course use of the subject land. Two existing tees, which are used for the 4th hole, are located downhill to the east of the proposed additional tee. It is understood that the additional tee has been installed to add complexity and length to the 4th hole.

The minor expansion of the golf course use is appropriate within the Recreation Zone with golf courses an envisaged use in the zone. The Conservation Zone policies express a desire for low impact land uses which preserve and enhance the natural character with the provision of opportunities for the public to experience the natural environment through low impact recreational activities. Whilst golf courses are not listed as an envisaged use within the Conservation Zone it is a use that is compatible with the broader desire for the preservation and enhancement of the natural character and provides an opportunity for the public to experience and appreciate that character.

Setbacks, Design & Appearance

The proposal entails the filling of land to create a level site for a golf tee and the erection of a mesh screen/safety fence to prevent wayward balls leaving the golf course land. No other structures, shelters or building works are proposed. The lower side of the tee has been battered with no retaining walls proposed.

Given the retrospective nature of the proposal the area surrounding the tee has already been revegetated and is currently being maintained by the Golf Course. Whilst there appears to be a need for additional works to stabilise the batter slopes with additional planting and the prevention of water runoff across the slopes, the general appearance of the tee is acceptable. If approved by the Panel it is recommended that a condition be applied which requires that the revegetation and stabilisation of the batter slopes be completed.

The tee is setback approximately 4 metres from the northern boundary which forms the rear boundary of the adjoining residential properties to the north fronting Backler Street. It is difficult to determine the exact location of the rear boundary given the lack of boundary fencing and extensive coastal vegetation. In any case the proposed tee is approximately the same distance away from the northern boundary as the existing tee blocks for the 4th hole. It is noted that Recreation Zone Desired Performance Feature (DPF) 2.2 seeks a minimum setback of 8 metres for buildings from boundaries with sensitive land uses. Whilst the proposal is sited closer than 8 metres from the boundary the works are not a building and do not have the same visual impact.

Overall, the location and appearance of the proposal is acceptable given the extent of surrounding vegetation, topography of the land, location away from public roads and reserves and limited works proposed. The tee is considered to be sufficiently removed from the northern boundary.

Impacts

Consideration has been given to the potential impact of the additional tee on the amenity of the adjoining dwellings to the north. Potential impacts include visual impact from the bulk and scale of the fill and earthworks and noise and privacy impacts from the use of the tee by golfers.

The proposed and existing tees are located above the residential properties to the north resulting in the potential for golfers to look into the adjoining properties and to be seen and heard by the adjoining residents. The owners of 39 Backler Street have expressed concern in this regard and have provided a number of photographs from the rear boundary of their property. As shown within Figure 4 above, and within the photographs provided by the applicant, the vegetation along the northern boundary is well established and provides a reasonable visual screen between the two uses.

It should be noted that the golf course is a well established use on the land. Whilst the proposal seeks to extend the use further to the west and closer to the rear of 39 Backler Street the use of the additional tee does not appear to pose any additional impacts in terms of noise, visibility, or privacy than the use of the existing tee blocks. The recreation Zone seeks the use of the land for active recreation which does ultimately result in the use of the land by members of the public for recreational pursuits. It is not considered that the proposal results in any tipping point in terms of impacts with only a minor, and acceptable, level of additional impact likely to occur.

Native Vegetation and Character

The applicant has detailed the clearance of native vegetation that has occurred and the subsequent approvals granted by the Native Vegetation Council (NVC). Whilst the illegal clearance of land in advance of the appropriate approvals is in no way supported it must be acknowledged that approval has been granted by the NVC. Had the NVC considered that the clearance was not acceptable they do have the power to issue a make good order. This has not occurred in this instance.

It appears that the amount of clearance undertaken in this instance has been minimal. It is difficult to determine what clearance was undertaken by Council contractors whilst installing the new drainage infrastructure and what additional work has been undertaken by the applicant. The Council drainage works

did result in a level of disturbance with the applicant undertaking replacement plantings as shown within the application documents.

Whilst it is noted that the Conservation Zone and general polices within the Code seek the retention of native vegetation and natural character the proposed works are limited in their impact with the batter slopes created having been revegetated by the applicant. The additional clearance is an extension of the area already cleared for the existing golf tees, as such it is not a new incursion into the Conservation Zone or spot clearance within an area of pristine natural character. As such it is acceptable in this instance.

CONCLUSION

The proposal seeks to extend the existing golf tees located within the north western corner of the subject land. The additional tee requires the filling of land to create a levelled platform at the rear of the existing tees with the edges to be battered and revegetated/stabilised. Consideration has been given to the potential impact of the proposal upon adjoining land and the natural character of the locality. Ultimately it is concluded that the impacts will not be unreasonable with golf courses an envisaged use within the Recreation Zone.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. 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
2. Development Application Number 21007156, by the Robe Golf Club is granted Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

1. The Development shall be carried out in accordance with plan/s and details as approved by Council except where required to be varied by any condition of consent or where approval is sought from and granted by Council, for any variation.
2. The batter slopes on the northern side of the tee block shall be appropriately stabilised and revegetated with local species and maintained in a good condition to the reasonable satisfaction of Council.
3. Stormwater and irrigation run off shall be prevented from spilling down, and destabilising, the batter slopes.

OFFICER MAKING RECOMMENDATION

Name: Damian Dawson
Title: Assessment Manager
Date: 24 September 2021

ATTACHMENT 1

Application Documents

Development Locations

Location 1

Location reference

LOT 1 BACKLER ST ROBE SA 5276

Title Ref

CT 6180/819

Plan Parcel

D112925 AL1

Council

DC OF ROBE

Zone Overlays

Zones

- Conservation
- Neighbourhood
- Recreation

Sub-zones

(None)

Overlays

- Affordable Housing
- Coastal Areas
- Hazards (Bushfire - Medium Risk)
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area
- Water Resources

Variations

- Minimum Frontage
- Minimum Site Area
- Maximum Building Height (Levels)

Application Contacts

Applicant(s)

Stakeholder info

Robe Golf Club

Contact

Stakeholder info

Robe Golf Club

Invoice Contact

Stakeholder info
Robe Golf Club

Invoice sector type

Land owners

Stakeholder info
Robe Golf Club

Nature Of Development

Nature of development
Extend the fourth golf tee block

Development Details

Current Use
Golf Club

Proposed Use
Golf Club

Development Cost
\$1,000.00

Proposed Development Details
Extend the fourth golf tee block

Element Details

You have selected the following elements

Other - Infrastructure

- Extension to fourth tee block on Golf Course

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?

No

Consent Details

Have any of the required consents for this development already been granted using a different system?

No

Consent list:

- Planning Consent
- Building Consent

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at District Council of Robe

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Applicant

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

Yes

Who should assess your building consent?

District Council of Robe

Has a builder been engaged for the proposed development?

Yes

Is the development being constructed by an Owner Builder?

Yes

Consent Order

Recommended order of consent assessments

1. Planning Consent
2. Building Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

Native Vegetation Declaration

No report or declaration supplied with this application.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
DA for 4th Tee block.docx	Planning Documents	28 Apr 2021 11:37 AM

Application Created User and Date/Time

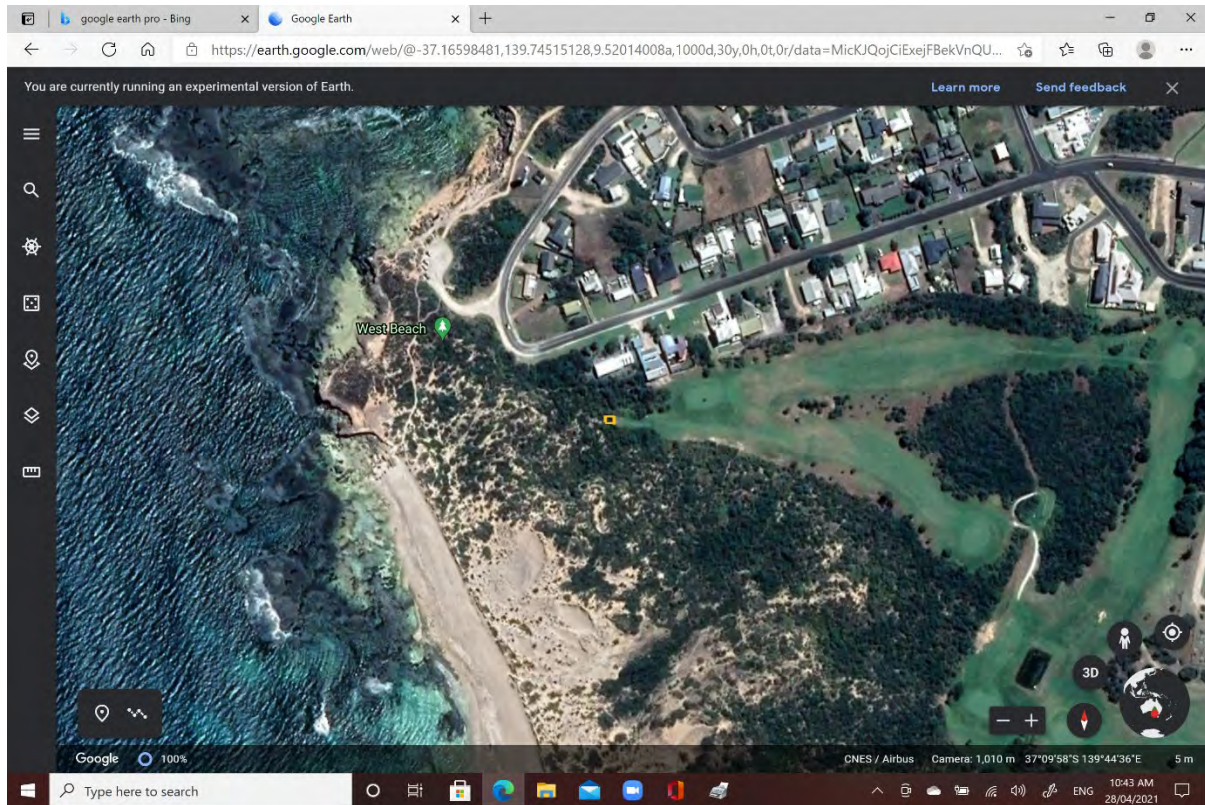
Created User

jessica.malone

Created Date/Time

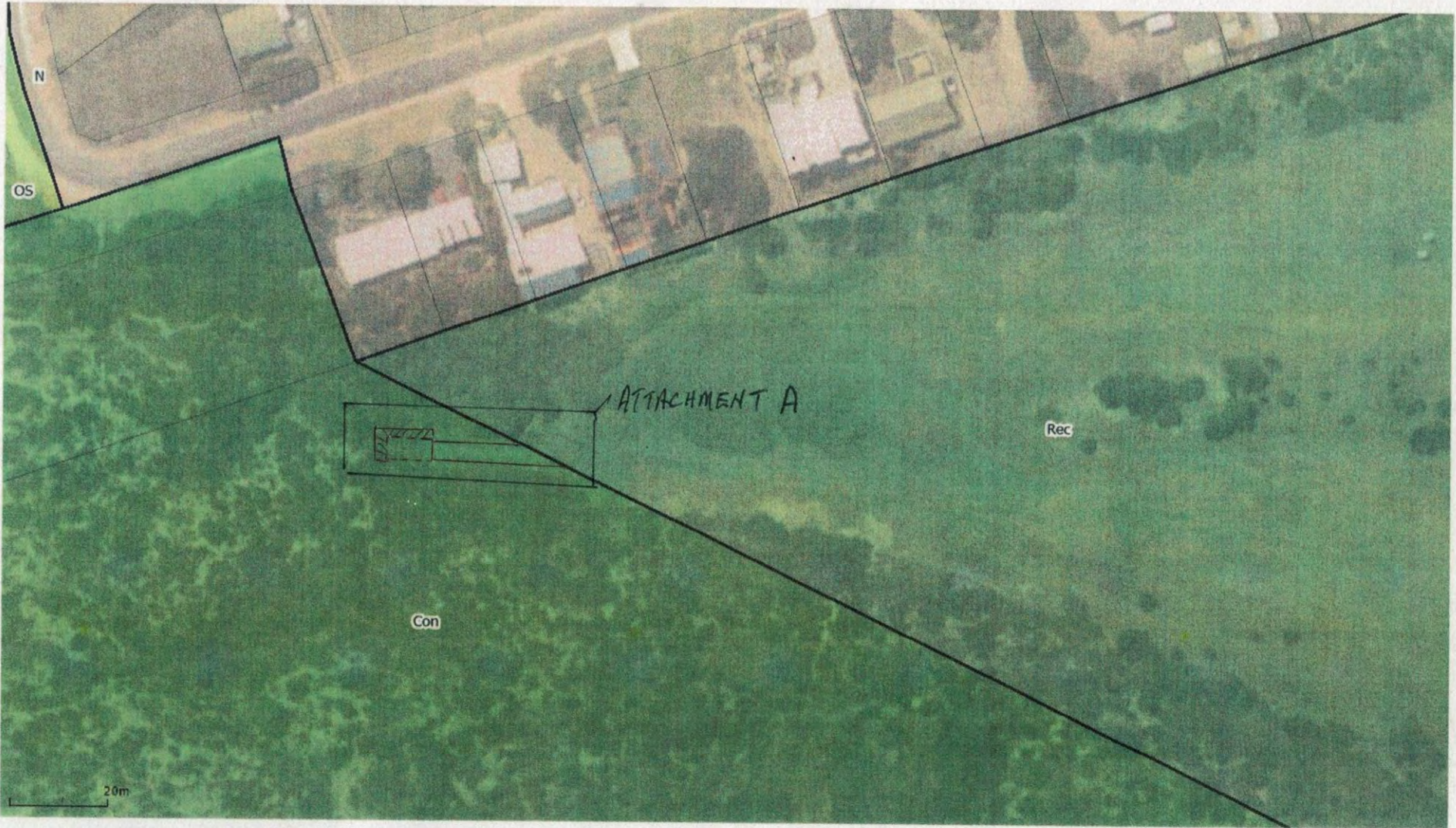
28 Apr 2021 11:37 AM

The purpose of this Development Application is to extend the 4th Tee block by adding an area of 60 square meters at the rear of the existing tee block as indicated by the highlighted square on the picture. This will be achieved by adding 60 cubic meters of soil to be supplied by the contractor.



