

**CAP MEETING – 10 September 2025****ITEM 8.1**

<b>DEVELOPMENT NO.:</b>	24028014
<b>APPLICANT:</b>	Planning Studio Pty Ltd David Bowley
<b>ADDRESS:</b>	589 CUDLEE CREEK RD CUDLEE CREEK SA 5232
<b>NATURE OF DEVELOPMENT:</b>	Variation to Development Application 21027668 - Alteration to capacity and hours of operation, change of use to include the hosting of functions (limited to 12 functions per annum) in association with an existing shop for the sale and tasting of wine
<b>ZONING INFORMATION:</b>	<b>Zones:</b> <ul style="list-style-type: none"><li>• Productive Rural Landscape</li></ul> <b>Overlays:</b> <ul style="list-style-type: none"><li>• Environment and Food Production Area</li><li>• Hazards (Bushfire - High Risk)</li><li>• Hazards (Flooding - Evidence Required)</li><li>• Limited Land Division</li><li>• Mount Lofty Ranges Water Supply Catchment (Area 2)</li><li>• Native Vegetation</li><li>• Prescribed Water Resources Area</li><li>• Traffic Generating Development</li><li>• Urban Transport Routes</li><li>• Water Resources</li></ul>
<b>LODGEMENT DATE:</b>	19 Sept 2024
<b>RELEVANT AUTHORITY:</b>	Adelaide Hills Council Assessment Panel
<b>PLANNING &amp; DESIGN CODE VERSION:</b>	P&D Code (in effect) Version 2024.17 12/9/2024
<b>CATEGORY OF DEVELOPMENT:</b>	Code Assessed - Performance Assessed
<b>NOTIFICATION:</b>	Yes
<b>RECOMMENDING OFFICER:</b>	Tim Mason Statutory Planner
<b>REFERRALS STATUTORY:</b>	Environment Protection Authority
<b>REFERRALS NON-STATUTORY:</b>	Environmental Health Unit

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#### DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the alteration to the maximum capacity and operating hours of an existing shop in the form of a cellar door as well as the commencement of the additional use of hosting functions on the subject land.

The existing shop includes a maximum capacity of 40 people at any time as well as the following operating hours:

- 11:00am to 5:00pm any day.

The proposal initially sought an increase to the maximum capacity of the shop to 100 people at any time as well as the following operating hours:

- Monday – Wednesday: 11:00am – 5:00pm;
- Thursday - Sunday (and public holidays) 11:00am – 11:00pm;

The proposal also included the commencement of hosting 12 functions on an annual basis including a maximum capacity of 150 people with operating hours of 11:00am – 11:00pm which would have operated during the Thursday to Sunday Cellar Door operating hours. The shop was not permitted to host any functions when initially granted Development Approval as part of Development Application 21027668.

As a response to representations received during Public Notification, the application now seeks to increase the maximum capacity of the shop from 40 to 90 as well as amending operating hours to 11:00am – 6:00pm any day.

The proposed hosting of functions will retain the initially proposed 12 functions per annum at a maximum capacity of 90. The hosting of functions land use proposes to include a maximum operating time of 11:00pm on days undertaking this activity.

The proposal consists of the following:

- The application does not include any internal modifications to existing buildings to establish a commercial kitchen, with all functions to be supported by external catering. As a result, the application seeks the removal of condition 11 which limits alcoholic beverages to the licensee's own product as well as amendment to condition 16 which limits the sale of any individual meals beyond light snacks during the function venue use.
- Wastewater alterations have been proposed to upgrade the existing on-site wastewater management system to support the additional patronage.
- A designated overflow parking area has been proposed immediately east of the existing parking area, with access to be achieved by a crossover approximately 163m east of the existing parking access.
- No alterations are proposed to the existing structure or any additional signage.

The application documents are included as **Attachment 1 – Application Documents**.

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#### BACKGROUND

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
19 October 1998	473/970/98	Vineyard
3 August 2012	11/487/473	Change of land use to include horticulture (strawberry plantation – 10 hectares & cherry orchard 2 hectares) & conversion of dairy into shop (cellar door sales), verandah, decking (maximum height 900mm) & outdoor area & two advertising displays  Stage 1 only – change of land use to include horticulture (strawberry plantation – 10 hectares & cherry orchard – 2 hectares)
6 May 2020	20/371/473	Replacement Farm Building
12 January 2022	21027668	Convert former dwelling to shop for the sale and tasting of wine with associated building alterations & additions, associated car-parking and landscaping

#### SUBJECT LAND & LOCALITY:

**Location reference:** 589 CUDLEE CREEK RD CUDLEE CREEK SA 5232

**Title ref.:** CT 5946/767

**Plan Parcel:** F155936 AL21

**Council:** ADELAIDE HILLS COUNCIL

#### Site Description:

The subject land is an irregular shaped allotment with an area of 29.38 hectares.

Built form on the land comprises a recently developed shop and a cluster of outbuildings, all located in the south-western corner of the property. The existing shop is the result of the adaptive reuse of a former dwelling which was substantially ruined as a result of the 2019 Cudlee Creek Bushfire. The shop is set back approximately 13 metres from the Cudlee Creek Road frontage.

The land has a primary frontage to Cudlee Creek Road and a secondary frontage to Berry Hill Road. The land is on the eastern side of Cudlee Creek Road and northern side of Berry Hill Road.

Cudlee Creek Road is a sealed arterial roadway with no existing access to the allotment. Access to the land is achieved via Berry Hill Road. Berry Hill Road is only sealed to approximately 44m from the intersection with Cudlee Creek Road. The access to the primary carparking on the subject land is received from the sealed portion of Berry Hill Road. Overflow parking is received from the unsealed portion of the road, approximately 163m further east.

Most of the land is planted as a vineyard, with a dam on the northern part of the land. The land is steeply sloping, and the buildings are located on the highest part of the land.

The land is approximately 1.7 kilometres north-west as the crow-flies from the Lobethal township.

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There are no easements or other restrictions listed on the Certificate of Title.

#### Locality

The locality predominantly consists of large allotments used for grazing and rural residential purposes. The existing shop building is approximately 83m from the nearest dwelling not on the subject land. This is the dwelling on the opposite/western side of Cudlee Creek Road at 363 Neudorf Road, Cudlee Creek.

The subject land is identified on **Attachment 2 – Subject Land/Representation Map**. The zoning is shown on the map in **Attachment 3 – Zoning Map**.

#### CONSENT TYPE REQUIRED:

Planning Consent

#### CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**  
other - Commercial/Industrial - Hosting of functions: Code Assessed - Performance Assessed  
Shop: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**  
Code Assessed - Performance Assessed
- **REASON**  
The Productive Rural Landscape Zone does not provide an 'Accepted' or 'Deemed to Satisfy' pathway for the hosting of functions, nor is the proposal listed as 'Restricted' under Table 4 of the Zone. A shop is listed as Performance Assessed in accordance with Table 3 - Applicable Policies for Performance Assessed Development as per the Productive Rural Landscape Zone. Therefore, as per sections 105 (b) and 107 of the Planning Development & Infrastructure Act 2016, the development is categorised as Code Assessed – Performance Assessed.

#### PUBLIC NOTIFICATION

- **REASON**  
Class of Development 6 (Function venue) does not satisfy Productive Rural Landscape Zone DTS/DPF 6.6 and Class of Development 10 (Shop) does not satisfy Productive Rural Landscape Zone DTS/DPF 6.1

Public Notification period – 27 Sept 2024 - 21 Oct 2024

- **LIST OF REPRESENTATIONS**

Representor Name	Representor's Property Address	Wishes to be heard (Y/N)	Nominated Speaker (if relevant)
Andrew Watts	PO Box 309, Lobethal SA 5241	Yes	Self
Erin Hoklas	PO Box 309, Lobethal SA 5241	Yes	Self and Partner Andrew Watts



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Janet Bouwmeester	PO Box 169, Lobethal SA 5241	No	N/A
Jason Draper; Tamara Mieglich	632 Cudlee Creek Road, Lobethal SA 5241	Yes	Self
Michelle Markham	PO Box 112, Lobethal SA 5241	No	N/A
Roger Moreton	PO Box 112, Lobethal SA 5241	Yes	Self and Michael Wohlstadt

#### • SUMMARY

The issues contained in the representations can be briefly summarised as follows:

- Amenity impacts
  - Behaviour from customers – loud and disruptive
  - Noise – no acoustic report was initially provided
  - Loss of privacy resulting from increased visitors to the locality
  - Concerns regarding intensity of associated lighting
  - Concerns the proposal will not maintain the rural character and amenity
  - Conflicts with existing land uses surrounding the subject land
  - Traffic nuisance, including noise and lights
- Traffic Concerns
  - Safety and intensity at this intersection, including limited visibility given the crest
  - Parking Capacity, concerns raised that this may be insufficient for the number of customers
  - Parking in the road reserve
  - Bus parking on road reserve used during unauthorised event
  - Transport concerns for catering deliveries
- Increased in the capacity of the shop to 100 people as well as the capacity of the Function Venue at 150 people – Unreasonable intensity on the land, including insufficient facilities to house these operations
- Operating hours beyond 5pm
- Additional signage for overflow parking not mentioned during application, however this was used during event
- Number of functions is considered inappropriate
- Risk of fire from customers – concerns around lack of information regarding emergency management and safety
- Insufficient information presented given the scale of the proposal, additional information requested
- An unauthorised function was held on 19<sup>th</sup> August 2024

A copy of the representations is included as **Attachment 4 – Representations** and the applicant's response is provided in **Attachment 5 – Response to Representations**.

#### AGENCY REFERRALS

##### Environment Protection Authority

Referred in accordance with the Procedural Matters of the Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay for a function venue with a capacity greater than 75. This referral has since been returned to Council, without objection, including relevant conditions (refer Recommended Condition 7).

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#### INTERNAL REFERRALS

##### Environmental Health Unit

Endorsement received from the Council Environmental Health Unit for alterations to the on-site wastewater management system previously approved as per Wastewater Works Application 473/W241/21.

#### PLANNING ASSESSMENT

##### *Desired outcomes*

*Desired outcomes are policies designed to aid the interpretation of performance outcomes by setting a general policy agenda for a zone, subzone, overlay or general development policies module. Where a relevant authority is uncertain as to whether or how a performance outcome applies to a development, the desired outcome(s) may inform its consideration of the relevance and application of a performance outcome, or assist in assessing the merits of the development against the applicable performance outcomes collectively.*

##### *Performance outcomes*

*Performance outcomes are policies designed to facilitate assessment according to specified factors, including land use, site dimensions and land division, built form, character and hazard risk minimisation.*

##### *Designated performance features*

*In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies.*

A detailed assessment of the application has taken place against the relevant provisions of the Planning and Design Code (P & D Code) and this is provided below under a series of headings. A Policy Enquiry extract containing the relevant provisions of the P & D Code is contained in **Attachment 6 – Relevant P & D Code Policies**.

#### **Zone:**

#### **Productive Rural Landscape Zone:**

Desired Outcomes	
DO1	A diverse range of land uses at an appropriate scale and intensity that capitalise on the region's proximity to the metropolitan area and the tourist and lifestyle opportunities this presents while also conserving the natural and rural character, identity, biodiversity and sensitive environmental areas and scenic qualities of the landscape.
DO2	A zone that promotes agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation that expands the economic base and promotes its regional identity.
DO3	Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 2.1, 2.2, 6.1, 6.2, 6.5, 6.6, 8.1, 11.1, 15.1	
DPF: 1.1, 2.1, 2.2, 6.1, 6.2, 6.5, 6.6, 8.1, 11.1, 15.1	

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The proposal is for a value-adding activity that will support the on-going use of the land for primary production (viticulture) as desired in the Zone. A shop is listed as an envisaged land use as per DPF/DTS 1.1, and will continue to accommodate the sale and tasting of wine produced on-site. The hosting of functions land use is not listed as an envisaged use, however, it is considered to be of an ancillary nature, being proposed in addition to the existing shop and will include a maximum 12 functions per year, as well as remaining a minor portion of activities undertaken on site. Primarily being the existing horticulture and sale of wine.

The proposal does not seek to modify or introduce any new buildings. As such, the built form provisions are not considered to be relevant to the nature of this application.

There will be no removal of vineyard plantings to accommodate the proposed alteration to land use undertaken at the subject land or the additional overflow carpark.

PO 6.1 & DTS/DPF 6.1 relate directly to the shop development. This provision supports shops of an appropriate scale which are ancillary to genuine primary production undertaken on the subject land and allow for local and regional products to be showcased.

It is noted that the existing shop satisfies all of the criteria outlined in the associated DTS/DPF 6.1 and a condition had been imposed on the development to ensure that sales undertaken on the subject land were produced on-site as outlined in the provision. However, as the proposed hosting of functions does not include a commercial kitchen, the proposal will rely on external catering to be available to assist with functions. As such, the application is accompanied by a relevant condition (Condition 4), which permits catering for functions only, and not during regular shop activities, in order to maintain the nature of that land use.

Additionally, this change of use increases the maximum capacity of the shop from the 40 to 90. While this does not satisfy the DTS/DPF provisions, it is not considered to detract from the associated PO, given the facilities do not require alterations to the existing productive nature of the allotment in order to facilitate the increased intensity of visitors to the subject land. Furthermore, this will allow for additional customers to experience produce grown on-site, which directly responds to this outcome. Finally, this PO does not require shops associated with primary production to be small-scale or ancillary to the on-site productive land uses.

As for the hosting of functions, PO 6.5 and DTS/DPF 6.5 outline that that function venues should include a maximum capacity of 75, which this proposal exceeds by 20% with a maximum of 90 customers. While this is considered to be a substantial deviation from the quantitative provision, it is not expected to detract from the existing primary production undertaken on site. The associated PO requires function venues in the Zone to be associated with primary production undertaken on the subject land. In this instance, there is genuine primary production undertaken, with the proposal not requiring any existing horticulture to be reduced to facilitate the proposed additional use. Therefore, the proposal is not considered to be of an unreasonable scale.

Additionally, the proposed hosting of functions will utilise an existing structure on-site to facilitate this change of land use. It is however noted that the proposed hosting of functions would be undertaken in a structure which does not satisfy the quantitative provisions of DTS/DPF 6.6, being located within 100m of a single sensitive receiver on another allotment. This structure is setback approximately 82m from the closest dwelling. It is noted that the proposal has been accompanied by an associated acoustic report, in response to representations, which determines that the noise produced by this venue would not result in unreasonable disturbance to surrounding sensitive receivers. This is discussed in greater detail further in the report.

As a result, the proposal is considered to be consistent with the relevant Desired Outcomes, Performance Outcomes and Designated Performance Features of the Zone.

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#### Overlays

##### Environment and Food Production Areas Overlay

Desired Outcomes	
DO1	Protection of valuable rural, landscape, environmental and food production areas from urban encroachment.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
N/A	

As the proposal does not relate to the subdivision of land in the Environment and Food Production Areas, the provisions of the Overlay are not considered to be applicable.

##### Hazards (Bushfire – High Risk) Overlay

Desired Outcomes	
DO1	Development, including land division is sited and designed to minimise the threat and impact of bushfires on life and property with regard to the following risks: <ul style="list-style-type: none"><li>a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change</li><li>b) high levels and exposure to ember attack</li><li>c) impact from burning debris</li><li>d) radiant heat</li><li>e) likelihood and direct exposure to flames from a fire front.</li></ul>
DO2	Activities that increase the number of people living and working in the area or where evacuation would be difficult is sited away from areas of unacceptable bushfire risk
DO3	To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 2.1, 3.1, 3.2, 6.1, 6.2, 6.3	
DPF: 1.1, 2.1, 3.1, 3.2, 6.1, 6.2, 6.3	

The proposal is considered to substantially increase the number of visitors to the site. However, the subject land is serviced by sealed roadways and is approximately 1.7 kilometres as the crow-flies from Lobethal township, which is designated on the SA CFS website as a Bushfire Safer Place.

In the planning report accompanying the application it is noted that the shop will be closed on designated Catastrophic Bushfire Risk days, or if there is a known bushfire within the local area.

The Procedural Matters of the Hazards (Bushfire – High Risk) Overlay include referrals for habitable buildings and educational facilities to the SA CFS. As such, this proposal did not satisfy the trigger and notification was not required.

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#### Hazards (Flooding – Evidence Required) Overlay

Desired Outcomes	
DO1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1 DPF: 1.1	

The existing shop is located at the highest point on the subject land, with no water courses within close proximity. Given this, the risk of flooding is considered low.

#### Limited Land Division Overlay

Desired Outcomes	
DO1	The long term use of land for primary production is maintained by minimising fragmentation through division of land.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
N/A	

This Overlay is not relevant to the proposal as it relates to the division of land which results in the fragmentation of land envisaged for primary production.

#### Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

Desired Outcomes	
DO1	Safeguard Greater Adelaide's public water supply by ensuring development has a neutral or beneficial effect on the quality of water harvested from secondary reservoirs or diversion weir catchments from the Mount Lofty Ranges.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 2.1, 2.3, 2.4, 2.5, 3.1, 3.2, 3.3, 3.9, 4.1 DPF: 1.1, 2.1, 2.3, 2.4, 2.5, 3.1, 3.2, 3.3, 3.9, 4.1	

Wastewater and stormwater will be managed on-site.

In terms of wastewater, the application has been accompanied by an amended Site and Soil Report prepared by RFE Consulting which assesses the suitability of the upgraded on-site waste management system to be constructed in support of the existing shop.

The existing on-site wastewater management system associated with the existing shop was approved as per Wastewater Works Application WWA 473/w241/21. The submitted report was subsequently endorsed by the Council Environmental Health Unit on 03/09/2024.

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In addition, the amended proposal was referred to the Environment Protection Authority as per the Procedural Matters of the Overlay, with the application seeking a Function Venue with a capacity greater than 75 people. This referral was returned without objection, including relevant conditions. It is noted that this proposal has since been amended since this referral was returned. However, this is not considered to warrant a re-referral given the application has been reduced in intensity, with a maximum 90-person capacity.

In terms of stormwater, the proposal does not seek any amendments to existing structures on-site which would result in changes to the existing management of stormwater. Additionally, there is considered to be adequate land on-site to facilitate any incidental changes to stormwater resulting from alterations to parking provisions, including the overflow parking.

The proposal is consistent with the Desired Outcomes, Performance Outcomes and Designated Performance Features of the Overlay.

#### Native Vegetation Overlay

Desired Outcomes	
DO1	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) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 1.2, 1.4 DPF: 1.1, 1.2, 1.4	

The development area, including the shop building, car-park area and waste control and stormwater disposal areas, is clear of native vegetation.

#### Prescribed Water Resources Overlay

Desired Outcomes	
DO1	Sustainable water use in prescribed water resources areas maintains the health and natural flow paths of surface water, watercourses and wells.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
N/A	

The proposal does not require additional water use for which a licence would be required under the Landscape South Australia Act 2019.

The proposal is considered to be consistent with the Prescribed Water Resources Overlay.

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#### Traffic Generating Development Overlay

Desired Outcomes	
DO1	Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.
DO2	Provision of safe and efficient access to and from urban transport routes and major urban transport routes.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 1.2, 1.3	
DPF: 1.1, 1.2, 1.3	

This overlay is not considered to be directly relevant to the proposal as the DTS/DPF criteria relate to large scale land division, large commercial and education facility type developments.

#### Urban Transport Routes Overlay

Desired Outcomes	
DO1	Safe and efficient operation of Urban Transport Routes for all road users.
DO2	Provision of safe and efficient access to and from Urban Transport Routes
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 2.1, 3.1, 4.1, 5.1, 6.1, 7.1, 8.1, 9.1, 10.1	
DPF: 1.1, 2.1, 3.1, 4.1, 5.1, 6.1, 7.1, 8.1, 9.1, 10.1	

Access will be via the existing access point from Berry Hill Road. The access point is approximately 36m from the intersection with Cudlee Creek Road, the state-maintained road. Due to this separation distance, a referral to the Commissioner of Highways is not required in accordance with the Procedural Matters of the Overlay.

It is noted that access to the overflow parking is setback 206m from the intersection with the state-maintained road, and is accordingly, not expected to modify the existing movement of traffic through this intersection. Additionally, the inclusion of the additional overflow carpark will maintain the capacity and functionality of the existing car park located within proximity to the intersection of Berry Hill Road and Cudlee Creek Road.

During the assessment of Development Application 21027668 for the shop, Council Engineering have advised that there is already a warning sign of the intersection on the Cudlee Creek Road reserve. It is Council Engineering's position that there many roads with limited sightlines within the Council area, and it is the responsibility of road users to proceed with caution.

While the proposal is expected to increase the volume of traffic using the intersection of Berry Hill Road and Cudlee Creek Road, the application is not considered to change the nature of vehicle movements between this site and the adjoining intersection.

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#### Water Resources Overlay

Desired Outcomes	
DO1	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.
DO2	Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 1.2, 1.5, 1.6, 1.7, 1.8	
DPF: 1.1, 1.2, 1.5, 1.6, 1.7, 1.8	

The proposal does not increase the proximity of any structures on-site to any surrounding water resources, the proposal is not expected to result in damage or modification to these resources.

#### General Development Policies

##### Clearance from Overhead Powerlines

Desired Outcomes	
DO1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1	
DPF: 1.1	

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

#### Design

Desired Outcomes	
DO1	<p>Development is:</p> <ul style="list-style-type: none"><li>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</li><li>b) durable - fit for purpose, adaptable and long lasting</li><li>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</li><li>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.</li></ul>



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Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.4, 1.5, 6.1, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7	
DPF: 1.4, 1.5, 6.1, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7	

The proposed change of use does not result in any alterations to the built form of the existing shop. Therefore, provisions relating to built form are not considered to be applicable to the proposed development.

As previously discussed, the application has been accompanied by a relevant Wastewater Works Application for the additional use of the on-site wastewater management system. This has been endorsed by the Council Environmental Health Unit.

The existing carpark is not considered to dominate the site and provides a clear point of entry to the site as well as to the existing building. The proposed overflow parking is substantially separated by the building and is not considered to be visually dominant when viewed from the adjoining road, surrounding allotments or on-site.