Location of proposed tee block





N

OS

ATTACHMENT A

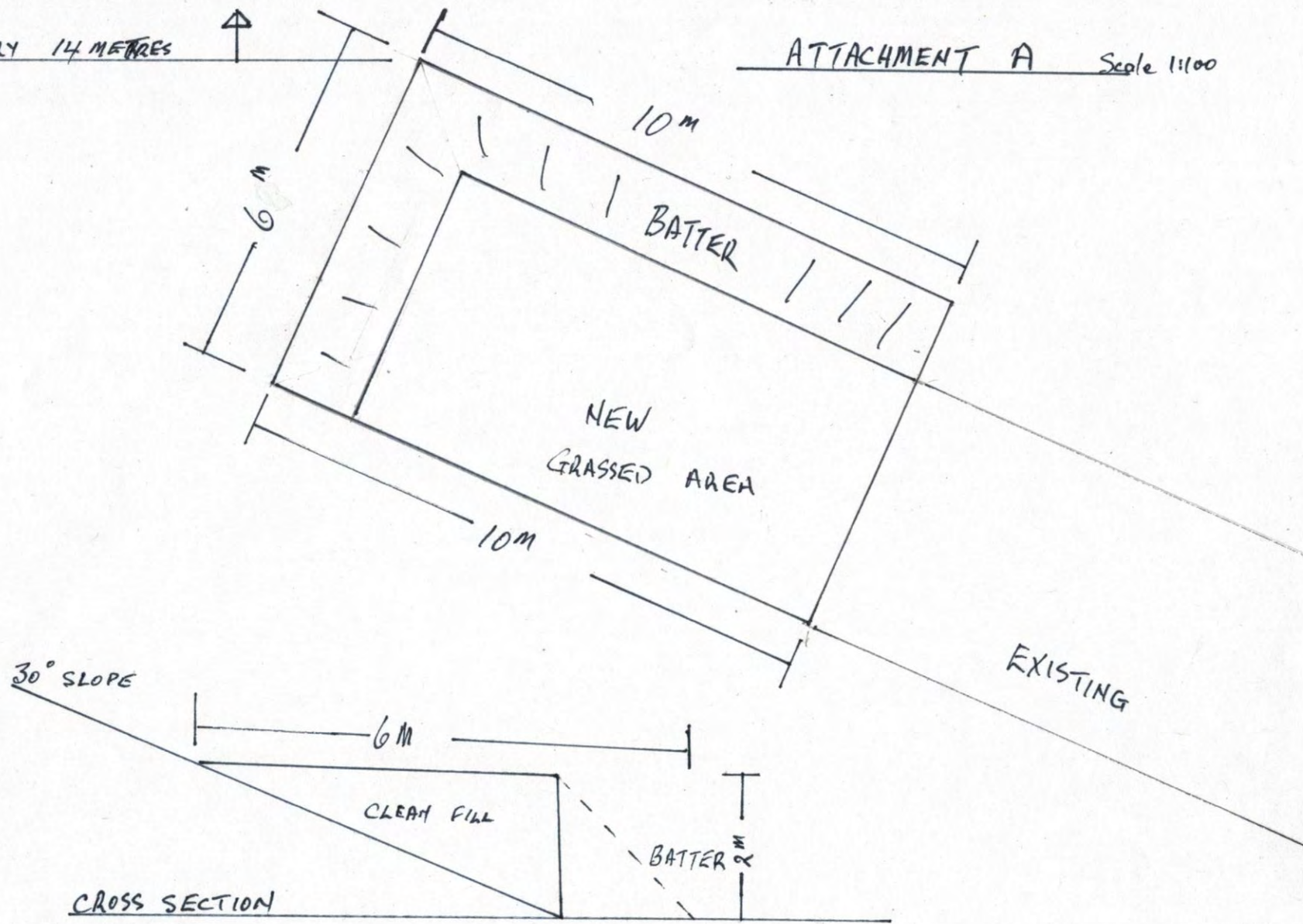
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20m

NEAREST BOUNDARY 14 METRES

ATTACHMENT A Scale 1:100





Native Vegetation Council

Contact: Sarah Reachill
Telephone: 8463 4821

81-95 Waymouth Street
Adelaide SA 5000

DEW-D0011963

GPO Box 1047
Adelaide SA 5001

30 March 2021

Ph| 08 8303 9777
Fx| 08 8303 9780

Mr Bill Speirs
President Robe Golf Course Inc
president@robegolfclub.com

nvc@sa.gov.au

Cc Scott Fennell

Dear Mr Speirs

RE: Robe Golf Club - SEB Credit Area (Applications 2015/2020/822 and 2016/3093/822)

I write to in your capacity as a representative and President of the Robe Golf Club Incorporated (RGC) in relation to SEB Credit Area that is held by RGC and also in relation to unauthorised clearance on RGC.

The RGC originally received approval on 9 September 2015 (2015/2020/822) for the clearance of 11.95 hectares of native vegetation for the previous expansion, which was subject to the statutory provision of a suitable Significant Environmental Benefit (SEB).

An amended decision was subsequently issued, dated 3 February 2017 (decision attached), requiring an offset of 47.92 ha to be achieved by establishing an Significant Environmental Benefit (SEB) area over a total of 53.41 ha (45ha is located within FP212916 Allotment 91 and 8.41ha located within DP112925 Allotment 3), and entering into a Heritage Agreement over the entirety of the SEB area.

The Robe Golf Course Incorporated was also granted approval on 25 November 2016 (2016/3093/822) for the clearance of 1.941ha of native vegetation associated with the Development Application 822/D007/2016 for a residential subdivision. The approval was subject to the required SEB of 4.67 ha to be achieved to establishing an SEB area totalling 168.35ha, within FP212916 Allotment 91 which was to be subject to a Heritage Agreement. This decision was subsequently amended on 3 February 2017 (decision attached) in order to achieve the SEB in a manner consistent with application 2015/2020/822 (i.e. an SEB area of 53.41ha - 45ha is located within FP212916 Allotment 91 and 8.41ha located within DP112925 Allotment 3, and entering into a Heritage Agreement over the entirety of the SEB area).

Therefore the total SEB requirement for the Golf Course expansion and the residential subdivision is 52.59 ha. The approved SEB area for the two applications was 53.41 ha. Therefore, the original approval resulted in 0.82 ha of credit.

Subsequent to the approvals being granted, additional clearance of native vegetation was detected by the Native Vegetation Branch, on the golf course land outside what was approved in the two decisions. On 22 January 2019, a letter was sent to the Robe Country Club Pty. Ltd. seeking further information in response to the detected clearance (NVIN01118). On 2 April 2019, MasterPlan SA Pty Ltd wrote on behalf of Robe Golf Club to the Native Vegetation Branch regarding the clearance. The letter



Government
of South Australia

details that an additional 0.51 ha of clearance beyond what was approved had occurred and determined that if the clearance had been approved, it would have required an additional SEB area of 2.33 ha. To account for the additional clearance, the letter proposed to increase the size of the Frenchman bay site to 49.67 ha. The proposed changes would have resulted in a total SEB area of 58.08 ha (49.67 ha within FP212916 Allotment 91 and 8.41ha located within DP112925 Allotment 3), whilst the total SEB requirement to account for the clearance would have been 54.92 ha. If the proposal was accepted by the NVC, it would have resulted in 3.16 ha of credit.

On 12 February 2020, site maps for the proposed Heritage Agreements relating to the two SEB sites were provided to Robe Golf Course, to review and agree too. These site maps relate to an area of 45ha at the Frenchman Bay site and 8.41ha at the Golf Course. Currently the Heritage Agreements for the two sites has not been finalised as this is awaiting your agreement to proceed with the process.

On 7 October 2020, the Native Vegetation Branch received a report of illegal clearance on the Robe Golf Course. On 15 October 2020 the Branch wrote to Robe Golf Club Inc. seeking further information (NVIN01409). It is understood from correspondence with representatives of the Golf Course that the clearance related to the relocation of a tee related to works being carried out by District Council of Robe.

On 22 December 2020, the Robe Golf Course was issued with a Section 31E Notice requiring that the tee be removed and the area rehabilitated. In the letter that accompanied the notice, the Robe Golf Club was advised that a substitute direction could be requested should it be considered impractical to comply with the notice. In a letter dated 12 January 2021, you requested a substitute direction under section 31EA of the Native Vegetation Act to meet the requirements of the Notice by providing SEB Credits for the unauthorised clearance.

The Native Vegetation Branch has determined that the unauthorised clearance occurred over an area of approximately 60m², likely requiring an SEB area of 0.05 ha.

Having consideration for all of the matters mentioned above, under Delegated Authority of the Native Vegetation Council, I approve the following;

- The increase in the SEB area associated with application 2015/2020/822 and 2016/3093/822 to 58.08 ha (49.67 ha within FP212916 Allotment 91 and 8.41ha located within DP112925 Allotment 3);
- The deduction of 2.33 ha of credit for the unauthorised clearance of 0.51ha native vegetation as detailed in the letter from Robe Golf Club dated 2 April 2019.
- The deduction of a further 0.05 ha of SEB credit in accordance with Section 31EA of the Act for the unauthorised clearance of approximately 60m² of vegetation.
- The achievement of 3.11ha of SEB credit available for future use subject to NVC Policy in place at the time and compliance with the requirements of the approved management plans for the SEB areas. Please see the determination of credit below;

	Clearance area (ha)	SEB area (ha)	SEB required (ha)	SEB Credit (Ha)
SEB areas (Frenchman Bay and Golf Course)		58.08		
2015/2020/822	11.95		47.92	10.16
2016/3093/822	1.941		4.67	5.49
NVIN01118	0.51		2.33	3.16
NVIN01409	0.006		0.05	3.11
Total	14.407	58.08	54.97	3.11

This approval and any subsequent use of the remaining SEB credit is subject to full compliance with the following requirement;

1. Signing the Heritage Agreement within 2 month of this letter for the full 58.08 hectares (49.67 ha within FP212916 Allotment 91 and 8.41ha located within DP112925 Allotment 3) over the areas delineated as SEB areas in the Decision Plan 1 of 3 and 3 of 3 attached to this decision;
2. Any future clearance of native vegetation by the Robe Golf Course must be subject to the approval of the Native Vegetation Council prior to the clearance occurring, with any application required to be accompanied by a data report prepared by an NVC Accredited Consultant. Areas of vegetation that have been cleared with approval of the Native Vegetation Council (application 2015/2020/822 and 2016/3093/822) and areas cleared without approval (Incident NVIN01118 and NVIN01409) are shown in the attached Decision Plan 1 of 3 and 2 of 3.
3. Signing and returning the attached Acknowledgement of Decision Notification form;

Please note, subject to the acceptance of this letter, no further action will be taken in relation to the unauthorised clearance of native vegetation relation to the following incidence - NVIN01118 and NVIN01409.

Should the Robe Golf Club seek to establish any further SEB credit areas, please be aware, this will be subject to the requirements of providing a new management plan prepared by an NVC Consultant describing actions to be taken over a 10 year timeframe.

Please sign and return the attached form within one month of the date of this letter to indicate acceptance of the terms and conditions of this letter.