### Infrastructure and Renewable Energy Facilities

Desired Outcomes	
DO1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 11.1, 12.1, 12.2	
DPF: 11.1, 12.1, 12.2	

The subject land is not connected to mains water, instead the proposed shop and function venue will be reliant on on-site water storage.

The waste system will be wholly contained within the boundaries of the subject land, and it will comply with the requirements of the Public Health Act 2011 as approval for the wastewater system has been granted by Council Environmental Health and endorsed by the Environment Protection Authority via a referral.

### Interface Between Land Uses

Desired Outcomes	
DO1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 2.1, 4.1, 4.2, 4.5, 4.6, 5.2, 6.2	
DPF: 2.1, 4.1, 4.2, 4.5, 4.6, 5.2, 6.2	

The Interface between Land Uses General Development Policies supports development which minimise impacts on surrounding sensitive receivers.

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Given the proximity of the existing shop and increased intensity of the existing shop to surrounding sensitive receivers, the primary concern of the application was the level of noise that this change of land use would generate during operation. The quantitative provisions of PO 4.1 states that development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) and DPF 4.6 outlines that any Music Noise Level should be less than 8dB above the level of background noise (L90,15min) in any octave band of the sound spectrum.

In support of the application, the applicant engaged Sonus to prepare an Environmental Noise Assessment for the proposed hosting of functions and increased intensity of the shop. This included a survey of background noise levels at the site and predictions of maximum noise generated at the venue to ensure that the surrounding sensitive receivers did not experience noise generated from the venue beyond the background level during operation.

Resultantly, Sonus has provided recommendations which will reduce noise at this site as to ensure that the proposal is consistent with the quantitative provisions of the Planning and Design Code. Recommendations have been conditioned as recommended by the assessing officer. This includes a maximum volume of music inside the venue of 82 dB(A) (L10,15min), including times when doors are to remain open. As a result, music from loud bands or DJs would not be suitable at this venue in order to satisfy the maximum noise level.

Additionally, the extended operating hours are not expected to cause noise nuisance to adjoining sensitive receivers on the basis that the venue operates in accordance with the acoustic report. Furthermore, the adjoining arterial road is considered to accommodate high intensity traffic leaving the venue once events are complete. The main carpark also includes a crossover to the public road within closer proximity to the intersection with Cudlee Creek Road, allowing for patrons to leave the subject land without passing adjoining sensitive receivers.

Furthermore, no changes to overshadowing of surrounding allotments are expected given the application does not result in any changes to the built form of structures on-site.

#### Out of Activity Centre Development

Desired Outcomes	
DO1	The role of Activity Centres in contributing to the form and pattern of development and enabling equitable and convenient access to a range of shopping, administrative, cultural, entertainment and other facilities in a single trip is maintained and reinforced
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.1, 1.2	
DPF: 1.1, 1.2	

The proposal relates to an existing non-residential development located outside an activity centre. This location is considered appropriate given the nature of the application, which involves alterations to the use of an existing shop and the commencement of a function venue, both associated with an existing productive use. As these land uses are required to be located in conjunction with productive land, it is not considered reasonable to expect this proposal to be situated within an activity centre.

## CAP MEETING – 10 September 2025

### ITEM 8.1

#### Transport, Access and Parking

Desired Outcomes	
DO1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO: 1.4, 3.1, 3.5, 4.1, 5.1, 6.1, 6.6, 10.1	
DPF: 1.4, 3.1, 3.5, 4.1, 5.1, 6.1, 6.6, 10.1	

The parking rates outlined in *Table 1 General Off-Street Car Parking Requirements* for a shop without a commercial kitchen equate to 5.5 spaces per 100m<sup>2</sup> of gross leasable floor. As a result, the increased intensity of activity at the existing shop would not warrant additional parking as the proposal does not increase the floor area of the structure. As gross leasable floor area does not include non-roofed areas, the 212m<sup>2</sup> building would require 11.7 on-site parking spaces. As a result, the existing 26 on-site parking spaces are adequate to satisfy this provision.

However, this table does not outline a minimum parking rate for a function venue. Given the extended-stay nature of a function venue, it is considered that this land use would more closely align to the parking rate outlined for a shop (in the form of a restaurant or involving a commercial kitchen). This rate equates to 0.4 spaces per seat. In this instance, the requirement would be 36 parking spaces.

As a result, there would be a shortfall of existing parking spaces of 10 when the site is to be used for functions. The applicant has instead nominated an additional portion of the allotment which is to be used for overflow parking where required. This is considered to be adequate to support the addition 10 parking spaces where required during functions. However, a reserved matter has been included for approval for the works in the road reserve required to consolidate access to the overflow parking as per Section 221 of the *Local Government Act 1999*.

Finally, the applicant has advised signage may be erected to assist with directing patrons to the overflow parking. While it has been raised during Public Notification that there is an existing display located in the road reserve for direction, this has not been approved as per a relevant Section 221 Application in accordance with the *Local Government Act 1999*. The applicant has agreed to have this sign removed from the road reserve and has been advised that signage may require separate development approval depending on the size and location.

#### CONSIDERATION OF SERIOUSLY AT VARIANCE

Having considered the proposal against the relevant provisions of the Planning and Design Code Version 2024.11 20/06/2024, the proposal is not considered to be seriously at variance with the provisions of the Planning and Design Code for the following reasons:

- The proposed hosting of functions and land use alterations to the existing shop are considered to be a complementary to the existing productive land uses undertaken on-site, and are of a scale which is compatible with the Productive Rural Landscape Zone.
- The proposed intensity of development is considered to be reasonable when considering the existing intensity of the shop and the scale of the associated primary production.
- The proposed operating hours are considered reasonable and are not expected to detract from the flow of traffic to the adjoining state-maintained road or introduce undue congestion to the primary street or at the adjoining intersection.
- The proposal does not result in changes to the built form of structure on the subject land.
- It has been reasonably demonstrated that the proposal would not adversely impact upon the amenity of nearby sensitive uses.

## **CAP MEETING – 10 September 2025**

### **ITEM 8.1**

- The development includes safe and convenient access and adequate car parking.

Accordingly, the proposal is not considered to be seriously at variance with the intentions of the Planning and Design Code.

### **CONCLUSION**

The proposal is for the change of use of an existing shop, in the form of a cellar door, to increase capacity and operating hours as well as the commencement of the hosting of functions, both in association with existing primary production undertaken on-site.

The proposed land uses are supported by the zone where associated with existing primary production. The proposal does not seek alterations to the built form of any structures on-site, nor does the application seek to reduce or modify productive activities on-site to facilitate the proposal.

Concerns raised during public notification have been addressed by the applicant through a reduction in proposed hours and capacity, as well as the submission of an acoustic report to respond to potential amenity impacts. Representor concern regarding possible negative customer behaviour is noted, with this considered to be outside the scope of the planning system to regulate. However, the Applicant has agreed to advise customers, in the form of internal signage, to leave the subject land with consideration to surrounding residents.

When assessed against the relevant zone policies, overlays and general development policies for developments of a similar nature, the proposal is considered to generally address those criteria. As such, the proposal warrants planning consent being granted.

### **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 24028014 by Planning Studio Pty Ltd and David Bowley for a Variation to Development Application 21027668 - Alteration to capacity and hours of operation, change of use to include the hosting of functions (limited to 12 functions per annum) in association with an existing shop for the sale and tasting of wine at 589 Cudlee Creek Road, Cudlee Creek is granted Planning Consent subject to the following conditions and reserved matters:**

### **RESERVED MATTERS**

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

**The applicant shall lodge and have approved an associated Section 221 Application for the works proposed and required to facilitate a crossover to the public road for the overflow parking area. Approval of the associated Section 221 Application is to be granted prior to Development Approval being granted.**

## **CAP MEETING – 10 September 2025**

### **ITEM 8.1**

#### **CONDITIONS**

##### **Planning Consent**

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).**
- 2) At any one time, the overall capacity of the shop shall be limited to a maximum of 90 people. This includes any associated outdoor areas.**
- 3) The maximum allowable internal music noise level for any function must not exceed 82 dB(A) when measured as a reverberant sound pressure level not closer than 3m to any speaker as outlined in the associated Environmental Noise Assessment (dated July 2025) prepared by Sonus Pty Ltd.**
- 4) Food may be provided at pre-booked functions. Individual meals may not be offered to patrons at other times, with the exception of light snacks such as platters.**
- 5) At any one time, the overall function capacity of the premises shall be limited to 12 functions per calendar year with a maximum capacity of 90 people for each function. .**
- 6) The shop opening hours shall not exceed 11:00am to 6:00pm any day with the exception of pre-booked functions as defined in Condition 5. On these occasions opening hours shall be permitted between 11:00am and 11:00pm.**
- 7) A register of functions shall be kept of all pre-booked functions for each calendar year and made available for inspection by the Council upon request.**

#### **Conditions imposed by Environment Protection Authority under Section 122 of the Act**

- 8) The on-site wastewater system must be installed in accordance with the Site and Soil Assessment report by RFE Consulting, dated 12 August 2024, and include:**
  - a. the installation of two Ozzi Kleen RP10 systems**
  - b. the establishment of a 1,120 m<sup>2</sup> irrigation area, to be located more than 50 metres from the nearest watercourse, dam or bore, more than 1.2 metres from the seasonal groundwater table, on a slope less than 20% and not in the 10% AEP flood zone**
  - c. vegetating the irrigation area with shrubs and some trees**
  - d. bunding to direct surface runoff away from the irrigation area and creating a bund downhill to prevent any runoff, from over-irrigation, moving off site, and**
  - e. a high-level alarm for the balance tank.**

#### **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.**

## **CAP MEETING – 10 September 2025**

### **ITEM 8.1**

- 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.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

#### **Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act**

- 5) The applicant/owner/operator is reminded of the general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.
- 6) More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: [www.epa.sa.gov.au](http://www.epa.sa.gov.au)

#### **OFFICER MAKING RECOMMENDATION**

**Name:** Tim Mason  
**Title:** Statutory Planner

29 August 2024

Ref: P0303.02 Variation DA

Mr G Georgopoulos  
Chief Executive Officer  
Adelaide Hills Council  
63 Mount Barker Road  
Stirling SA 5152

*By electronic lodgement  
PlanSA portal*

**Attention:** Mr James Booker  
Team Leader Statutory Planning

**RE: Development Application ID 2102 7668  
Vinteloper Cellar Door  
589 Cudlee Creek Road, Cudlee Creek**

**Variation to Development Application 21027668 by Amendment to Capacity and Hours of Operation and the inclusion of a Function Venue (limited to 12 functions per annum) in association with an existing shop (sale and tasting of wine).**

Planning Studio continues to act for Mr David Bowley of Vinteloper, the owner of land located at 589 Cudlee Creek Road, Cudlee Creek, and Applicant in relation to the above development application for a cellar door to be established in association with an existing vineyard at 589 Cudlee Creek Road, Cudlee Creek.

## Background

We refer to Development Application 21027668 whereby Council has granted Development Approval to *'Convert former dwelling to shop for the sake and tasting of wine with associated building alterations & additions, associated car parking and landscaping'* in association with an existing vineyard.

The property was extensively damaged during the 2019 Cudlee Creek Bushfire event and the new cellar door represents the reconstruction of, and addition to, the former dwelling that was destroyed in the fire. The Cellar Door is a rebirth of Vinteloper that symbolises a rising from the ashes for both the property owners and the extremely successful wine business. The opening of the new Cellar Door in September 2024 heralds the return of Vinteloper to Cudlee Creek.

The above development application was granted Planning Consent on 12 January 2022 and subsequently Development Approval on 23 August 2022. Since the initial authorisation, two Regulation 65 Minor Variation approvals have been granted on 12 August 2022 and 15 July 2024 respectively. The initial minor variation reflected internal layout and joinery selection amendments and a change to carpark surfacing, while the latter allows for the cellar door to operate between the hours of 11:00am – 5:00pm on any day.



Together, these authorisations establish the approved land use and currently provide for a capacity 40 persons at any one time. The authorisation was supported by a Wastewater Works Approval issued by Council as per 21/W241/473, granted 2 December 2021.

A copy of the Decision Notification Form is provided in **Appendix A**.

Construction of the facility is ongoing, with an anticipated completion date in early September 2024, and an intent to open to the public in late September 2024.

### **The Variation**

As construction nears completion, Vinteloper have undertaken a review of the business model and current wine industry conditions and are cognisant of a need to position themselves within an ever-changing wine and tourism market, one that must be responsive and adaptive to the rapidly changing economic climate. It is also important that the facility is able to present an offering consistent with other cellar door facilities within the region, to remain competitive and capture its share of the wine tourism industry.

On behalf of our client, we now seek Council's agreement to vary the existing authorisation in relation to Conditions 8 and 9 in regard to operating hours and capacity, together with consideration of Conditions 11 and 16 as they relate to the alcoholic beverages and food that is made available.

#### Condition 8

##### **Opening Hours**

*The opening hours of the shop shall be from 11:00am to 5:00pm anyday.*

#### Condition 9

##### **Overall Capacity**

*At any one time, the overall capacity of the premises shall be limited to a maximum of 40 persons. This includes the associated outdoor areas.*

#### Condition 11

##### **Sale & Tasting of Alcoholic Beverages Restricted to Licensee's Own Product**

*Sales and tasting shall be limited to the licensee's own product, and shall be primarily produced within the Mount Lofty Ranges Region.*

#### Condition 16

##### **Ancillary Food**

*Individual meals may not be offered to patrons, with the exception of light snacks such as platters.*





### Conditions of Consent No, 8 and No.9

We hereby seek a Variation to the existing authorisation to bring operating hours and capacity in line with other cellar doors within the locality.

We request opening hours be altered as follows:

- **Monday – Wednesday: 11:00am – 5:00pm;**
- **Thursday - Sunday (and public holidays) 11:00am – 11:00pm;**

We also request the cellar door capacity be altered to allow up to **100 persons** at any one time.

While it is not intended that the cellar door be open for the full extent of hours indicated each week, a change in general operating hours will provide Vnteloper with sufficient flexibility to respond to a variety of changing market demands, and to ensure that customers can be accommodated on differing days in the week, without compromising the viability of the business.

Altering the hours of operation of the cellar door will also ensure that Vnteloper is consistent with other wine producers within the Adelaide Hills, and will avoid them having to turn potential customers away should they be attending numerous facilities in the Hills, which is common practice.

Similarly, the proposed capacity increase will enable the venue to be available for larger groups when requested and will facilitate a simple structure to the liquor licence, avoiding complex licensing and enforcement arrangements that have been utilised in recent years.

The proposed capacity increase has been directly informed by a rigorous review and redesign of the wastewater system associated with the cellar door facility. Concurrent to the Variation Development Application, RFE Consulting have prepared a Wastewater Design Upgrade Site and Soil Assessment Report noting the available design capacity. In general terms, the design upgrade will require the addition of a RP10 AWTs, resulting in the system comprising 2 x RP10 AWTs and a 5kl pump chamber/balance tank and 1,120m<sup>2</sup> surface irrigation.

A Wastewater works variation application has been submitted to Council's Environmental Health Department under separate cover.

A copy of the Design Upgrade Report prepared by RFE Consulting is provided in **Appendix B**.



### Conditions of Consent No, 11 and No.16

We note that Condition 11 limits the sale and tasting of alcoholic beverages to the licensee's own product. While this will remain the case in relation to wine and wine products, given the intent to showcase and sell Vinteloper wines exclusively, we seek opportunity to be able to offer patrons other alcoholic beverages such as beer and spirits, should a request be made. This is unlikely to be a regular request whilst the facility operates only as a cellar door, but should the request to operate a limited number of functions at the venue, the prohibiting of other alcoholic beverages will be problematic.

Similarly, Condition 16 notes that individual meals may not be offered to patrons, with the exception of light snacks. Again, whilst this is acceptable whilst operating as a cellar door, the inclusion of a limited number of functions will include an expanded food offering.

Notwithstanding, there is no commercial kitchen on site, nor is there sufficient capacity to prepare a large number of meals on site on a regular basis. That being the case, any function conducted on site will require external catering services.

Traditionally such conditions are imposed to ensure a cellar door facility remains related primarily to the licensee's product, ensuring it does not become a standalone shop or restaurant that is no longer linked to the primary producer/product.

Despite our request to amend or delete Conditions 11 and 16, we reaffirm that Vinteloper will continue to serve only the licensee's wine products, despite offering alternate beer and spirit options during pre-booked private functions, and will only serve individual meals during pre-booked private functions.

In essence, this aspect of the variation simply seeks to align opening hours and patron capacity in response to market demand and to ensure consistency with similar facilities within the locality, and the broader Adelaide Hills Wine Region.

### Function Venue

The variation also seeks to introduce the opportunity to host a limited number of pre-booked private functions per annum (max 12 functions per annum) with an increased patron capacity.

The Planning and Design Code defines a Function Venue as follows:

#### **Function Venue**

*Means premises used primarily for the hosting of events, conferences, conventions, receptions or functions. (my emphasis)*

While the use of the Vinteloper Cellar Door will remain primarily a shop for the sale and tasting of wine (Cellar Door), we acknowledge that Council may form the view that the ability for Vinteloper to host private functions and events may constitute a partial change of use, and determine that there is a need to have this aspect considered as part of the Variation application.

During this time, operating hours would remain consistent at **11:00am – 11:00pm**, with an increase patron capacity of **150 persons**.

All meals would be provided via external catering services.



We note that the wastewater report considered the increased capacity every Saturday, despite this not being intended. This has occurred given the need to carefully consider the overall capacity of the wastewater system and the time required to recover.

The wastewater report simply demonstrates that the system can accommodate the load arising from the increased capacity, despite this not occurring weekly.

### **Nearby cellar door and restaurant facilities**

In considering the desire to increase opening hours and capacity, Planning Studio have undertaken a review of the licences of three neighbouring cellar door and dining facilities.

As a comparison, Pike & Joyce Wines (Lenswood) have a licenced capacity for 180 persons 11:00am – 5:00pm Mon – Wed and 11:00am – 11:00pm Thurs to Sun. There are additional function venue allowances afforded to the facility.

Anderson Hill Wines (Lenswood) have a capacity of 150 persons, operating from 11:00am – midnight seven days per week.

Golding Wines (Lobethal) have a general capacity of 160 persons operating Mon – Thurs 11:00am – 10:30pm, Fri and Sat 10:00am – midnight and Sun 11:00 – 10:30pm. Golding Wines also have additional function capacity and operating hour provisions.

While the proposed variation is unlikely to result in the Vintelooper facility being open to the public seven days, nor accommodating the full extent of the proposed capacity, there is a fundamental need to have flexibility should there be demand beyond the currently approved conditions.

The variation now sought by Vintelooper is consistent with the conduct of neighbouring cellar door and restaurant facilities.

### **Liquor Licence**

In the event that Council is supportive of the variations described above, Wallmans Lawyers will seek to ensure that the Liquor Licence (application in process) will reflect the varied opening hours and patron capacity.

### **Procedural Considerations**

We acknowledge that the variation outlined above cannot be considered under the provisions of Regulation 65 of the *Planning, Development and Infrastructure (General) Regulations 2017* as they cannot be described as minor.

Notwithstanding, it is appropriate to consider the required amendment as a variation to the existing authorisation given the nature of development remains unchanged.

Pursuant to section 128(2)(b) of the *Planning, Development and Infrastructure Act 2016*, we submit that only those elements being varied are to be assessed.



*S128(2)(b) will, for the purposes of this Part, but subject to any exclusion or modification prescribed by the regulations and any other provision made by the regulations, to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation), be treated as a new application for development authorisation; and*

...

## Assessment Pathway

The variation application is a performance assessed form of development.

## Notification

Table 5 of the Zone, provides an exemption for 'Shop' where the proposal satisfies DTS/DPF 6.1 and DTS/DPF 6.2, relating primarily to co-location with primary production, the sourcing of produce and goods, floor area and dining capacity.

DTS/DPF 6.2 seeks to ensure 'new buildings' are sited sufficient distance from boundaries and sensitive receivers.

Shops, Tourism and Function Centres	
<p>PO 6.1</p> <p>Shops are associated with an existing primary production or primary production related value adding <u>industry</u> to support diversification of employment, provide services to visitors and showcase local and regional products.</p>	<p>DTS/DPF 6.1</p> <p>Shops, other than where located in The Cedars Subzone:</p> <ul style="list-style-type: none"><li>(a) are ancillary to and located on the same allotment or adjoining allotment used for primary production or primary production related value adding industries</li><li>(b) offer for sale or consumption produce or goods that are primarily sourced, produced or manufactured on the same allotment or adjoining allotments</li><li>(c) have a <u>gross leasable floor area</u> not exceeding 100m<sup>2</sup> or 250m<sup>2</sup> in the case of a cellar door</li><li>(d) have an area for the display of produce or goods external to a building not exceeding 25m<sup>2</sup></li><li>(e) do not result in more than 75 seats for customer dining purposes in a <u>restaurant</u>.</li></ul>
<p>PO 6.2</p> <p>Shops that are proposed in new buildings are sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 6.2</p> <p>Shops in new buildings:</p> <ul style="list-style-type: none"><li>(a) are setback from all property boundaries by at least 20m</li><li>(b) are not sited within 100m of a <u>sensitive receiver</u> in other ownership</li><li>(c) have a <u>building height</u> that does not exceed 9m above natural ground level.</li></ul>

The variation results in a capacity greater than 75 persons, although these are not technically located within a designated restaurant. It is considered that the prescriptive measures, which were relevant in the initial application, are less so for the variation. The variation has little relevance when considered against the notification triggers for a 'shop'.

When considering the introduction of a 'function venue', Table 5 of the Zone provides an exemption where the proposal satisfies DTS/DPF 6-6 outlined overpage.