If you have any further questions, please contact me.

Yours sincerely,



Sarah Reachill
Delegate
NATIVE VEGETATION COUNCIL

ATTACHMENT 2

Subject Land Map





BACKLER STREET

SUBJECT MAP



LEGENDS

-  SUBJECT LAND
-  SUBJECT SITE

ATTACHMENT 3

Zoning Map



ZONE MAP

LEGENDS

- SUBJECT LAND**
- SUBJECT SITE**




ATTACHMENT 4

Representation Map



REPRESENTATION MAP

LEGENDS

-  SUBJECT LAND
-  SUBJECT SITE
-  REPRESENTORS

ATTACHMENT 5

Representations

Details of submitter No: 1 - john davidson

Submitter:	john davidson
Submitter Address:	5 domaschenz st, robe, Australia, 5276

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

john

Last name:

davidson

Daytime Phone:

0457844195

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

Please take whatever appropriate action that is required to prevent the Robe Gold Club from repeatedly violating native vegetation assignments and regulations in Robe. There have been prior cases with apparent continuing disregard.

Sincerely, John Davidson.

Attached Documents

File
No records to display.

Details of submitter No: 2 - Robbie & Alastair Douglas

Submitter:	Robbie & Alastair Douglas
Submitter Address:	PO Box 332, ROBE, SA, Australia, 5276

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Robbie & Alastair

Last name:

Douglas

Daytime Phone:

0438270349

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

It was a logical extension of the 4th tee block and was done with due consideration to environmental concerns. This extension was done in collaboration with Council. Council initially did clearing work as part of the Backler Street drain. RGC was able to work with this in the tee extension. Communication by both parties to adjoining landholders should have been much more timely.

Attached Documents

File

douglas

7 JUL 2021

South Australia
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

**REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED
DEVELOPMENT**

Applicant: Robe Golf Club

Development Number: 21007156

Nature of Development: Retrospective application for the relocation of the 4th tee block on an existing golf course

Zone / Sub-zone /

Overlay:

Subject Land:

Contact Officer:]

Phone Number:

Close Date:

My name*:	Robbie & Alastair Douglas	My phone number:	0438 270 349
My postal address*:	P.O. Box 332 Robe 5276	My email:	rdouglas_robbie@hotmail.com

* indicates mandatory information

My position is:
(please tick one)

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:

- It is a logical extension of the 4th tee block, & was done with due consideration to environmental concerns
- This extension was done in collaboration with Council. Council initially did clearing work as part of the Backler St drain. RGC was able to work with this in the tee extension. Communication [attached additional pages as needed] by both parties

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

I:

wish to be heard in support of my submission*

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

(please tick one)

do not wish to be heard in support of my submission

By:

appearing personally

to adjoining landholders could have been much more timely.

(please tick one)

being represented by the following person: _____

Signature: Aslyn E Douglas Date: 5/7/21

Return Address: [relevant authority postal address] or

Email: [relevant authority email address] or

Complete online submission: SA Planning Portal www.saplanningportal.sa.gov.au

Details of submitter No: 3 - Charles Goode

Submitter:	Charles Goode
Submitter Address:	9 Tenison Drive, Mount Gambier, Australia, 5290

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Charles

Last name:

Goode

Daytime Phone:

0409672364

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

The development and plantings by the Robe Golf Club has improved the disturbance left by the Robe District Council after digging and installing drainage pipe on the southern side of our boundary.

We appreciate the golf club's efforts as it has greatly improved and enhanced the area

Attached Documents

File
No records to display.

Details of submitter No: 4 - Trish Millar

Submitter:	Trish Millar
Submitter Address:	140/220 Greenhill Road, Eastwood, Australia, 5063

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Trish

Last name:

Millar

Daytime Phone:

0418834433

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

This further development of the golf course is done very professionally and looks good. Little bush land was removed. It is much safer than the old tee block. The golfing facilities are a real asset to Robe in so many ways. It is a joy to be adjacent and I am pleased with it.

Attached Documents

File

No records to display.

Details of submitter No: 5 - Richard White

Submitter:	Richard White
Submitter Address:	PO Box 575 , Robe, Australia, 5276

5 White Richard White Richard Richard White PO Box 575 , Robe, Australia, 5276 demijon@bigpond.com 0427275042 2329

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Richard

Last name:

White

Daytime Phone:

0427275042

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

My position is:

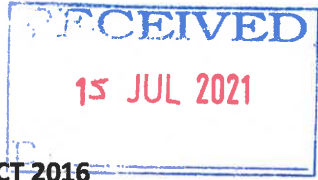
- I support the development
- I support the development with some concerns (detail below)
- I oppose the development

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

The Development is practical, sympathetically done, sits well with adjoining native vegetation.

Attached Documents

File
white



South Australia
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

**REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED
DEVELOPMENT**

Applicant: Robe Golf Club

Development Number: 21007156

Nature of Development: Retrospective application for the relocation of the 4th tee block on an existing golf course

**Zone / Sub-zone /
Overlay:**

Subject Land:

Contact Officer:]

Phone Number:

Close Date:

My name*:	RICHARD WHITE	My phone number:	0427 275 042
My postal address*:	P.O. BOX 575 ROBE 5276	My email:	demijon@bigpond.net.au

* indicates mandatory information

- My position is: (please tick one)
- 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:

TITE DEVELOPMENT IS PRACTICAL, SYMPATHETICALLY DONE, SITS WELL WITH ADJOINING NATIVE VEGETATION

[attached 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

- I: (please tick one)
- wish to be heard in support of my submission*
 - do not wish to be heard in support of my submission

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

By: appearing personally

(please tick one)

being represented by the following person: _

Signature: _____ **Date:** _____

Return Address: [relevant authority postal address] or

Email: [relevant authority email address] or

Complete online submission: SA Planning Portal www.saplanningportal.sa.gov.au

Details of submitter No: 6 - Robert & Gayle Cowan

Submitter:	Robert & Gayle Cowan
Submitter Address:	PO Box 320, Mt Gambier, Australia, 5290

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Robert & Gayle

Last name:

Cowan

Daytime Phone:

0418835622

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

The proposal presents a solution to problems evidenced during flooding. We have viewed the ground. There is no information from the Planning Development in support of the proposal we can only assume communication has occurred and "deemed to satisfy". To hold up the proposal would only serve to further delay progress.

Attached Documents

File

cowan

RECEIVED
16 JUL 2021

South Australia
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

**REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED
DEVELOPMENT**

Applicant: Robe Golf Club

Development Number: 21007156

Nature of Development: Retrospective application for the relocation of the 4th tee block on an existing golf course

**Zone / Sub-zone /
Overlay:**

Subject Land:

Contact Officer:]
]]
Close Date:

Phone Number:

My name*:	Robert COWAN Gayle COWAN	My phone number:	0418 835 622
My postal address*:	P.O. Box 320 Mt. Gambier 5290	My email:	gbcowan@bigpond.com

* indicates mandatory information

(7 Backler Street)

My position is:
(please tick one)

- 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:

The proposal presents a solution to problems evidenced during flooding we have viewed the ground. There is no information from the Planning Department in support of the proposal, we can only assume communication has occurred and "deemed to satisfy".
To hold up the proposal would only serve to further delay progress.

[attached 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

I: wish to be heard in support of my submission*
(please tick one) do not wish to be heard in support of my submission

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

By: appearing personally

12/7/21 13:51
1005 10 87

(please tick one)

being represented by the following person: _

Signature: Roscoe G. Gowan Date: 12/7/21

Return Address: [relevant authority postal address] or

Email: [relevant authority email address] or

Complete online submission: SA Planning Portal www.saplanningportal.sa.gov.au

Details of submitter No: 7 - Jock Macfarlane

Submitter:	Jock Macfarlane
Submitter Address:	PO Box 234, Robe, Australia, 5276

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Jock

Last name:

Macfarlane

Daytime Phone:

0418842254

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

The relocation of the tee enhances the challenge of the 4th hole and more importantly covers the track cleared for the disposal of flood water from Backlers St Lake by the Robe District Council.

Attached Documents

File

No records to display.

Details of submitter No: 8 - James Jess

Submitter:	James Jess
Submitter Address:	39 Backler Street, Robe, Australia, 5276

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

James

Last name:

Jess

Daytime Phone:

0408563911

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

Nominated Speaker:

James Jess

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:

I am unsure what factors are considered relevant when taking into account our objection to the development so I have included elevated photos and photos from our backyard, listed the history of what has taken place and effects on us

Attached Documents

File
Golf course development
backyard photos 1
backyard photos 2
backyard photos 3
backyard 4

File
backyard 5

Considering the application is for a retrospective approval the development is already there for us all to see. The facts, consequences and dramatic effect on us the adjacent homeowner is clearly evident.

The application provided is a gross, and I believe deliberate distortion of the true extent of the development.

1. To allow for development to proceed the Robe golf club illegally cleared without applying for or receiving approval from either the Native vegetation council or the Robe council a native vegetation area that was a privacy barrier between us and the thousands of golfers who use the course yearly
2. The robe golf club once again has shown total disregard for the law and regulations regarding the clearing of native vegetation on what is council land. (Not their first offense)
3. The morning work commenced on the area we meet with and expressed our dismay to the council planning officer Michelle Gibbs. The Robe golf club obviously has misled the council because she told us she was informed by the club president Graeme Clements that "only cleanup work was being done on a pipeline that had been installed". (Obviously false)
4. After we expressed our concern again, we received a letter from Michelle Gibbs stating there has been misunderstanding
5. I contacted Michelle Gibbs and was told by her that the golf club didn't need any approval for the development (obviously false)
6. In contradiction to what Michelle had previously been told she now said the golf club president Graeme Clements told her that the work was done to relocate the tee.
7. I asked Michelle if I would be entitled to dump an equivalent amount of soil on our block to elevate to the same level as what the golf club has done. (She said no)
8. She also told me the council has no responsibility to ensure illegal clearing didn't occur on what is council land.
9. We received an email from CEO James Holyman stating that Robe golf club didn't need to notify us their neighbors or receive any approval from council for the development (obviously false)
10. After repeated contact with the council I met with Rob Moir the infrastructure manager on site 3 months after the development was constructed, he was surprised by the extent of the works that had occurred and said there were many things that needed to be addressed
11. Rob contacted me later and said that the golf club in fact did need approval and said the advice he has received was that the development was illegal.
12. Rob said he had previously asked the golf club not to dump soil without approval (the request was ignored)
13. There has been far more then 60 cubic meters of soil dumped, there is no soil profile or structure stability information supplied.
14. The elevated walkway and buggy stop leading to the tee has not been included in the application, yet it is part of the development and stretches almost the length of our boundary.
15. The diagram of the tee provided shows filling deposited on a 30-degree slope this was not the case, in fact the topography was fairly level and vegetated extending meters from our boundary.
16. The diagram of the tee also states the nearest boundary is 14 meters away, yet it is closer to 1 meter from our boundary
17. Our corner boundary marker peg (unofficial) on our property was pulled out and discarded by the contractor.

18. Rob Moir the infrastructure manager said the golf club was asked to provide a survey of the site, this was not done
19. The aerial photo provided in the application showing boundaries and the indistinct (rough as it is) marking where the tee is situated shows a slight overlap into our block. The superimposed boundary markings on their ariel photograph and is actually not a clear indication of where our boundary and the tee and walkway is.
20. The wire and timber ball deflection construction that is over 2 meters high on top of the already elevated by 2-meter tee has not been included in the application.
21. The robe golf club has shown total disdain to us their neighbors.
22. The robe golf club has shown contempt for council rules and regulations by deliberately misleading it regarding their true intentions.
23. The council CEO James Holyman and the planning officer Michelle Gibbs both supplied us with false information and there seemed a general reluctance to help and it was only my own enquires that has initiated action.
24. The soil that has been dumped in close proximity to elevate the tee and walkway and the illegal removal of the native vegetation allows the many golfers to look directly down into our home and yard giving us absolutely no privacy.
25. The noise from the ping of golf shots, the cheering for good shots and the cursing and swearing, for poor ones and the general banter every day has destroyed our peace, tranquility, and standard of living.
26. The consequences of the development has devalued our property substantially.

Considering the above points it appears people with connections, power and money think they are exempt from the law, and rules and regulations that supposedly apply to us all.

The relocation of the tee and the overall development occurred without any consideration to the consequences on others to achieve their objectives.

We ask that the development application be rejected.

Regards,
Jim Jess











Details of submitter No: 9 - Loralee Jess

Submitter:	Loralee Jess
Submitter Address:	39 Backler St, Robe, Australia, 5276

9 Jess Lorelee Jess Lorelee Lorelee Jess 39 Backler St, Robe, Australia, 5276 0474 201 313 2570

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Loralee

Last name:

Jess

Daytime Phone:

0474 201 313

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

It was illegal, deliberate and covert

The development infringes dramatically on our home

The development is noisy and visually intrusive

The development obstructs and inhibits native animals

The development boundary infringes our land

There was no weed infringement in the native vegetation

Please restore the natural vegetation and terrain

Attached Documents

File

File
No records to display.

ATTACHMENT 6

Response to Representations



6-08-2021

To members of the Robe Development Panel, thank you for the opportunity to reply to the representations re the extension of the 4th TEE block on the Robe Golf Course.

As you may know the Robe Golf Club is a members Club which welcomes members of the Community to use the Course for Golf and also to exercise. The management of the course is vested in the elected Committee, this reply is on behalf of the Committee.

A Decision was made by the Committee under the leadership of Graeme Clements to extend the 4th TEE to the West to provide a greater challenge to the more experienced golfers when hitting off from the blue tee blocks. With regard to the Golf Club needing to apply for approval to do this extension it is evident even by Mr Jess' comments there was a lot of confusion whether approval was needed, it is now obvious that approval was needed hence the retrospective application.

The opportunity presented itself when Robe Council created a track from Backler Street through and up over the Tee block into the dune to lay a pipe to pump storm water from Backler St. this is clearly shown in Mr Jess' photo included with his representation.

The Golf Club received an email from Mr Jess on the 29th of December 2020 expressing his concerns regarding the extent of the new works required to extend the TEE block. I replied on the sixth of January that I would put his concerns before the next Committee meeting, he asked if we could meet before that. It was agreed that Vice President Gordon Wynne and myself would meet with Mr Jess that afternoon.

We met with Mr Jess on site and discussed his concerns. I apologised to him for the lack of communication regarding the extension of the TEE block explaining that it was an opportunity that was provided by Council clearing the track as they had. It appears that the Golf club has been blamed for the majority of native vegetation clearance where as in fact Council was responsible for that.

His last comment was would we as a Golf club object to him raising the level of his block and building two, two storey houses overlooking the golf course. We replied that we couldn't see why we would object. There are already a number of houses overlooking the golf course along Backler Street. He replied that was all good and he would no longer object and was happy with the outcome of the meeting. I am surprised at his representation.

The Golf Club has rehabilitated the area closest to Backler Street Cleared by Council, by re grassing the grassed area and planting with native plants the area that was previously covered with introduced species, the area was then watered regularly until all plants were established. See Attached photo 3.

Any issues we had with the Native Vegetation Council of SA have been resolved as per the correspondence included with the DA.


With regard to the privacy issue that Mr Jess raises I refer the panel to two photos attached Photos 1 and 2, which show a view from the two areas that golfers would stand before hitting off. They both show extensive vegetation between the Tee block and the Jess' house, in fact it is difficult to see their house at all. The Mesh panels were placed where they are for safety reasons and protect any neighbours from miss hits. The club takes every measure to protect its players and members of the public, we take that responsibility seriously.

I believe I have addressed the representations of Lorelee Jess and John Davidson in replying to Mr Jess' representation.

As President of Robe Golf Club, I have learnt a lesson from all of this. Staff and Volunteers have been instructed that no native vegetation can be removed without the appropriate approvals, and they are now also aware of Council requirements for the removal and transportation of soil.

Can I assure the panel the Club as a community organisation within the town is aware of its responsibility to fit in. We are part of the drawcard for the thousands of tourist and holiday makers that visit Robe throughout the year. We provide much of the green space for the town and as such allow and encourage people to exercise with their pets when golfers are not on the course. We understand the need to have excellent relations with our neighbours and other towns people because of our close proximity. This has been an unfortunate occurrence and as President will be taking every step to see that this does not happen again.

Thank you for your consideration

A handwritten signature in cursive script, appearing to read 'Bill Speirs', is written in black ink on a light blue background.

Bill Speirs

President Robe Golf Club

Photo 1.



Photo 2.



Photo 3.



ATTACHMENT 7

Prescribed Body Responses

Referral Snapshot

Development Application number:

21007156

Consent:

Planning Consent

Relevant authority:

District Council of Robe

Consent type for distribution:

Referral body:

Coast Protection Board

Response type:

Schedule 9 (3)(3) Coastal Areas Overlay

Referral type:

Direction

Response date:

29 Jul 2021

Advice:

No comment to make

APPENDIX 1

Relevant P&D Code Policies

LOT 1 BACKLER ST ROBE SA 5276

Address:

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

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



Property Zoning Details

Local Variation (TNV)

Minimum Frontage (*Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m*)

Minimum Site Area (*Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm*)

Maximum Building Height (Levels) (*Maximum building height is 1 level*)

Overlay

Affordable Housing

Coastal Areas

Hazards (Bushfire - Medium Risk)

Hazards (Bushfire - Urban Interface)

Hazards (Flooding - Evidence Required)

Native Vegetation

Prescribed Wells Area

Water Protection Area

Water Resources

Zone

Conservation

Neighbourhood

Recreation

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

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.

■ Neighbourhood

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.

- Air handling unit, air conditioning system or exhaust fan
- Brush fence
- Carport
- Internal building work
- Partial demolition of a building or structure
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Verandah
- 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.

- Land division
- Temporary accommodation in an area affected by bushfire

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.

- Ancillary accommodation
- Carport
- Demolition
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
 - (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.
- Fence
- Group dwelling
- Land division
- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Tree-damaging activity
- Verandah

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.

■ Recreation

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
- Private bushfire shelter
- Protective tree netting structure
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Swimming pool or spa pool
- Verandah
- 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

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
- Demolition
- Outbuilding
- Retaining wall
- Shop
- Tree-damaging activity
- Verandah

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 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	
<p>PO 1.1</p> <p>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.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Advertisement (b) Camp ground (c) Farming (d) Public toilet
<p>PO 1.2</p> <p>Development is primarily in the form of:</p> <ul style="list-style-type: none"> (a) directional, identification and/or interpretative advertisements and/or advertising hoardings for conservation management and tourist information purposes (b) scientific monitoring structures or facilities (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. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>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.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
Land Division	
<p>PO 2.1</p> <p>Land division supports the management or improvement of the natural environment including avoiding:</p> <ul style="list-style-type: none"> (a) further fragmentation of land that may reduce effective management of the environment (b) parcel arrangements that increase direct property access to waterfront areas. 	<p>DTS/DPF 2.1</p> <p>Land division satisfies (a) and (b):</p> <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (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: <p>In relation to DTS/DPF 2.1, in instances where:</p>

	<p>(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</p> <p>(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.</p>
Environmental Protection	
<p>PO 3.1 Development avoids important habitat, nesting or breeding areas or areas that are important for the movement/migration patterns of fauna.</p>	<p>DTS/DPF 3.1 None are applicable.</p>
<p>PO 3.2 Development avoids seagrass, mangroves and saltmarshes for their biodiversity value and carbon storage potential.</p>	<p>DTS/DPF 3.2 None are applicable.</p>
Built Form and Character	
<p>PO 4.1 Development is sited and designed unobtrusively to minimise the visual impact on the natural environment by:</p> <ul style="list-style-type: none"> (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. 	<p>DTS/DPF 4.1 None are applicable.</p>
<p>PO 4.2 Development is sited and designed to minimise impacts on the natural environment by:</p> <ul style="list-style-type: none"> (a) containing construction and built form within a tightly defined site boundary (b) minimising the extent of earthworks. 	<p>DTS/DPF 4.2 None are applicable.</p>
<p>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.</p>	<p>DTS/DPF 4.3 None are applicable.</p>
<p>PO 4.4 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.</p>	<p>DTS/DPF 4.4 None are applicable.</p>
Access and Car Parking	
<p>PO 5.1 Vehicle access points are limited to minimise impact on the natural environment.</p>	<p>DTS/DPF 5.1 No more than one vehicle access point is provided to a site, landmark or lookout.</p>
<p>PO 5.2 Roads and vehicle access ways are located to minimise vegetation clearance and are constructed of permeable materials.</p>	<p>DTS/DPF 5.2 None are applicable.</p>
<p>PO 5.3 Roads are of a width and route to encourage low speeds and minimise impact on the natural environment.</p>	<p>DTS/DPF 5.3 None are applicable.</p>
<p>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.</p>	<p>DTS/DPF 5.4 None are applicable.</p>
<p>PO 5.5 Recreational trails are raised or surfaced with permeable materials to minimise impact on the natural environment.</p>	<p>DTS/DPF 5.5 Pedestrian access ways/recreational trails are raised or constructed of permeable materials.</p>
<p>PO 5.6 Car parking areas are designed to minimise impact on the natural environment.</p>	<p>DTS/DPF 5.6 Car parking areas are:</p> <ul style="list-style-type: none"> (a) constructed of permeable material (b) located on already legally cleared land (c) consolidated in one location.
Advertisement	
<p>PO 6.1 Advertisements are limited to those needed for direction, identification and/or</p>	<p>DTS/DPF 6.1 Advertisements are for one or more of the following:</p>

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interpretation of environmental or cultural values and recreational and tourism facilities.	(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: (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 9.1 is met.

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

Class of Development (Column A)	Exceptions (Column B)
1. A kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any development involving any of the following (or of any combination of any of the following): (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	None specified.

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(w) water tank.	
3. Demolition.	<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.
Placement of Notices - Exemptions for Performance Assessed Development	
None specified.	
Placement of Notices - Exemptions for Restricted Development	
None specified.	

Neighbourhood Zone

Assessment Provisions (AP)

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
Land Use and Intensity	
<p>PO 1.1</p> <p>Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ol style="list-style-type: none"> (a) Ancillary accommodation (b) Community facility (c) Consulting room (d) Dwelling (e) Educational establishment (f) Office (g) Outbuilding (h) Pre-school (i) Recreation area (j) Retirement facility (k) Shop (l) Supported accommodation.
<p>PO 1.2</p> <p>Commercial activities improve community access to services are of a scale and type to maintain residential amenity.</p>	<p>DTS/DPF 1.2</p> <p>A shop, consulting room or office (or any combination thereof) satisfies any one of the following:</p> <ol style="list-style-type: none"> (a) it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied: <ol style="list-style-type: none"> (i) does not exceed 50m² gross leasable floor area (ii) does not involve the display of goods in a window or about the dwelling or its curtilage (b) it reinstates a former shop, consulting room or office in an existing building (or portion of a building) and satisfies one of the following: <ol style="list-style-type: none"> (i) the building is a State or Local Heritage Place (ii) is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes.
<p>PO 1.3</p> <p>Non-residential development is located and designed to improve community accessibility to services, primarily in the form of:</p> <ol style="list-style-type: none"> (a) small-scale commercial uses such as offices, shops and consulting rooms 	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>

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<ul style="list-style-type: none"> (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 (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>where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment)</p> <p>or</p> <p>(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>
<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 a side boundary (not being a boundary with a primary street or secondary street) 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.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Recreation Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	Provision of a range of accessible recreational facilities.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated
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		Performance Feature
Land Use and Intensity		
<p>PO 1.1</p> <p>Development is associated with or ancillary to the primary purpose of structured, unstructured, active and / or passive recreational facilities.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Car parking (b) Change rooms (c) Golf course (d) Indoor recreation facility (e) Lighting for night use of facilities (f) Market (g) Motorsport track and associated activities (h) Office ancillary to recreation facility (i) Open space (j) Outdoor sports courts (k) Playground (l) Racecourse and associated activities (m) Recreation area (n) Shop ancillary to recreation facility (o) Showground and associated activities (p) Special event (q) Spectator viewing structure (r) Sporting clubrooms (s) Sporting ovals and fields (t) Stadium (u) Swimming pool (v) Tourist accommodation ancillary to recreation facility 	
<p>PO 1.2</p> <p>Shops including restaurants are of a scale that is subordinate to the principal recreational use of land.</p>	<p>DTS/DPF 1.2</p> <p>Shop gross leasable floor area does not exceed 80m².</p>	
<p>PO 1.3</p> <p>Offices are of a scale that is subordinate to the principal recreational use of land.</p>	<p>DTS/DPF 1.3</p> <p>Office gross leasable floor area does not exceed 80m².</p>	
<p>PO 1.4</p> <p>Tourist accommodation of a scale that is subordinate to the principal recreational use of land.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>	
<p>PO 1.5</p> <p>Facilities capable of attracting larger numbers of spectators may include complementary activities associated with the principal recreational use of land, such as:</p> <ul style="list-style-type: none"> (a) Horse breeding, keeping, sales and training activities associated with a racecourse (b) Storage and maintenance of racing vehicles associated with a motorsport track. 	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>	
<p>PO 1.6</p> <p>Facilities that may attract longer-term stays may include complementary activities associated with the principal recreational use of land, such as tourist accommodation.</p>	<p>DTS/DPF 1.6</p> <p>None are applicable.</p>	
Built Form and Character		
<p>PO 2.1</p> <p>Development includes building, landscape and streetscape design elements to achieve high visual amenity particularly along public roads and open spaces.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>	
<p>PO 2.2</p> <p>Buildings are designed and sited to manage visual impacts.</p>	<p>DTS/DPF 2.2</p> <p>Buildings are set back:</p> <ul style="list-style-type: none"> (a) no closer to a public road than an existing building on an adjoining allotment, or 8m where no building exists on an adjoining site (b) 8m from the boundary of an allotment containing, or zoned to primarily accommodate, a sensitive receiver in other ownership. 	
<p>PO 2.3</p> <p>Outbuildings are of a scale that manages visual impacts.</p>	<p>DTS/DPF 2.3</p> <p>Outbuildings have a:</p> <ul style="list-style-type: none"> (a) floor area that does not exceed 80m² (b) wall height that does not exceed 3m (c) building height that does not exceed 5m 	
Interface Height		
<p>PO 3.1</p> <p>Buildings mitigate the visual impacts of massing on residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.1</p> <p>Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for</p>	