PO 6.6 Function venues are sited, designed and of a scale that maintains a pleasant natural and rural character and amenity.	DTS/DPF 6.6 Function venues: (a) are located on an allotment having an area of at least 5ha (b) are setback from all property boundaries by at least 40m (c) are not sited within 100m of a <u>sensitive receiver</u> in other ownership (d) have a <u>building height</u> that does not exceed 9m above natural ground level.
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Despite the venue being located on a parcel of land some 29.38 hectares in area, the existing building is setback 15.936 metres from the primary boundary, falling short of the desired 40 metre setback nominated within DPF 6.6. The building is also located approximately 84 metres (direct line) from the closest sensitive receiver to the north west.

The proposal will require notification.

### Government Agency Referrals

The land is subject to the Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay.

Within the Overlay, a function venue with more than 75 seats for customer dining purposes requires referral to the Environment Protection Authority to provide expert technical assessment and direction to the relevant authority on whether a proposed development will have a neutral or beneficial impact on water quality.

Referral to the EPA will be required.

No other government agency referrals are required.



## Closing

We are of the opinion that the proposed variation responds effectively to the need for Vinteloper to maximise the viability of the new facility whilst positioning itself appropriately within an ever changing wine and tourism market and remaining competitive with other wine producers in the Adelaide Hills Wine region.

The variation does not change the essential nature of land use, does not result in any inconsistency with another consent and will not result in any unreasonable impacts.

By contrast, the variation will ensure that Vinteloper is open to the public at the same time as other producers within the locality and the Adelaide Hills wine region more broadly, and most critically, that Vinteloper can respond and adapt to market preferences whilst ensuring the economic viability and prosperity of the business.

We trust that Council will look favourably upon the request to support the variation and respectfully request Council provide confirmation of the assessment pathway as soon as possible to enable assessment to proceed.

Should you wish to discuss any aspects of this correspondence or the proposal further, please do not hesitate to contact me on 0431 527 636 or [emma@planningstudio.com.au](mailto:emma@planningstudio.com.au).

Yours sincerely

**Emma Barnes** | MPIA | **Director**

**Cc:** D Bowley, Vinteloper



## APPENDIX A

Development Authorisation  
App ID 21027668

15 July 2024

## DECISION NOTIFICATION FORM

*Section 126(1) of the Planning, Development and Infrastructure Act 2016*

### TO THE APPLICANT(S):

Name: Planning Studio Pty Ltd
Postal address: PO Box 32 BRIDGEWATER SA 5155
Email: emma@planningstudio.com.au

Name: Vinteloper Wines
Postal address: PO Box 32 BRIDGEWATER SA 5155
Email: david@vinteloper.com.au

### IN REGARD TO:

Development application no.: 21027668	Lodged on: 28 Oct 2021
Nature of proposed development: Convert former dwelling to shop for the sale and tasting of wine with associated building alterations & additions, associated car-parking and landscaping	

### LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 589 CUDLEE CREEK RD CUDLEE CREEK SA 5232		
Title ref.: CT 5946/767	Plan Parcel: F155936 AL21	Council: ADELAIDE HILLS COUNCIL

### DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning Consent	Granted	12 Jan 2022	16	0	Assessment Panel at Adelaide Hills Council
Building Consent	Granted	15 Aug 2022	2	0	Tomas Januskevicius - BCA Concepts Pty Ltd - Building Level 1
Development Approval - Planning Consent; Building Consent	Granted	23 Aug 2022	18	0	Adelaide Hills Council

<b>FROM THE RELEVANT AUTHORITY:</b> Tomas Januskevicius - BCA Concepts Pty Ltd - Building Level 1
Date: 15 Jul 2024



## MINOR VARIATION TO PREVIOUS AUTHORISATION

Consent affected	Description of minor variation	Date minor variation endorsed*	Entity responsible for decision
Planning Consent	Regulation 65 Minor Variation	12 Aug 2022	Adelaide Hills Council
Planning Consent; Building Consent; Development Approval For: Planning Consent Building Consent	Minor Variation   Condition 8	15 Jul 2024	Adelaide Hills Council; BCA Concepts Pty Ltd

*\* Date minor variation endorsed does not affect operative date of original consent.*

## CONDITIONS

### Planning Consent

#### Condition 1

##### Development in Accordance with Approved Plans

The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

#### Condition 2

##### Commercial Lighting

Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.

#### Condition 3

##### External Finishes

The external finishes to the building herein approved shall be as follows:

WALLS: Mixture of existing brick walls, pre-cast concrete panels and pre-colour treated steel in Colorbond 'Monument' colour or similar.

ROOF: Zinc cladding in 'Pigmento Red' colour & Colorbond 'Monument' or similar.

#### Condition 4

##### Prior to Building Consent – Provision of Carparking Plan Designed In Accordance with Australian Standard AS 2890.1:2004

Prior to Building Consent being granted a final car parking plan which complies with Australian Standard AS2890.1:2004 shall be provided and approved by Council.

#### Condition 5

##### Construction & Maintenance of Car-Parking

All car parking spaces, driveways and manoeuvring areas shall be constructed and line-marked in accordance with the approved plans. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of concrete aggregate material prior to the opening of the shop and thereafter be maintained in good condition at all times to the reasonable satisfaction of Council.

#### Condition 6

##### Car Parking Directional Signage

Directional signs indicating the location of car parking spaces shall be provided on the subject land and maintained in a clear and legible condition at all times.

**Condition 7**

**Unloading and Storage of Materials and Goods**

All materials and goods shall at all times be loaded and unloaded within the confines of the subject land. Materials and goods shall not be stored on the land in areas delineated for use as car parking.

**Condition 8**

**Opening Hours**

The opening hours of the shop shall be from 11:00am to 5:00pm anyday.

**Condition 9**

**Overall Capacity**

At any one time, the overall capacity of the premises shall be limited to a maximum of 40 persons. This includes the associated outdoor areas.

**Condition 10**

**Entertainment**

Amplified music shall be limited to within the shop building.

**Condition 11**

**Sale & Tasting of Alcoholic Beverages Restricted to Licensee's Own Product**

Sales and tasting shall be limited to the licensee's own product, and shall be primarily produced within the Mount Lofty Ranges Region.

**Condition 12**

**Timeframe for Landscaping to be Planted**

Landscaping detailed on the approved landscaping plan shall be planted in the next available planting season following the opening of the shop. Landscaping shall thereafter be maintained in good health and condition at all times. Any landscaping that dies or becomes seriously diseased shall be replaced in the next available planting season.

**Condition 13**

**Stormwater Roof Runoff & Car-Park Runoff to be Dealt With On-Site**

All roof run-off and run-off from the car park shall be managed on-site in accordance with the approved stormwater plan to the satisfaction of Council.

**Condition 14**

**Prior to Building Consent – Provision of an amended Site Plan with Waste Storage**

Prior to Building Consent being granted a final site plan with the location of the solid waste area and associated screening of the area from Cudlee Creek Road and Berry Hill Road, shall be provided and approved by Council staff.

**Condition 15**

**Removal & Storage of Solid Waste**

All solid waste of any kind shall be stored in a closed container having a closed fitting lid, and that container shall be stored in the screened area.

**Condition 16**  
**Ancillary Food**

Individual meals may not be offered to patrons, with the exception of light snacks such as platters.

**Building Consent**

**Condition 1**

The Development shall be undertaken in accordance with plans submitted for Development Approval except where varied by a variation application.

**Condition 2**

Surface stormwater run off shall be directed away from the building and neighbouring properties and towards the street water table

**ADVISORY NOTES**

**Planning Consent**

**Advisory Note 1**

This Planning Consent is valid for a period of twenty four (24) months commencing from the date of the decision. Building Consent must be applied for prior to the expiry of the DPC.

**Advisory Note 2**

A separate development application is required for any signs or advertisements (including flags and bunting) associated with the development herein approved.

**Advisory Note 3**

This approval does not in any way imply compliance with the Food Act SA 2001 and/or Food Safety Standards. It is the responsibility of the owner or other person operating the food business from the building to ensure compliance with the relevant legislation before opening the food business on the site.

**Building Consent**

None

**CONTACT DETAILS OF CONSENT AUTHORITIES**

Name: Adelaide Hills Council	Type of consent: Planning
Telephone: 08 8408 0400	Email: developmentadmin@ahc.sa.gov.au
Postal address: 63 Mount Barker Road, STIRLING SA 5152	

Name: BCA Concepts Pty Ltd	Type of consent: Building
Telephone: (08) 8425 7060	Email: tom@bcaconcepts.com.au
Postal address: Level 1, 50 Hindmarsh Square, Adelaide SA 5000	

**BUILDING CLASSIFICATION/S**

Essential safety provisions apply: Yes

Building work Change of use from dwelling to shop

Building Classification	Approved number of occupants
-------------------------	------------------------------

## REQUIRED NOTIFICATIONS

You are advised that notice and/or documentation must be provided to council when the following stages of building work are reached (regulation 93):

### Building work Change of use from dwelling to shop

- Commencement of Building work (1 business day's notice)
- Completion of all wall and roof framing forming part of the building work (1 business day's notice)
- Completion of Building work (1 business day's notice)
- Completion of Statement of Compliance and other documents required to be provided at the completion of building work (1 business day's notice)

*Note regulation 57(7) allows the relevant authority issuing the notice to specify any additional stage of building work for which notice must be given to the council under regulation 93.*

*Where a building certifier is issuing the building consent the use of this regulation is to inform the council of stages of work when a notification should be provided and an inspection may occur at the council's discretion. If applicable, notifications specified under 57(7) are therefore intended to be in addition to mandatory notifications and any notifications specified by council under 93(1)(b) or (c) when issuing the final Development Approval.*

*To submit the requested notifications, log in to the SA planning portal and select **Submit mandatory building notifications**.*

## STATEMENT OF COMPLIANCE

A Statement of Compliance is required at the completion of all building work, except in respect of a Class 10 building other than a swimming pool or private bushfire shelter.

### Building Work Change of use from dwelling to shop

The following certificates, reports or other documents must be provided to the building certifier or council (as relevant) with the completed Statement of Compliance under regulation 57(8)(c).