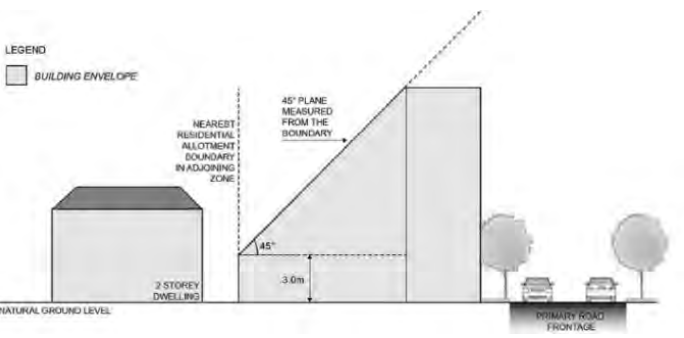
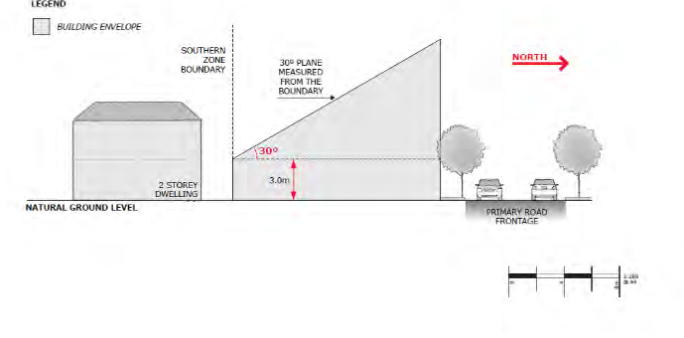
	<p>residential purposes within a neighbourhood-type zone as shown in the following diagram (except where this boundary is a southern boundary or where this boundary is the primary street boundary):</p> 
<p>PO 3.2 Buildings mitigate overshadowing of residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.2 Buildings on sites with a southern boundary adjoining the boundary of an allotment used for residential purposes within a neighbourhood-type zone are constructed within a building envelope provided by a 30 degree plane grading north measured from a height of 3m above natural ground level at the southern boundary, as shown in the following diagram:</p> 
Land Division	
<p>PO 4.1 Land division supports the provision of recreational facilities.</p>	<p>DTS/DPF 4.1 Land division is for the purposes of:</p> <ul style="list-style-type: none"> (a) the creation of a public road or a public reserve or (b) a minor adjustment of allotment boundaries to remove an anomaly in existing boundaries with respect to the location of existing buildings or structures.
Concept Plans	
<p>PO 5.1 Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 5.1 The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 5.1, in instances where:</p> <ul style="list-style-type: none"> (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 5.1 is met.
Advertisements	
<p>PO 6.1 Freestanding advertisements that identify the associated business without creating a visually dominant element within the locality.</p>	<p>DTS/DPF 6.1 Freestanding advertisements:</p> <ul style="list-style-type: none"> (a) do not exceed 2m in height (b) do not have a sign face that exceeds 2m² per side.

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

Class of Development (Column A)	Exceptions (Column B)
<p>1. A kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	<p>None specified.</p>
<p>2. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) advertisement (b) air handling unit, air conditioning system or exhaust fan (c) building work on railway land (d) change rooms (e) fence (f) outbuilding (g) outdoor sports courts (h) playground (i) protective tree netting structure (j) retaining wall (k) shade sail (l) solar photovoltaic panels (roof mounted) (m) verandah (n) water tank. 	<p>Except development that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Recreation Zone DTS/DPF 2.2 2. Recreation Zone DTS/DPF 3.1 3. Recreation Zone DTS/DPF 3.2.
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) indoor recreation facility (b) market (c) showground (d) special event (e) sporting clubrooms (f) swimming pool (g) horse breeding, keeping, sales, training or stables ancillary to an existing racecourse 	<p>Except where the site of the development is adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone.</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) internal building works (b) land division (c) open space (d) recreation area (e) replacement building (f) temporary accommodation in an area affected by bushfire (g) tree damaging activity. 	<p>None specified.</p>
<p>5. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
<p>6. Office.</p>	<p>Except office that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Recreation Zone DTS/DPF 1.3 2. Recreation Zone DTS/DPF 2.2 3. Recreation Zone DTS/DPF 3.1 4. Recreation Zone DTS/DPF 3.2.
<p>7. Shop.</p>	<p>Except shop that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Recreation Zone DTS/DPF 1.2 2. Recreation Zone DTS/DPF 2.2 3. Recreation Zone DTS/DPF 3.1 4. Recreation Zone DTS/DPF 3.2.
<p>8. Telecommunications facility.</p>	<p>Except telecommunications facility exceeding 30m in height or where the site of the development is adjacent land to a site (or land) used for residential purposes in a neighbourhood zone.</p>

Placement of Notices - Exemptions for Performance Assessed Development
None specified.
Placement of Notices - Exemptions for Restricted Development
None specified.

Part 3 - Overlays

Affordable Housing Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Affordable housing is integrated with residential and mixed use development.
DO 2	Affordable housing caters for a variety of household structures.

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 Development comprising 20 or more dwellings / allotments incorporates affordable housing.	DTS/DPF 1.1 Development results in 0-19 additional allotments / dwellings.
PO 1.2 Development comprising 20 or more dwellings or residential allotments provides housing suited to a range of incomes including households with low to moderate incomes.	DTS/DPF 1.2 Development comprising 20 or more dwellings / or residential allotments includes a minimum of 15% affordable housing except where: (a) it can be demonstrated that any shortfall in affordable housing has been provided in a previous stage of development or (b) it can be demonstrated that any shortfall in affordable housing will be accommodated in a subsequent stage or stages of development.
PO 1.3 Affordable housing is distributed throughout the development to avoid an overconcentration.	DTS/DPF 1.3 None are applicable.
Built Form and Character	
PO 2.1 Affordable housing is designed to complement the design and character of residential development within the locality.	DTS/DPF 2.1 None are applicable.
Affordable Housing Incentives	
PO 3.1 To support the provision of affordable housing, minimum allotment sizes may be reduced below the minimum allotment size specified in a zone while providing allotments of a suitable size and dimension to accommodate dwellings with a high standard of occupant amenity.	DTS/DPF 3.1 The minimum site area specified for a dwelling can be reduced by up to 20%, or the maximum density per hectare increased by up to 20%, where it is to be used to accommodate affordable housing except where the development is located within the Character Area Overlay or Historic Area Overlay.
PO 3.2 To support the provision of affordable housing, building heights may be increased above the maximum specified in a zone.	DTS/DPF 3.2 Where a building incorporates dwellings above ground level and includes at least 15% affordable housing, the maximum building height specified in any relevant zone policy can be increased by 1 building level in the: (a) Business Neighbourhood Zone (b) City Living Zone (c) Established Neighbourhood Zone (d) General Neighbourhood Zone

	<p>(e) Hills Neighbourhood Zone (f) Housing Diversity Neighbourhood Zone (g) Neighbourhood Zone (h) Master Planned Neighbourhood Zone (i) Master Planned Renewal Zone (j) Master Planned Township Zone (k) Rural Neighbourhood Zone (l) Suburban Business Zone (m) Suburban Neighbourhood Zone (n) Township Neighbourhood Zone (o) Township Zone (p) Urban Renewal Neighbourhood Zone (q) Waterfront Neighbourhood Zone</p> <p>and up to 30% in any other zone, except where:</p> <p>(a) the development is located within the Character Area Overlay or Historic Area Overlay or (b) other height incentives already apply to the development.</p>
<p>Movement and Car Parking</p>	
<p>PO 4.1 Sufficient car parking is provided to meet the needs of occupants of affordable housing.</p>	<p>DTS/DPF 4.1 Dwellings constituting affordable housing are provided with car parking in accordance with the following:</p> <p>(a) 0.3 carparks per dwelling within a building which incorporates dwellings located above ground level within either:</p> <ul style="list-style-type: none"> (i) 200 metres of any section of road reserve along which a bus service operates as a high frequency public transit service⁽²⁾ (ii) is within 400 metres of a bus interchange⁽¹⁾ (iii) is within 400 metres of an O-Bahn interchange⁽¹⁾ (iv) is within 400 metres of a passenger rail station⁽¹⁾ (v) is within 400 metres of a passenger tram station⁽¹⁾ (vi) is within 400 metres of the Adelaide Parklands. <p>or</p> <p>(b) 1 carpark per dwelling for any other dwelling.</p> <p>[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.]</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
<p>Development for the purposes of the provision of affordable housing (applying the criteria determined under regulation 4 of the <i>South Australian Housing Trust Regulations 2010</i>).</p>	<p>Minister responsible for administering the <i>South Australian Housing Trust Act 1995</i>.</p>	<p>To provide direction on the conditions required to secure the provision of dwellings or allotments for affordable housing.</p>	<p>Development of a class to which Schedule 9 clause 3 item 20 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

Coastal Areas Overlay

Assessment Provisions (AP)

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 protected by flood protection measures in the future are protected against the standard sea flood risk level and 1m of sea level rise.	DTS/DPF 2.1 Building floor levels are at least 1.25m above the standard sea flood risk level.
PO 2.2 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.	DTS/DPF 2.2 Development incorporates finished ground and floor levels not less than: In instances where no value is specified (i.e. there is a blank field): (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.
PO 2.3 Development will not create or aggravate coastal erosion or require coast protection works that cause or aggravate coastal erosion.	DTS/DPF 2.3 None are applicable.
PO 2.4 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: (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.	DTS/DPF 2.4 None are applicable.
PO 2.5 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.	DTS/DPF 2.5 None are applicable.
Coast Protection Works	
PO 3.1 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.	DTS/DPF 3.1 None are applicable.
PO 3.2	DTS/DPF 3.2

Policy24 - Enquiry

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.	None are applicable.
<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>Development avoids delicate or environmentally sensitive coastal areas such as sand dunes, cliff tops, estuaries, wetlands or substantially intact strata of native vegetation.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>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.</p>	<p>DTS/DPF 4.3</p> <p>None are applicable.</p>
<p>PO 4.4</p> <p>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.</p>	<p>DTS/DPF 4.4</p> <p>None are applicable.</p>
<p>PO 4.5</p> <p>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.</p>	<p>DTS/DPF 4.5</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 or on-site wastewater systems set back a minimum of 100m from the Mean High Water Mark at spring tide.</p>
<p>PO 4.6</p> <p>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.</p>	<p>DTS/DPF 4.6</p> <p>None are applicable.</p>
<p>PO 4.7</p> <p>Development involving the removal of shell grit, cobbles or sand, other than for coastal protection works purposes, is not undertaken.</p>	<p>DTS/DPF 4.7</p> <p>Development does not involve the removal of shell grit or sand.</p>
Access	
<p>PO 5.1</p> <p>Development maintains or enhances appropriate public access to and along the foreshore.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
<p>PO 5.2</p> <p>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.</p>	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>
<p>PO 5.3</p> <p>Access roads to the coast, lookouts and places of interest:</p> <ul style="list-style-type: none"> (a) do not detract from the amenity or the environment (b) are designed for slow-moving traffic (c) are minimised in number. 	<p>DTS/DPF 5.3</p> <p>None are applicable.</p>
<p>PO 5.4</p> <p>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.</p>	<p>DTS/DPF 5.4</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
<p>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:</p> <p>(a) excavation and/or filling where the total volume of material excavated and/or filled exceeds 9m³</p> <p>(b) dwellings and habitable buildings that:</p> <p style="padding-left: 20px;">(i) do not meet DTS/DPF 2.2 or</p> <p style="padding-left: 20px;">(ii) are within 100m of the mean high water mark</p> <p>(c) other than within a Rural Settlement Zone:</p> <p style="padding-left: 20px;">(i) buildings with a floor area greater than 60m² or</p> <p style="padding-left: 20px;">(ii) tourist accommodation, including a caravan park or</p> <p style="padding-left: 20px;">(iii) division of land that would create 1 or more additional allotments</p> <p>(d) off-shore structures</p> <p>(e) coast protection works</p> <p>(f) infrastructure within 100m landward of the mean high water mark.</p>	Coast Protection Board.	<p>To provide expert assessment and direction to the relevant authority on:</p> <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). 	Development of a class to which 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 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 Extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and Workers' accommodation) in the event of bushfire.	DTS/DPF 2.2 Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.
Habitable Buildings	
PO 3.1 To minimise the threat, impact and 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	DTS/DPF 3.1 None are applicable.