- Form 2

*A blank copy of the Statement of Compliance is available on the SA planning portal. The Statement of Compliance and other required documents may be uploaded to the SA planning portal on completion.*

## BUILDING OCCUPATION/COMPLETION

### Building work Change of use from dwelling to shop

Building classification 6 - Shop or other building used for the sale of goods by retail or the supply of services direct to the public

A Certificate of Occupancy issued under section 152 is required for this building before it can be occupied: Yes  
The Certificate of Occupancy will be issued by: The building certifier

*Note section 152 of the Act and regulation 103, requires a Certificate of Occupancy to be issued before a building can be occupied. A Certificate of Occupancy is not required for a Class 10 building or for a Class 1a building where the application for building consent is lodged and verified within the SA planning portal before 1 October 2024. In the meantime, a person must not occupy a Class 1a building for which a Certificate of Occupancy is not required unless it meets the minimum standards for occupancy under regulation 103H(2).*

*Completion of a building will be signalled by the receipt of the Statement of Compliance required for that building, or the final Statement of Compliance where multiple statements are required.*

*Section 152(2) of the Act states that 'A certificate of occupancy will be issued by council', noting that section 154 allows a building certifier to exercise this power should they elect to, where either: the building is owned occupied by the Crown or an agency or instrumentality of the Crown; or if they issued the building rules consent for that building.*

*The authority above – either building certifier or council – will therefore be responsible for issuing this Certificate following receipt of the Statement of Compliance and other documentation as required to provide assurance that the building is suitable for occupation.*

*Note the default authority for issuing this Certificate remains the council, should there be no building certifier or if the certifier elects not to issue this Certificate, noting that a council may still elect not to issue a certificate, if the council is not satisfied the building is suitable for occupation under section 152(6) of the Act.*

**Contact details for the purposes of this notification**

Name Adelaide Hills Council

Email [developmentadmin@ahc.sa.gov.au](mailto:developmentadmin@ahc.sa.gov.au)

Phone 08 8408 0400

*Notifications may also be provided via the SA planning portal.*



## APPENDIX B

### **Site and Soil Assessment – Wastewater Design Upgrade Report**

RFE Consulting

Ref: RFE0379\_Site and Soil Report, Rev 2

12 August 2024

12 August 2024

Vinteloper  
Mr David Bowley  
589 Cudlee Creek Road  
CUDLEE CREEK, SA 5232

## SITE AND SOIL ASSESSMENT– 589 CUDLEE CREEK ROAD, CUDLEE CREEK, SOUTH AUSTRALIA

Dear David,

### INTRODUCTION

RFE Consulting Pty Ltd ('RFE') were engaged to undertake a site and soil assessment for the purpose of determining the suitability of the proposed on-site wastewater management system to facilitate the proposed cellar door development at the site located at 589 Cudlee Creek Road, Cudlee Creek, South Australia ('the site').

It is understood a dwelling was destroyed at the site in the 2019 Adelaide Hills bush fires and a cellar door development is now proposed for the site. This wastewater application forms part of a larger Development Application.

Given the site is located within the Mount Lofty Ranges Water Supply Catchment (Area 2), the size of the proposed surface irrigation land application area has been designed based on the nitrogen balance in order to effectively manage the additional loading of nitrogen to the land application area to ensure no additional load will impact on the Mount Lofty Ranges Water Supply Catchment.

The assessment was completed in accordance with the Government of South Australia DHA *On-site Wastewater Management Systems Code (the Code)*.

Site summary information is provided in Table 1.

*Table 1 – Site summary information*

Item	Detail
Subject Land	F155936, A21, Certificate of Title Volume 5946 Folio 767, Hundred of Talunga
Postal Address	589 Cudlee Creek Rd, Cudlee Creek, South Australia 5232
Municipality	Adelaide Hills Council
Current Land Use	Vineyard
Proposed Land Use	Cellar Door
Design Flow (cellar door)	8 L/p/d (wine tasting, no meals)
Design Flow (Function once a week on Saturday)	20 L/p/d (based on a restaurant with liquor licence site scenario)
Design Flow (Staff)	30 L/p/d (based on a staff with no shower site scenario)
Organic Load (cellar door)	11.2 g BOD <sub>5</sub> /p/d (cellar door site scenario with 40% loading as required for raw sewage to aerobic treatment)
Organic Load (function – Saturday)	21 g BOD <sub>5</sub> /p/d (function site scenario with 40% loading as required for raw sewage to aerobic treatment)

Organic Load (staff)	28 g BOD <sub>5</sub> /p/d (staff ablutions with no shower with 40% loading as required for raw sewage to aerobic treatment)
Treatment System Required	5kL balance tank SBR controlled to distributed evenly to two Ozzi Kleen RP10 Aerated Wastewater Treatment Systems (AWTS).
Disposal System Required	Surface irrigation land application
Design Irrigation Rate Adopted	0.9 L/m <sup>2</sup> /d (based on the nitrogen balance completed)
Surface irrigation area required	1,120m <sup>2</sup> based on the nitrogen balance completed.

## AIM

The aim of this assessment is to determine the suitability of the proposed on-site wastewater management system comprising an SA Health approved 5kL pump chamber/balance tank fitted with a pump station controller complete with a Sequencing Batch Reactor (SBR) function to evenly distribute the wastewater to the two proposed Ozzi Kleen RP10 AWTS distributing the secondary treated wastewater to the proposed surface irrigation land application area.

## METHODOLOGY

The key features summarised in Table 2 are based on the desktop review of readily available information as well as an intrusive soil assessment.

The initial intrusive assessment was completed by JR Soil Sampling using portable push tube drilling methods on 25 August 2021.

## SITE FEATURES

A summary of the key site features is provided in Table 2.

*Table 2 – Key site land features*

Feature	Description	Recommendations
Landscape Elements		
Soil	<p>The approximate locations of the soil investigation locations targeting the proposed surface irrigation land application area for primary treated water is illustrated in Attachment 2.</p> <p>Drilling at both borehole locations refused, BH1 at 1.9m below ground level (bgl) and BH2 at 1.5m bgl, on inferred weathered rock.</p> <p>The materials encountered in the intrusive site assessment can be summarised as follows:</p> <ul style="list-style-type: none"> <li>- Surface soil horizon comprised a brown silty clayey SAND, fine to medium grained, trace roots extending to a depth of 0.1m bgl in both boreholes.</li> <li>- The subsurface soil horizon encountered in both boreholes comprising a low plasticity, dark brown silty CLAY, extending to 0.6m bgl in BH1 and to 0.4m bgl in BH2</li> <li>- Underlain by a high plasticity dark grey-brown silty CLAY extending to 0.9m bgl in BH1 and 0.8m bgl in BH2.</li> </ul>	<p>Based on the soil assessment completed at the site, the proposed surface irrigation area will be located in poor soakage soils over practically impermeable soils.</p> <p>Based on the soil encountered as well as the proposed design improvements including:</p> <ul style="list-style-type: none"> <li>- Planting out the designated surface irrigation area</li> <li>- Ripping the top 200mm</li> <li>- Emplacing and maintaining a cover of mulch across the designated surface irrigation area</li> </ul> <p>A Design Irrigation Rate (DIR) of 4.5 L/m<sup>2</sup>/d has been adopted.</p>



Feature	Description	Recommendations
	<ul style="list-style-type: none"> <li>Underlain by various layers of gravelly silty clay, sand and gravel, before encountering practical portable drilling refusal on extremely weathered rock in both boreholes, at 1.9m bgl in BH1 and 1.4m bgl in BH2.</li> </ul> <p>Soil borehole logs are attached to this report in Attachment 2.</p>	
Slope	The proposed surface irrigation land application area is positioned in an area which has a moderate slope with an approximate north westerly aspect.	<p>A diversion swale shall direct surface water flows around the proposed irrigation area.</p> <p>A railway sleeper retention bund shall be constructed at the down gradient boundary of each irrigation area 'A' and 'B'.</p> <p>Additionally, a retention bund is to be constructed at the down gradient boundary of each row where the slope increases within irrigation area 'B' to retain secondary treated wastewater within the designated irrigation area.</p> <p>A batter between rows is also required where the slope increases within irrigation area 'B'.</p>
Hydrogeology	<p>Groundwater was not intercepted in any of the boreholes installed to a maximum depth of 1.9 m bgl</p> <p>The proposed land application area is positioned greater than 50m to the closest registered bore.</p>	None.
Surface Water	The proposed surface irrigation land application area is located greater than 50m from the nearest registered water body.	Based on being located in the Mt Lofty Ranges Water Supply Catchment Area 2, the irrigation land application area is to be based on a nitrogen balance to ensure no additional load impacts on the Mt Lofty Ranges Water Supply Catchment.
Water Table	Groundwater was not intercepted in either borehole installed to a maximum depth of 1.9m bgl.	None.
Bedrock	Portable drilling refusal was met at depth on inferred weathered rock in boreholes BH1 (at 1.9m bgl) and BH2 (at 1.5m bgl).	None – surface irrigation proposed.
Rainfall	Annual rainfall of 712.3 mm.	Based on data between 1994 to present from the Bureau of Meteorology Cudlee Creek (Odea Road) Weather station (ID: 023879).
Recommended Separation Distances	The location of the proposed infrastructure is in accordance with prescribed separation distances from structures and allotment boundaries in accordance with the Code.	As per Attachment 1
<b>Infrastructure</b>		
Water Supply.	This site is serviced by roof capture and storage.	In accordance with Appendix E of the Code, hydraulic loadings have been adopted for the three site scenarios being cellar door with no meals, restaurant with liquor licence and staff ablutions (no shower).

## SYSTEM SIZING

The design parameters adopted in the calculation of the hydraulic load are summarised in Table 3. The capacity of the proposed system is provided in Table 4.

Table 3 – Summary of Design Parameters for the proposed wastewater management system

Parameter	Rating	Reasoning
CELLAR DOOR WITH NO MEALS		
Design Flow	8 L/p/d	Based on <i>wine tasting, no meals</i> setting as set-out in Appendix E of the Code and applying the mandatory 40% increase to BOD <sub>5</sub> loading for raw sewage.
BOD <sub>5</sub> Loading	11.2 g BOD <sub>5</sub> /p/d	
Hydraulic Load for cellar door	600 L/d	As per loadings provided in Appendix E of the Code, the adopted hydraulic load for the cellar door is based on a maximum of 100 persons, with an average of 75 over the week (cellar door operating at 75% capacity weekly and only operating as a cellar door Monday – Friday and Sunday, not Saturday). Inclusive of the 40% increase applied to the organic loading.
Organic Load for cellar door	840 gBOD <sub>5</sub> /d	
FUNCTION (ONE DAY PER WEEK)		
Design Flow	20 L/p/d	The use of the site for a function once per week is proposed to operate in a <i>Restaurant, no liquor licence</i> site scenario, adopted as the most relevant site setting and applying the mandatory 40% increase BOD <sub>5</sub> loading for raw sewage.
BOD <sub>5</sub> Loading	21 gBOD <sub>5</sub> /p/d	
Hydraulic Load for the weekly Function	3,000 L/d	Applied to the maximum of 150 persons each Saturday, this approach is considered conservative as it is unlikely the 150-person capacity will be met on a weekly basis. Inclusive of the 40% increase applied to the organic loading.
BOD Loading for the weekly Function	3,150 gBOD <sub>5</sub> /d	
STAFF		
Design Flow	30 L/p/d	Based on the <i>Staff ablutions, work place installations</i> site scenario (no shower is proposed) applying the mandatory 40% increase to BOD <sub>5</sub> loading for raw sewage.
BOD <sub>5</sub> Loading	28 gBOD <sub>5</sub> /d	
Hydraulic Load for Staff	90 L/d	Monday to Friday and Sunday based on three staff
	150 L/d	Saturday for the Function based on five staff
BOD Loading for staff	84 gBOD <sub>5</sub> /d	Monday to Friday and Sunday based on three staff
	140 gBOD <sub>5</sub> /d	Saturday for the Function based on five staff
TOTAL LOADING		
Limitation of System	Organic Load	Limited to 1,400 gBOD <sub>5</sub> /d based on the two proposed Ozzi Kleen RP10 AWTS which have an SA Health approval of 700 gBOD <sub>5</sub> /d per AWTS.
Design Flow (total daily)	1,045 L/d	Limited to a maximum flow of 1,045 L/d, reduced from the maximum hydraulic load of the system of 3,000 L/d (for 2 x Ozzi Kleen RP10 AWTS).  The maximum flow has been reduced to ensure the organic load of the system (1,400 gBOD <sub>5</sub> /d) is not exceeded. The system has been limited based on the cellar door operation which operates at a peak 690 L/d hydraulic load and 924 gBOD <sub>5</sub> /d organic load, resulting in a concentration of 1.34 gBOD <sub>5</sub> /L. Therefore, the system limited to 1,045L/d. The output from the wastewater management system is to be limited by the wastewater system controller.

Table 4 – Capacity of the proposed on-site wastewater management system

Parameter	Capacity	Comment
Proposed On-site Wastewater Management System <b>Hydraulic Load</b> Capacity	1500 L/d x 2 = 3,000L/d	Based on the SA Health approval for the Ozzi Kleen 2 x RP10 AWTS.
Proposed On-site Wastewater Management System <b>Organic Load</b> Capacity	700 g BOD <sub>5</sub> /d x 2 = 1,400 g BOD <sub>5</sub> /d	

## NITROGEN BALANCE

The nitrogen balance at this site dictates the minimum irrigation area required, rather than the DIR based on the soil type, to ensure the applied nitrogen is sequestered effectively by the proposed vegetation thereby ensuring neutral impact results from the proposed development.

The nitrogen balance calculation to demonstrate neutral impact results from the proposed development at the site and more specifically the proposed on-site wastewater management system required to facilitate the proposed development has been completed with the following assumptions:

- Design peak hydraulic load of 1,045 L per day
- A nitrogen concentration in the effluent from the Ozzi Kleen RP10A AWTS of 24.4 mgTN/L (the most recent data as provided by Mr Niall Stephen of the SA EPA in an email dated 16 July 2024).
- A 10% loss in nitrogen through soil processes has been assumed.
- A vegetated area covered by an area classified as *unmanaged shrubs and some trees* is planted across the proposed land application area
- A nitrogen uptake of 75 kg/ha/year for the unmanaged shrubs and some trees<sup>1</sup>

The resulting nitrogen accumulated within the proposed land application area of approximately 8.3 kg/yr is to be sequestered by the proposed *unmanaged shrubs and some trees* vegetation cover within a minimum 1,120m<sup>2</sup> surface irrigation land application area. The proposed surface land application area correlates to a Design Irrigation Rate (DIR) of 0.9 L/m<sup>2</sup>/d. The significantly reduced DIR of 0.9 L/m<sup>2</sup>/d is deemed appropriate to accommodate surface irrigation application on the slope at the site, with the reduced loading resulting in less movement of applied wastewater, coupled with the proposed wastewater design which includes batters between rows where necessary and retention bunding at the down slope boundaries, mitigating the migration of contaminants applied and facilitating containment within the designated surface irrigation area.

Plant growth is to be managed by periodical slashing with the management of vegetation off-site.

Nitrogen Balance calculations are provided in Attachment 3.

<sup>1</sup> Source for Nitrogen uptake rate for *shrubs and some trees – unmanaged* based on published data in *Neutral or Beneficial on Water Quality Assessment Tool, Consultant and Consultant Administrators User Guide* (Water NSW, 2022).

## CONCLUSION & RECOMMENDATIONS

Based on the above Site and Soil assessment, we consider the proposed on-site wastewater management system comprising a 5kL pump chamber / balance tank to two Ozzi Kleen RP10 AWTS (or SA Health Approved alternative) to surface irrigation with a minimum contact area of 1,120m<sup>2</sup> to be appropriate for the site. The system should be installed in the area denoted in the attached drawings (Attachment 1).

The dwelling at the site was destroyed in the 2019 Adelaide Hills bush fires and a cellar door has now been proposed for the site. The cellar door is based on a peak occupancy of 100 persons and adopts an average occupancy of 75%. The Cellar Door will provide light food however, a commercial scale kitchen is not proposed and therefore the appropriate Scenario for the cellar door – *Wine Tasting, No Meals* in accordance with the Code has been adopted.

Each Saturday a Function with up to a maximum of 150 persons is proposed. Conservatively, the maximum 150 persons has been adopted in the system capacity calculation and design. The Saturday Function proposed exceeds the capacity of the two AWTS and accumulation results within the proposed 5kL balance tank. At 100% capacity of the Saturday Function and 75% cellar door capacity, the balance tank is emptied weekly by Friday. The balance tank is to be high-level alarmed, should the balance tank approach capacity, the contingency plan is to set the balance tank high-level alarm set at 80% of its capacity, and if triggered, an EPA licensed vacuum truck is to remove the contents at 80% capacity. Currently, based on the above parameters, the balance tank only ever fills to approximately 40% of its capacity.

The nitrogen balance, which has dictated the design of the surface irrigation land application as well as a summary of the system and operating capacity calculations is provided in Attachment 3.

Based on a maximum daily hydraulic load of 1,045 L/d, the required surface irrigation land application area required is 1,120m<sup>2</sup> provided in the design. The discharge from each AWTS is to be limited to ensure even distribution of a system total of 1,045 L/d by the control system of each AWTS. A total of six distribution lines will ensure even distribution of the secondary treated wastewater to the proposed land application area. The discharge from each AWTS is to enter the land application area via a 3-port indexing valve (for each tank, total of 2 x 3-port indexing valves). Two lines are to distribute the secondary treated wastewater to Irrigation Area A (400m<sup>2</sup> resulting in one line each to an area of 200m<sup>2</sup>) and the remaining four lines is to distribute the secondary treated wastewater evenly to Irrigation Area B (720m<sup>2</sup>).

Railway sleeper retention bunding is required at the down-gradient boundary of both Irrigation Area A and B. Additional engineering requirements within Irrigation Area B where the slope increases include:

- A batter between irrigation rows to facilitate a minimum 7.5% slope with each irrigation row.
- Railway sleeper retention bunding at the down slope boundary of each irrigation row to retain site flows to within the irrigation row.

The irrigation area is to be mechanically ripped to a minimum depth of 200mm before being planting out to provide a dense vegetation cover across the entire irrigation area and emplacing a mulch cover across the entire designated irrigation area.

The secondary treated wastewater is to be distributed through Antelco Reuzit sprinklers (or similar).

The plumber installing the system shall ensure all wastewater at the site is directed to the proposed on-site wastewater management system and ensure signs are provided adequately to indicate secondary treated wastewater is being utilised for surface irrigation.

The proposed on-site wastewater management system shall be installed by an appropriately qualified Plumber in accordance with Legislative requirements (including AS3500, the Code and the Plumbing Code of Australia) and the manufacturer's specifications.

The proposed on-site wastewater management system shall be serviced quarterly and reported to the Council.

## CLOSURE

We trust this assessment is suitable for your purposes. Please contact me on 0439 034 900 should you have any queries.

Yours sincerely



**Ross Fitzgerald** BEng Civil/Environmental MIEAust NER  
Principal Environmental Engineer

## Attachments:

Attachment 1 – Drawings

Attachment 2 – Lithological Logs

Attachment 3 – Nitrogen Balance, Design loadings and System Operating Capacity

Attachment 4 – Photographs



## Attachment 1 – Drawings





PROPOSED WASTEWATER MANAGEMENT SYSTEM  
SCALE 1:500

GENERAL NOTES

- THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE SITE AND SOIL REPORT
- DIMENSIONS SHALL NOT BE OBTAINED BY SCALING THESE DRAWINGS. DIGITAL AND CONVERTED DATA USED TO COMPILE THESE DRAWINGS. ANY DISCREPANCIES ARE TO BE DIRECTED TO THE AUTHOR OF THE REPORT
- DIMENSIONS SHOWN ARE IN METERS UNLESS SHOWN OTHERWISE
- LOCATIONS ARE SHOWN INDICATIVELY. MINIMUM SETBACK DISTANCES ARE TO BE MAINTAINED
- CADASTRAL BOUNDARIES MAY BE INACCURATE & MAY DIFFER FROM ESTABLISHED SITE FENCES. BOUNDARIES SHOWN ARE INDICATIVE & CAN BE CONFIRMED FROM TITLE PLANS
- DIRECT STORMWATER RUNOFF FROM ROOF CAPTURE & ANY RAINWATER TANK OVERFLOW FROM SURFACE IRRIGATION LAND APPLICATION AREA

SURFACE IRRIGATION AREA

- SETBACK A MINIMUM OF 0.5m FROM ALLOTMENT BOUNDARIES, 0.5m FROM EASEMENT, 15m FROM AWTS & 15m MIN. FROM PROPOSED DWELLING
- SOIL IMPROVEMENT THROUGH MULCHING TO IMPROVE SOIL PERMEABILITY IN IRRIGATION AREA
- WARNING SIGNS MUST BE POSITIONED WITHIN THE LAND APPLICATION AREA TO INDICATE THAT RECYCLED WATER IS BEING USED FOR IRRIGATION. THE SIGNS MUST BE ON A WHITE BACKGROUND WITH RED LETTERING OF AT LEAST 20mm IN HEIGHT. THE SIGNS MUST BE CLEARLY VISIBLE FROM ALL SIDES AND MUST CONTAIN A WARNING SUCH AS: RECYCLED WATER - AVOID CONTACT/CONSUMPTION (AS PER ON-SITE WASTEWATER SYSTEMS CODE)
- IRRIGATION AREA TO BE PLANTED WITH APPROPRIATE SALT-TOLERANT, WATER-LOVING VEGETATION
- SPRINKLERS TO BE "ANTECO REUZIT" OR SIMILAR APPROVED (LARGE DROPLET, LOW THROW SPRAY)
- STORMWATER RUNOFF TO BE DIVERTED AROUND PROPOSED SURFACE IRRIGATION AREAS

AERATED WASTEWATER TREATMENT SYSTEM

- AWTS IS AN "OZZIKLEEN (RP10)" UNIT (OR ALTERNATIVE "SA HEALTH" APPROVED)
- ALL PLUMBING TO BE IN ACCORDANCE WITH AS3500 WORK ON THE INSTALLATION OF THE AWTS SHALL NOT COMMENCE UNTIL COPIES OF THE "APPROVAL PLAN & CONDITIONS" HAVE BEEN RECEIVED BY THE APPLICANT
- REFER TO SITE & SOIL REPORT FOR DESIGN LOADINGS



PO Box 89, Aldgate SA 5154  
ross@rfeconsulting.com.au  
+61 439 034 900

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REV	AMENDMENTS	DATE	BY
1	FOR APPROVAL	10.08.24	MK

SCALES:	AS SHOWN @ A1
DESIGNED:	R.F
CHECKED:	R.F
DRAWN:	MK
CHECKED:	R.F
DATE:	10.08.24

PROJECT PARTNER



CLIENT:

VINTELOPER

ADDRESS:

589 CUDLEE CREEK ROAD,  
LOBETHAL, SA 5241

PROJECT NAME:

PROPOSED ON-SITE WASTEWATER  
MANAGEMENT SYSTEM  
PROPOSED CELLAR DOOR

ON-SITE WASTEWATER  
OVERALL LAYOUT

ORIGINAL DRAWING AT A1. DO NOT SCALE DIRECTLY OFF DRAWING  
DIRECT ANY QUERIES AND OR DISCREPANCIES TO RFE CONSULTING.