<p>accommodation and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.</p>	
<p>PO 3.2 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 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 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 None are applicable.</p>
<p>Land Division</p>	
<p>PO 4.1 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 None are applicable.</p>
<p>PO 4.2 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 None are applicable.</p>
<p>PO 4.3 Where 10 or more new allotments are proposed, land division includes at least two separate and safe exit points to enable multiple avenues of evacuation in the event of a bushfire.</p>	<p>DTS/DPF 4.3 None are applicable.</p>
<p>PO 4.4 Land division incorporates perimeter roads of adequate design in conjunction with bushfire buffer zones to achieve adequate separation between residential allotments and areas of unacceptable bushfire risk and to support safe access for the purposes of fire-fighting.</p>	<p>DTS/DPF 4.4 None are applicable.</p>
<p>Vehicle Access - Roads, Driveways and Fire Tracks</p>	
<p>PO 5.1 Roads are designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel (b) evacuation of residents, occupants and visitors. 	<p>DTS/DPF 5.1 Roads:</p> <ul style="list-style-type: none"> (a) are constructed with a formed, all-weather surface (b) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the road (c) have a cross fall of not more than 6 degrees (1-in-9.5) at any point along the road (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 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 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)

	<ul style="list-style-type: none"> (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>

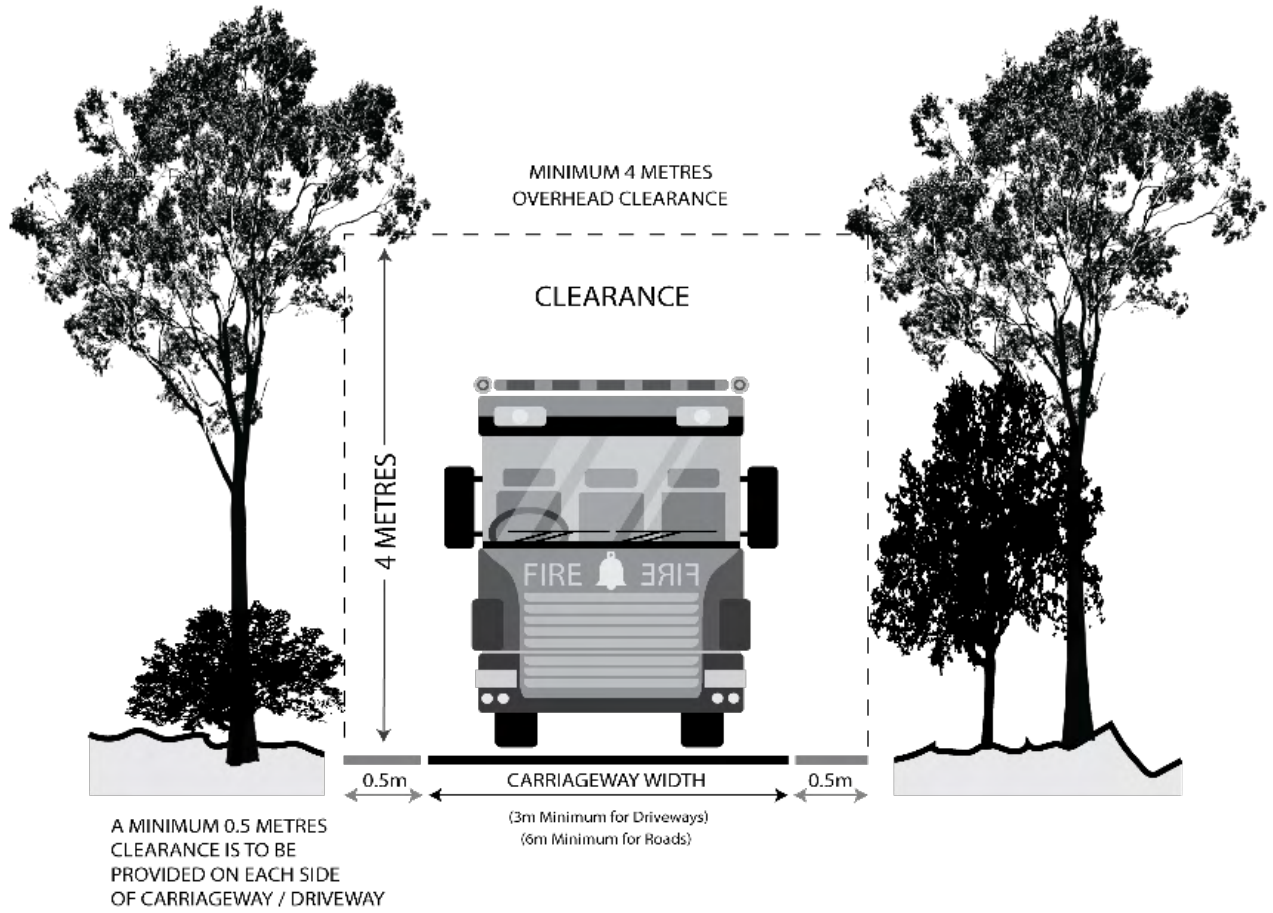
Procedural Matters (PM) - Referrals

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

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



Roads and Driveway Design

Figure 2 - Road and Driveway Curves

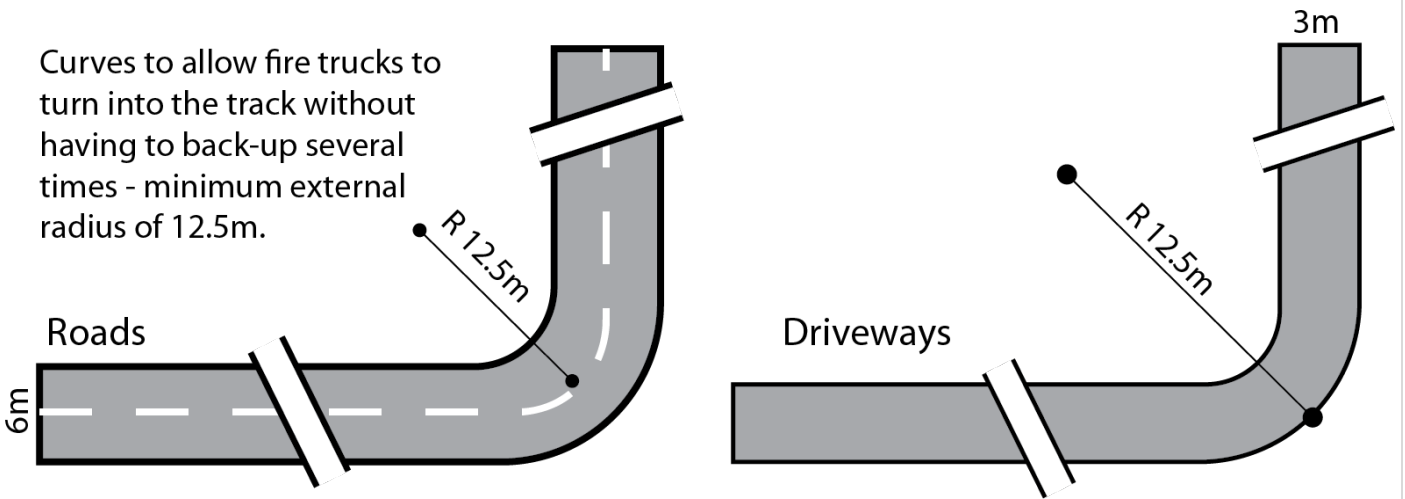


Figure 3 - Full Circle Turning Area

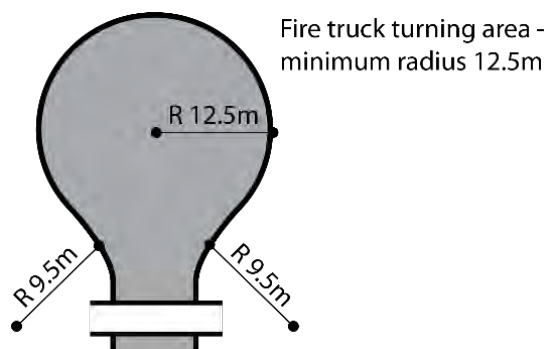


Figure 4 - 'T' or 'Y' Shaped Turning Head

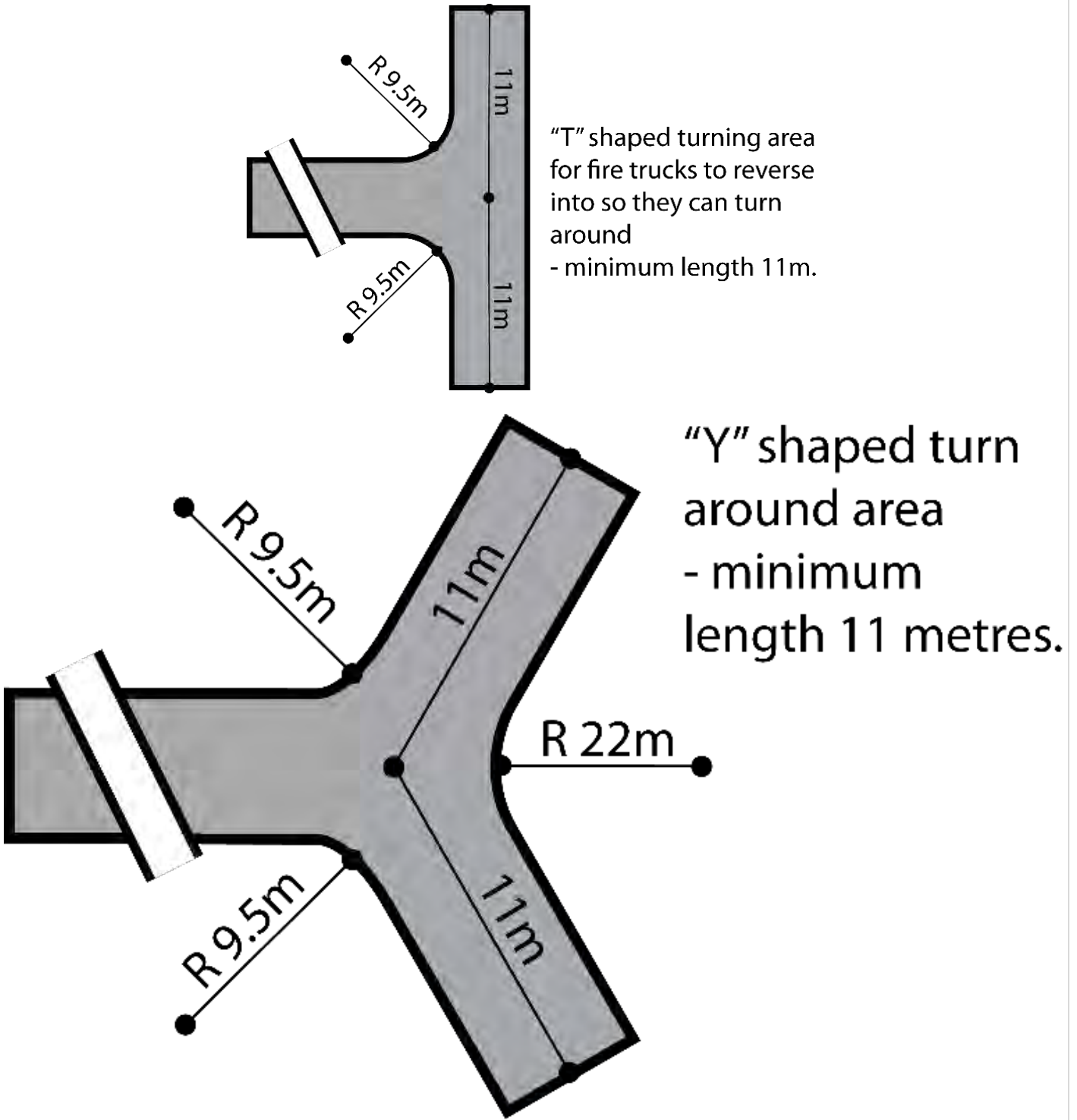
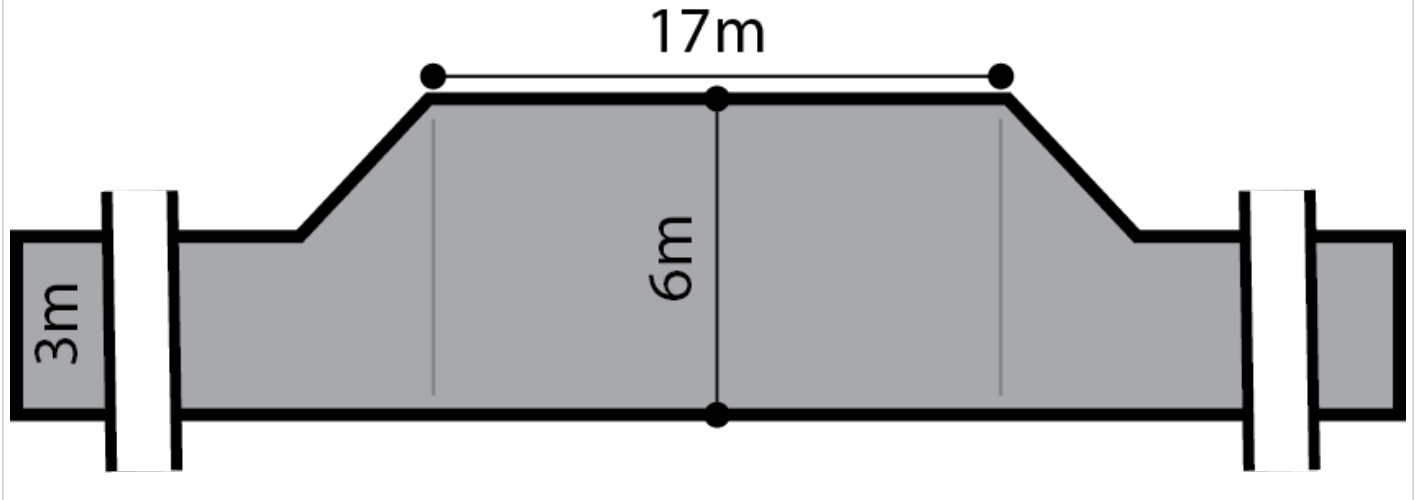


Figure 5 - Driveway Passing Bays

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



Hazards (Bushfire - Urban Interface) Overlay

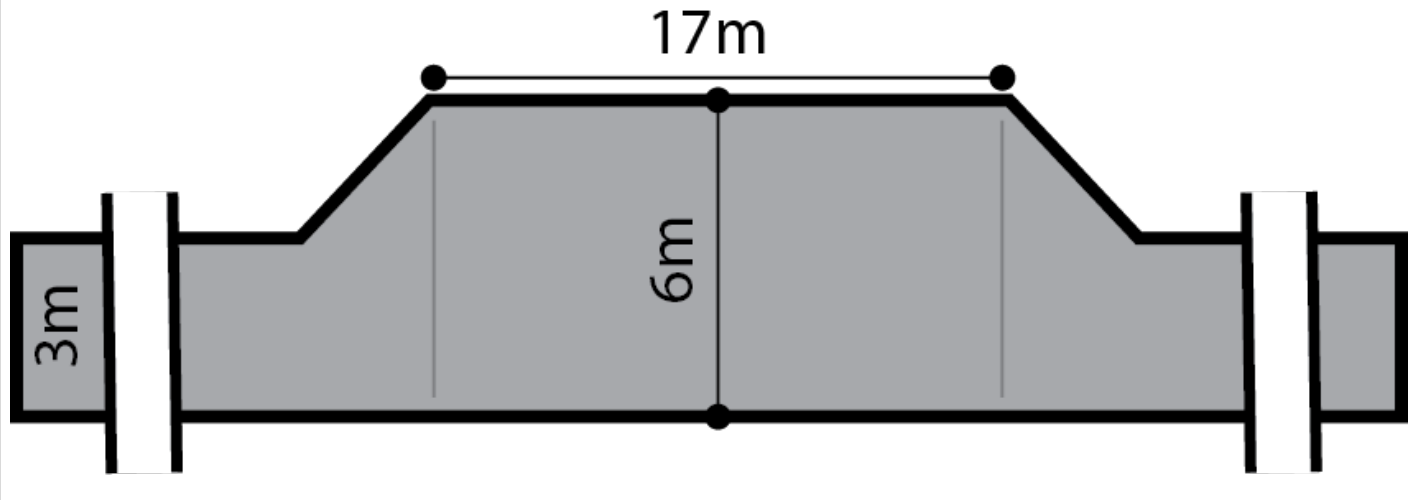
Assessment Provisions (AP)

Desired Outcome	
DO 1	<p>Urban neighbourhoods that adjoin areas of General, Medium and High Bushfire Risk:</p> <ul style="list-style-type: none"> (a) allow access through to bushfire risk areas (b) are designed to protect life and property from the threat of bushfire and the dangers posed by ember attack (c) facilitate evacuation to areas safe 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
Land Division	
<p>PO 1.1</p> <p>Land division creating public roads or resulting in 10 or more new allotments is designed to make provision for emergency vehicle access through to the bushfire risk area.</p>	<p>DTS/DPF 1.1</p> <p>Land division creates less than 10 allotments and/or does not involve the creation of public roads.</p>
<p>PO 1.2</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 1.2</p> <p>Land division does not involve the creation of public roads.</p>
<p>PO 1.3</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 1.3</p> <p>Land division creates less than 10 allotments.</p>
<p>PO 1.4</p> <p>Land division creating public roads or resulting in 10 or more new allotments 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 1.4</p> <p>Land division creates less than 10 allotments and/or does not involve the creation of public roads.</p>
<p>PO 1.5</p> <p>Land division 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 1.5</p> <p>Land division does not create or rely on fire tracks.</p>

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



Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: (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 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.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
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'.
<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 (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.

Prescribed Wells Area Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Sustainable water use in prescribed wells areas.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>All development, but in particular involving any of the following:</p> <ul style="list-style-type: none"> (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) commercial forestry <p>has a lawful, sustainable and reliable water supply that does not place undue strain on water resources in prescribed wells areas.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies either of the following:</p> <ul style="list-style-type: none"> (a) the applicant has a current water licence in which sufficient spare capacity exists to accommodate the water needs of the proposed use or (b) the proposal does not involve the taking of water for which a licence would be required under the <i>Landscape South Australia Act 2019</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
<p>Any of the following classes of development that require or may require water to be taken in addition to any allocation that has already been granted under the <i>Landscape South Australia Act 2019</i>:</p> <ul style="list-style-type: none"> (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) commercial forestry. 	The Chief Executive of the Department of the Minister responsible for the administration of the <i>Landscape South Australia Act 2019</i> .	To provide expert technical assessment and direction to the relevant authority on the taking of water to ensure development is undertaken sustainably.	Development of a class to which Schedule 9 clause 3 item 13 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
Commercial forestry that requires a forest water licence under Part 8 Division 6 of the <i>Landscape South Australia Act 2019</i> .			

Water Protection Area Overlay

Assessment Provisions (AP)

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: (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.	DTS/DPF 2.1 None are applicable.
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

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 arising from activities of environmental significance and other activities that have the potential to cause serious environmental harm.	Development of a class to which Schedule 9 clause 3 item 9 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
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. (EPA Licence required at more than 5 ML)			
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.			
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)			
Dairies - being the carrying on of a dairy with a total processing capacity exceeding more than 100 milking animals at any 1 time.			

Water Resources Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.
DO 2	Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Catchment	
PO 1.1 Watercourses and their beds, banks, wetlands and floodplains (1% AEP flood extent) are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development avoids interfering with the existing hydrology or water regime of swamps and wetlands other than to improve the existing conditions to enhance environmental values.	DTS/DPF 1.2 None are applicable.
PO 1.3 Wetlands and low-lying areas providing habitat for native flora and fauna are not drained, except temporarily for essential management purposes to enhance environmental values.	DTS/DPF 1.3 None are applicable.
PO 1.4	DTS/DPF 1.4

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Watercourses, areas of remnant native vegetation, or areas prone to erosion that are capable of natural regeneration are fenced off to limit stock access.	None are applicable.
PO 1.5 Development that increases surface water run-off includes a suitably sized strip of vegetated land on each side of a watercourse to filter runoff to: (a) reduce the impacts on native aquatic ecosystems (b) minimise soil loss eroding into the watercourse.	DTS/DPF 1.5 A strip of land 20m or more wide measured from the top of existing banks on each side of the watercourse is free from development, livestock use and revegetated with locally indigenous vegetation.
PO 1.6 Development resulting in the depositing or placing of an object or solid material in a watercourse or lake occurs only where it involves any of the following: (a) the construction of an erosion control structure (b) devices or structures used to extract or regulate water flowing in a watercourse (c) devices used for scientific purposes (d) the rehabilitation of watercourses.	DTS/DPF 1.6 None are applicable.
PO 1.7 Watercourses, floodplains (1% AEP flood extent) and wetlands protected and enhanced by retaining and protecting existing native vegetation.	DTS/DPF 1.7 None are applicable.
PO 1.8 Watercourses, floodplains (1% AEP flood extent) and wetlands are protected and enhanced by stabilising watercourse banks and reducing sediments and nutrients entering the watercourse.	DTS/DPF 1.8 None are applicable.
PO 1.9 Dams, water tanks and diversion drains are located and constructed to maintain the quality and quantity of flows required to meet environmental and downstream needs.	DTS/DPF 1.9 None are applicable.

Procedural Matters (PM) - Referrals

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

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

Part 4 - General Development Policies

Advertisements

Assessment Provisions (AP)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Appearance	
PO 1.1 Advertisements are compatible and integrated with the design of the building and/or land they are located on.	DTS/DPF 1.1 Advertisements attached to a building satisfy all of the following: (a) are not located in a Neighbourhood-type zone (b) where they are flush with a wall: (i) if located at canopy level, are in the form of a fascia sign

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting and Design	
PO 1.1 Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to not unreasonably impact on the environment or amenity of the locality.	DTS/DPF 1.1 None are applicable.
PO 1.2 Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to prevent the potential transmission of disease to other operations where animals are kept.	DTS/DPF 1.2 None are applicable.
PO 1.3 Intensive animal husbandry and associated activities such as wastewater lagoons and liquid/solid waste disposal areas are sited, designed, constructed and managed to not unreasonably impact on sensitive receivers in other ownership in terms of noise and air emissions.	DTS/DPF 1.3 None are applicable.
PO 1.4 Dairies and associated activities such as wastewater lagoons and liquid/solid waste disposal areas are sited, designed, constructed and managed to not unreasonably impact on sensitive receivers in other ownership in terms of noise and air emissions.	DTS/DPF 1.4 Dairies, associated wastewater lagoon(s) and liquid/solid waste storage and disposal facilities are located 500m or more from the nearest sensitive receiver in other ownership.
PO 1.5 Lagoons for the storage or treatment of milking shed effluent is adequately separated from roads to minimise impacts from odour on the general public.	DTS/DPF 1.5 Lagoons for the storage or treatment of milking shed effluent are set back 20m or more from public roads.
Waste	
PO 2.1 Storage of manure, used litter and other wastes (other than waste water lagoons) is sited, designed, constructed and managed to: (a) avoid attracting and harbouring vermin (b) avoid polluting water resources (c) be located outside 1% AEP flood event areas.	DTS/DPF 2.1 None are applicable.
Soil and Water Protection	
PO 3.1 To avoid environmental harm and adverse effects on water resources, intensive animal husbandry operations are appropriately set back from: (a) public water supply reservoirs (b) major watercourses (third order or higher stream) (c) any other watercourse, bore or well used for domestic or stock water supplies.	DTS/DPF 3.1 Intensive animal husbandry operations are set back: (a) 800m or more from a public water supply reservoir (b) 200m or more from a major watercourse (third order or higher stream) (c) 100m or more from any other watercourse, bore or well used for domestic or stock water supplies.

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<p>PO 3.2</p> <p>Intensive animal husbandry operations and dairies incorporate appropriately designed effluent and run-off facilities that:</p> <p>(a) have sufficient capacity to hold effluent and runoff from the operations on site</p> <p>(b) ensure effluent does not infiltrate and pollute groundwater, soil or other water resources.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
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Interface between Land Uses

Assessment Provisions (AP)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature											
General Land Use Compatibility												
<p>PO 1.1</p> <p>Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>											
<p>PO 1.2</p> <p>Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>											
Hours of Operation												
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <p>(a) the nature of the development</p> <p>(b) measures to mitigate off-site impacts</p> <p>(c) the extent to which the development is desired in the zone</p> <p>(d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.</p>	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" data-bbox="821 1276 1536 1814"> <thead> <tr> <th>Class of Development</th> <th>Hours of operation</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Consulting room</td> <td>7am to 9pm, Monday to Friday</td> </tr> <tr> <td>8am to 5pm, Saturday</td> </tr> <tr> <td rowspan="2">Office</td> <td>7am to 9pm, Monday to Friday</td> </tr> <tr> <td>8am to 5pm, Saturday</td> </tr> <tr> <td rowspan="2">Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone</td> <td>7am to 9pm, Monday to Friday</td> </tr> <tr> <td>8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday	8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday	8am to 5pm, Saturday	Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday	8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation											
Consulting room	7am to 9pm, Monday to Friday											
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	8am to 5pm, Saturday											
Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday											
	8am to 5pm, Saturday and Sunday											
Overshadowing												
<p>PO 3.1</p> <p>Overshadowing of habitable room windows of adjacent residential land uses in:</p> <p>a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.1</p> <p>North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.</p>											
<p>PO 3.2</p> <p>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</p>	<p>DTS/DPF 3.2</p> <p>Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:</p>											

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<p>a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight.</p>	<p>a. for ground level private open space, the smaller of the following: i. half the existing ground level open space or ii. 35m2 of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m) b. for ground level communal open space, at least half of the existing ground level open space.</p>				
<p>PO 3.3 Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account: (a) the form of development contemplated in the zone (b) the orientation of the solar energy facilities (c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3 None are applicable.</p>				
<p>PO 3.4 Development that incorporates moving parts, including windmills and wind farms, are located and operated to not cause unreasonable nuisance to nearby dwellings and tourist accommodation caused by shadow flicker.</p>	<p>DTS/DPF 3.4 None are applicable.</p>				
<p>Activities Generating Noise or Vibration</p>					
<p>PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.</p>				
<p>PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including: (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (c) housing plant and equipment within an enclosed structure or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.</p>	<p>DTS/DPF 4.2 None are applicable.</p>				
<p>PO 4.3 Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.3 The pump and/or filtration system ancillary to a dwelling erected on the same site is: (a) enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment or (b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>				
<p>PO 4.4 External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.</p>	<p>DTS/DPF 4.4 Adjacent land is used for residential purposes.</p>				
<p>PO 4.5 Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5 None are applicable.</p>				
<p>PO 4.6 Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6 Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" data-bbox="826 1917 1490 2101"> <thead> <tr> <th data-bbox="826 1917 1098 1984">Assessment location</th> <th data-bbox="1098 1917 1490 1984">Music noise level</th> </tr> </thead> <tbody> <tr> <td data-bbox="826 1984 1098 2101">Externally at the nearest existing or envisaged noise sensitive location</td> <td data-bbox="1098 1984 1490 2101">Less than 8dB above the level of background noise (L_{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)
Assessment location	Music noise level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)				

PO 5.1 Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.	DTS/DPF 5.1 None are applicable.
PO 5.2 Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by: (a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.	DTS/DPF 5.2 None are applicable.
Light Spill	
PO 6.1 External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 6.1 None are applicable.
PO 6.2 External lighting is not hazardous to motorists and cyclists.	DTS/DPF 6.2 None are applicable.
Solar Reflectivity / Glare	
PO 7.1 Development is designed and comprised of materials and finishes that do not unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.	DTS/DPF 7.1 None are applicable.
Electrical Interference	
PO 8.1 Development in rural and remote areas does not unreasonably diminish or result in the loss of existing communication services due to electrical interference.	DTS/DPF 8.1 The building or structure: (a) is no greater than 10m in height, measured from existing ground level or (b) is not within a line of sight between a fixed transmitter and fixed receiver (antenna) other than where an alternative service is available via a different fixed transmitter or cable.
Interface with Rural Activities	
PO 9.1 Sensitive receivers are located and designed to mitigate impacts from lawfully existing horticultural and farming activities (or lawfully approved horticultural and farming activities), including spray drift and noise and do not prejudice the continued operation of these activities.	DTS/DPF 9.1 None are applicable.
PO 9.2 Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing intensive animal husbandry activities and do not prejudice the continued operation of these activities.	DTS/DPF 9.2 None are applicable.
PO 9.3 Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing land-based aquaculture activities and do not prejudice the continued operation of these activities.	DTS/DPF 9.3 Sensitive receivers are located at least 200m from the boundary of a site used for land-based aquaculture and associated components in other ownership.
PO 9.4 Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing dairies including associated wastewater lagoons and liquid/solid waste storage and disposal facilities and do not prejudice the continued operation of these activities.	DTS/DPF 9.4 Sensitive receivers are sited at least 500m from the boundary of a site used for a dairy and associated wastewater lagoon(s) and liquid/solid waste storage and disposal facilities in other ownership.
PO 9.5 Sensitive receivers are located and designed to mitigate the potential impacts from lawfully existing facilities used for the handling, transportation and storage of bulk commodities (recognising the potential for extended hours of operation) and do not prejudice the continued operation of these activities.	DTS/DPF 9.5 Sensitive receivers are located away from the boundary of a site used for the handling, transportation and/or storage of bulk commodities in other ownership in accordance with the following: (a) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility (b) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility

	(including sea-port grain terminals) where the handling of these materials into or from vessels does not exceed 100 tonnes per day (c) 500m or more, where it involves the storage of bulk petroleum in individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1000 cubic metres (d) 500m or more, where it involves the handling of coal with a capacity up to 1 tonne per day or a storage capacity up to 50 tonnes (e) 1000m or more, where it involves the handling of coal with a capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes.
PO 9.6 Setbacks and vegetation plantings along allotment boundaries should be incorporated to mitigate the potential impacts of spray drift and other impacts associated with agricultural and horticultural activities.	DTS/DPF 9.6 None are applicable.
PO 9.7 Urban development does not prejudice existing agricultural and horticultural activities through appropriate separation and design techniques.	DTS/DPF 9.7 None are applicable.
Interface with Mines and Quarries (Rural and Remote Areas)	
PO 10.1 Sensitive receivers are separated from existing mines to minimise the adverse impacts from noise, dust and vibration.	DTS/DPF 10.1 Sensitive receivers are located no closer than 500m from the boundary of a Mining Production Tenement under the <i>Mining Act 1971</i> .

Land Division

Assessment Provisions (AP)

Desired Outcome	
DO 1	<p>Land division:</p> <ul style="list-style-type: none"> (a) creates allotments with the appropriate dimensions and shape for their intended use (b) allows efficient provision of new infrastructure and the optimum use of underutilised infrastructure (c) integrates and allocates adequate and suitable land for the preservation of site features of value, including significant vegetation, watercourses, water bodies and other environmental features (d) facilitates solar access through allotment orientation (e) creates a compact urban form that supports active travel, walkability and the use of public transport (f) avoids areas of high natural hazard risk.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All land division	
Allotment configuration	
PO 1.1 Land division creates allotments suitable for their intended use.	<p>DTS/DPF 1.1</p> <p>Division of land satisfies (a) or (b):</p> <ul style="list-style-type: none"> (a) reflects the site boundaries illustrated and approved in an operative or existing development authorisation for residential development under the <i>Development Act 1993</i> or <i>Planning, Development and Infrastructure Act 2016</i> where the allotments are used or are proposed to be used solely for residential purposes (b) is proposed as part of a combined land division application with deemed-to-satisfy dwellings on the proposed allotments.
PO 1.2 Land division considers the physical characteristics of the land, preservation of environmental and cultural features of value and the prevailing context of the locality.	DTS/DPF 1.2 None are applicable.
Design and Layout	
PO 2.1 Land division results in a pattern of development that minimises the likelihood of future earthworks and retaining walls.	DTS/DPF 2.1 None are applicable.
PO 2.2 Land division enables the appropriate management of interface impacts between potentially conflicting land uses and/or zones.	DTS/DPF 2.2 None are applicable.

P0 1.4 Commercial shipping lanes are not impaired by marinas and on-water structures.	DTS/DPF 1.4 Marinas and on-water structures are set back 250m or more from commercial shipping lanes.
P0 1.5 Marinas and on-water structures are located to avoid interfering with the operation or function of a water supply pumping station.	DTS/DPF 1.5 On-water structures are set back: (a) 3km or more from upstream water supply pumping station take-off points (b) 500m or more from downstream water supply pumping station take-off points.
P0 1.6 Maintenance of on-water infrastructure, including revetment walls, is not impaired by marinas and on-water structures.	DTS/DPF 1.6 None are applicable.
Environmental Protection	
P0 2.1 Development is sited and designed to facilitate water circulation and exchange.	DTS/DPF 2.1 None are applicable.

Open Space and Recreation

Assessment Provisions (AP)

Desired Outcome	
DO 1	Pleasant, functional and accessible open space and recreation facilities are provided at State, regional, district, neighbourhood and local levels for active and passive recreation, biodiversity, community health, urban cooling, tree canopy cover, visual amenity, gathering spaces, wildlife and waterway corridors, and a range of other functions and at a range of sizes that reflect the purpose of that open space.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
P0 1.1 Recreation facilities are compatible with surrounding land uses and activities.	DTS/DPF 1.1 None are applicable.
P0 1.2 Open space areas include natural or landscaped areas using locally indigenous plant species and large trees.	DTS/DPF 1.2 None are applicable.
Design and Siting	
P0 2.1 Open space and recreation facilities address adjacent public roads to optimise pedestrian access and visibility.	DTS/DPF 2.1 None are applicable.
P0 2.2 Open space and recreation facilities incorporate park furniture, shaded areas and resting places.	DTS/DPF 2.2 None are applicable.
P0 2.3 Open space and recreation facilities link habitats, wildlife corridors and existing open spaces and recreation facilities.	DTS/DPF 2.3 None are applicable.
Pedestrians and Cyclists	
P0 3.1 Open space incorporates: (a) pedestrian and cycle linkages to other open spaces, centres, schools and public transport nodes; (b) safe crossing points where pedestrian routes intersect the road network; (c) easily identified access points.	DTS/DPF 3.1 None are applicable.
Usability	

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PO 4.1 Land allocated for open space is suitable for its intended active and passive recreational use taking into consideration its gradient and potential for inundation.	DTS/DPF 4.1 None are applicable.
Safety and Security	
PO 5.1 Open space is overlooked by housing, commercial or other development to provide casual surveillance where possible.	DTS/DPF 5.1 None are applicable.
PO 5.2 Play equipment is located to maximise opportunities for passive surveillance.	DTS/DPF 5.2 None are applicable.
PO 5.3 Landscaping provided in open space and recreation facilities maximises opportunities for casual surveillance throughout the park.	DTS/DPF 5.3 None are applicable.
PO 5.4 Fenced parks and playgrounds have more than one entrance or exit to minimise potential entrapment.	DTS/DPF 5.4 None are applicable.
PO 5.5 Adequate lighting is provided around toilets, telephones, seating, litter bins, bicycle storage, car parks and other such facilities.	DTS/DPF 5.5 None are applicable.
PO 5.6 Pedestrian and bicycle movement after dark is focused along clearly defined, adequately lit routes with observable entries and exits.	DTS/DPF 5.6 None are applicable.
Signage	
PO 6.1 Signage is provided at entrances to and within the open space and recreation facilities to provide clear orientation to major points of interest such as the location of public toilets, telephones, safe routes, park activities and the like.	DTS/DPF 6.1 None are applicable.
Buildings and Structures	
PO 7.1 Buildings and car parking areas in open space areas are designed, located and of a scale to be unobtrusive.	DTS/DPF 7.1 None are applicable.
PO 7.2 Buildings and structures in open space areas are clustered where practical to ensure that the majority of the site remains open.	DTS/DPF 7.2 None are applicable.
PO 7.3 Development in open space is constructed to minimise the extent of impervious surfaces.	DTS/DPF 7.3 None are applicable.
PO 7.4 Development that abuts or includes a coastal reserve or Crown land used for scenic, conservation or recreational purposes is located and designed to have regard to the purpose, management and amenity of the reserve.	DTS/DPF 7.4 None are applicable.
Landscaping	
PO 8.1 Open space and recreation facilities provide for the planting and retention of large trees and vegetation.	DTS/DPF 8.1 None are applicable.
PO 8.2 Landscaping in open space and recreation facilities provides shade and windbreaks: (a) along cyclist and pedestrian routes; (b) around picnic and barbecue areas; (c) in car parking areas.	DTS/DPF 8.2 None are applicable.
PO 8.3 Landscaping in open space facilitates habitat for local fauna and facilitates biodiversity.	DTS/DPF 8.3 None are applicable.
PO 8.4 Landscaping including trees and other vegetation passively watered with local rainfall run-off, where practicable.	DTS/DPF 8.4 None are applicable.