PROJECT NUMBER:  
RFE0379

DRAWING NUMBER:  
WW\_01

REV:  
1





**PROPOSED WASTEWATER MANAGEMENT SYSTEM**

SCALE 1:200



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REV	AMENDMENTS	DATE	BY
1	FOR APPROVAL	10.08.24	MK

SCALES:	AS SHOWN @ A1
DESIGNED:	R.F.
CHECKED:	R.F.
DRAWN:	MK
CHECKED:	R.F.
DATE:	10.08.24



CLIENT: VINTELOPER  
ADDRESS: 589 CUDLEE CREEK ROAD, LOBETHAL, SA 5241

PROJECT NAME:  
PROPOSED ON-SITE WASTEWATER  
MANAGEMENT SYSTEM  
PROPOSED CELLAR DOOR

**ON-SITE WASTEWATER**

AWTS TO SURFACE  
IRRIGATION LAYOUT

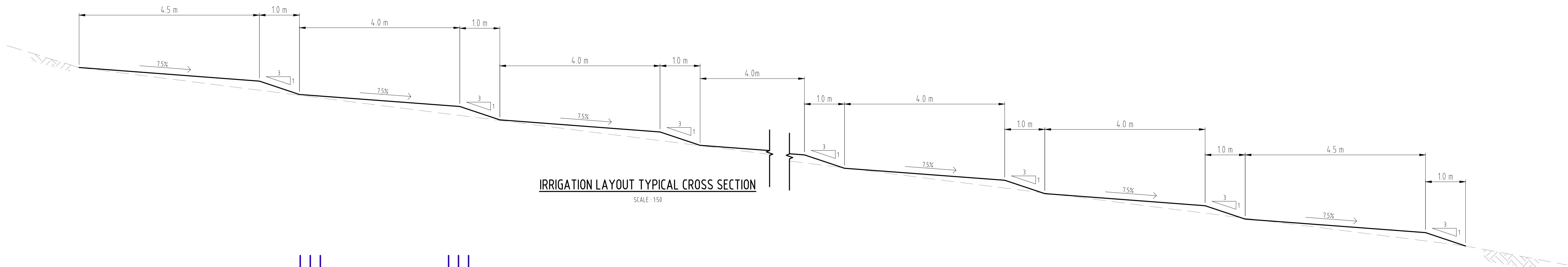
ORIGINAL DRAWING AT A1. DO NOT SCALE DIRECTLY OFF DRAWING.  
DIRECT ANY QUERIES AND OR DISCREPANCIES TO RFE CONSULTING.

PROJECT NUMBER:  
RFE0379

DRAWING NUMBER:  
WW\_02

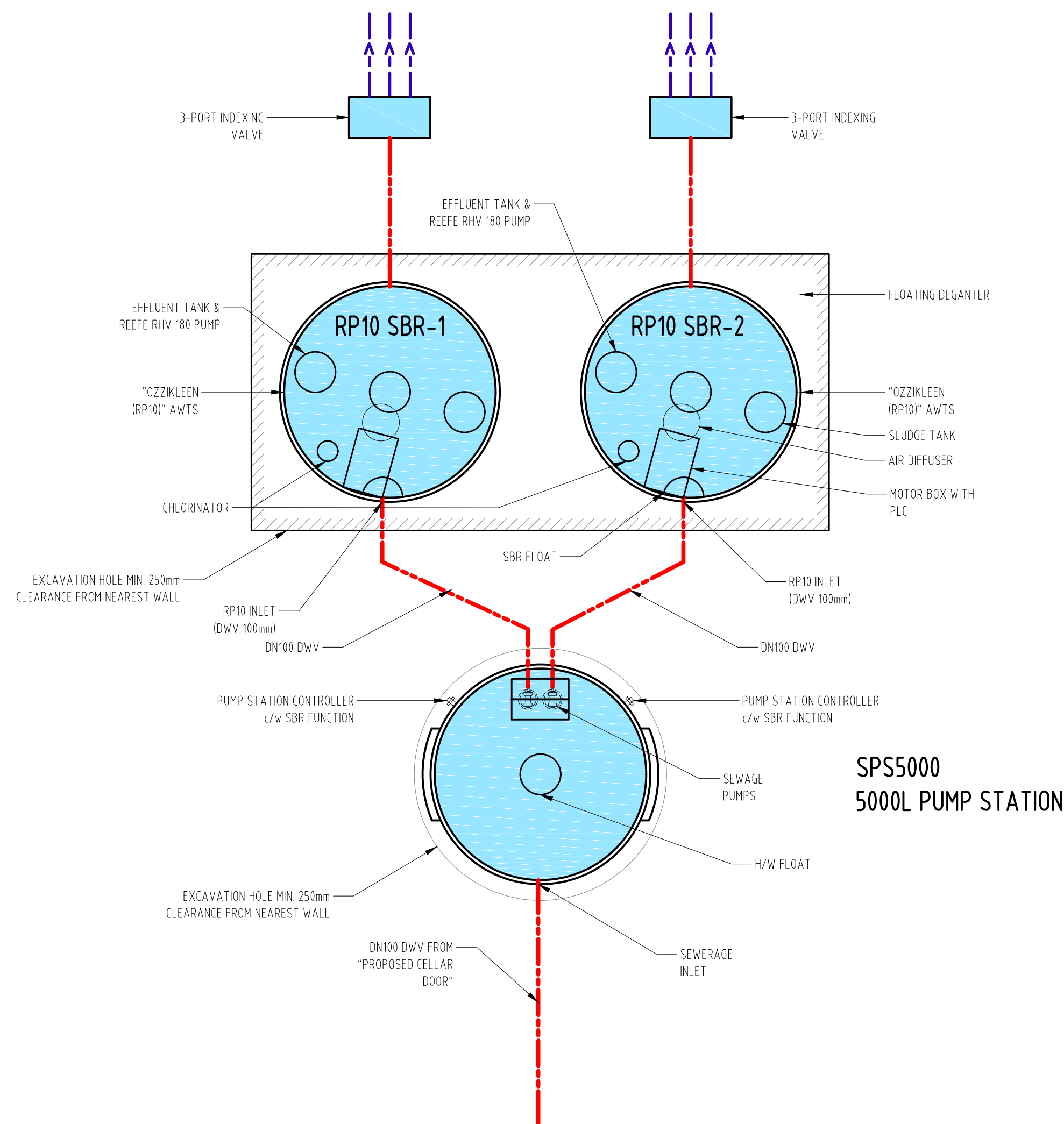
REV:  
1





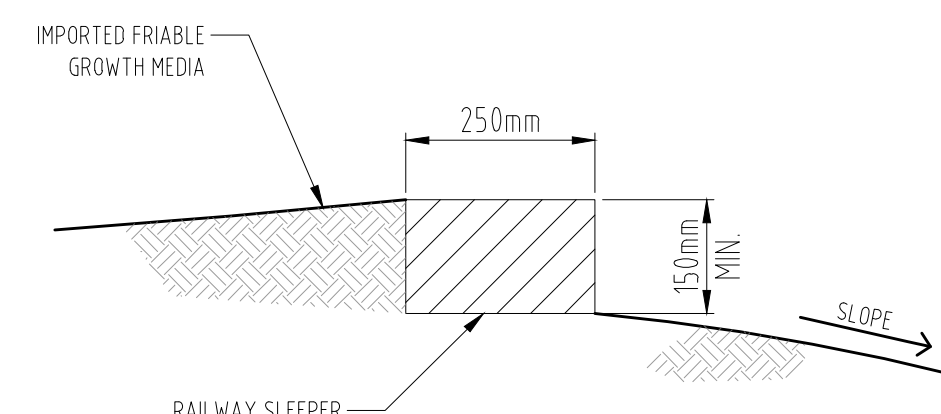
IRRIGATION LAYOUT TYPICAL CROSS SECTION

SCALE: 1:150



OZZIKLEEN RP10 AWTS & BALANCE TANK ARRANGEMENT

N.T.S



RAILWAY SLEEPER RETENTION BUND

SCALE: N.T.S



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1	FOR APPROVAL	10.08.24	MK		
REV	AMENDMENTS	DATE	BY	DATE	

SCALES:	AS SHOWN @ A1
DESIGNED:	R.F
CHECKED:	R.F
DRAWN:	MK
CHECKED:	R.F
DATE:	10.08.24



CLIENT: VINTELOPER  
ADDRESS: 589 CUDLEE CREEK ROAD,  
LOBETHAL, SA 5241

PROJECT NAME:  
PROPOSED ON-SITE WASTEWATER  
MANAGEMENT SYSTEM  
PROPOSED CELLAR DOOR

ON-SITE WASTEWATER  
GENERAL DETAILS

ORIGINAL DRAWING AT A1. DO NOT SCALE DIRECTLY OFF DRAWING.  
DIRECT ANY QUERIES AND OR DISCREPANCIES TO RFE CONSULTING.

PROJECT NUMBER:  
RFE0379

DRAWING NUMBER:  
WW\_03

REV:  
1



## Attachment 2 – Lithological Logs

Project No:	RFE0379	Drilling Method:	Hand Auger	Date:	25 August 2021
Client:	Vinteloper, David Bowley	Logged by:	RF, RFE Consulting		
Site Address:	589 Cudlee Creek Road, Cudlee Creek				
Soil Horizon Depth (m)		Soil Description	Soil Colour	Unified Soil Classification Symbol (USCS)	Moisture Content
BH1	BH2				
0.0 – 0.1	0.0 – 0.1	Silty Clayey SAND, fine to medium grained, trace roots	Brown	SM	Dry
0.1 – 0.6	0.1 – 0.4	Silty CLAY, low plasticity with some fine to medium grained sand	Dark brown	CL	<PL
0.6 – 0.9	0.4 – 0.8	Silty CLAY, high plasticity, very stiff	Dark grey-brown	CH	<PL
0.9 – 1.4	-	Gravelly Silty CLAY, low plasticity, fine to medium grained gravel.	Orange-brown mottled cream-grey	CL	<PL
1.4 – 1.8	-	Clayey Silty SAND, fine to medium grained, low plasticity fines	Dark brown mottled orange-brown mottled grey	SC	Dry
1.8 – 1.9	0.8 – 1.5	Silty Clayey GRAVEL, fine to medium gravel, medium plasticity fines, inferred extremely weathered rock.	Grey mottled orange grey brown	-	Dry
Comments:	Borehole BH1 refused at 1.9m bgl and BH2 at 1.5m bgl.				



# JR SOIL SAMPLING

Box 178, Echunga 5153

Telephone/Fax: 8388 8431

Mobile: 0408 814 329

DATE 25.8.21

ENGINEER RFE

ENGINEER'S JOB No. 0379

LOCATION

589 WOLFE CREEK RD, LOBETHAL

TRAY No.	97	97								
No. OF BORES	1	2								
DEPTH	1.9	1.5								
WATER TABLE LEVELS	-	-								

SITE SURFACE CONDITIONS MOIST, FIRM

SLOPE 1:10

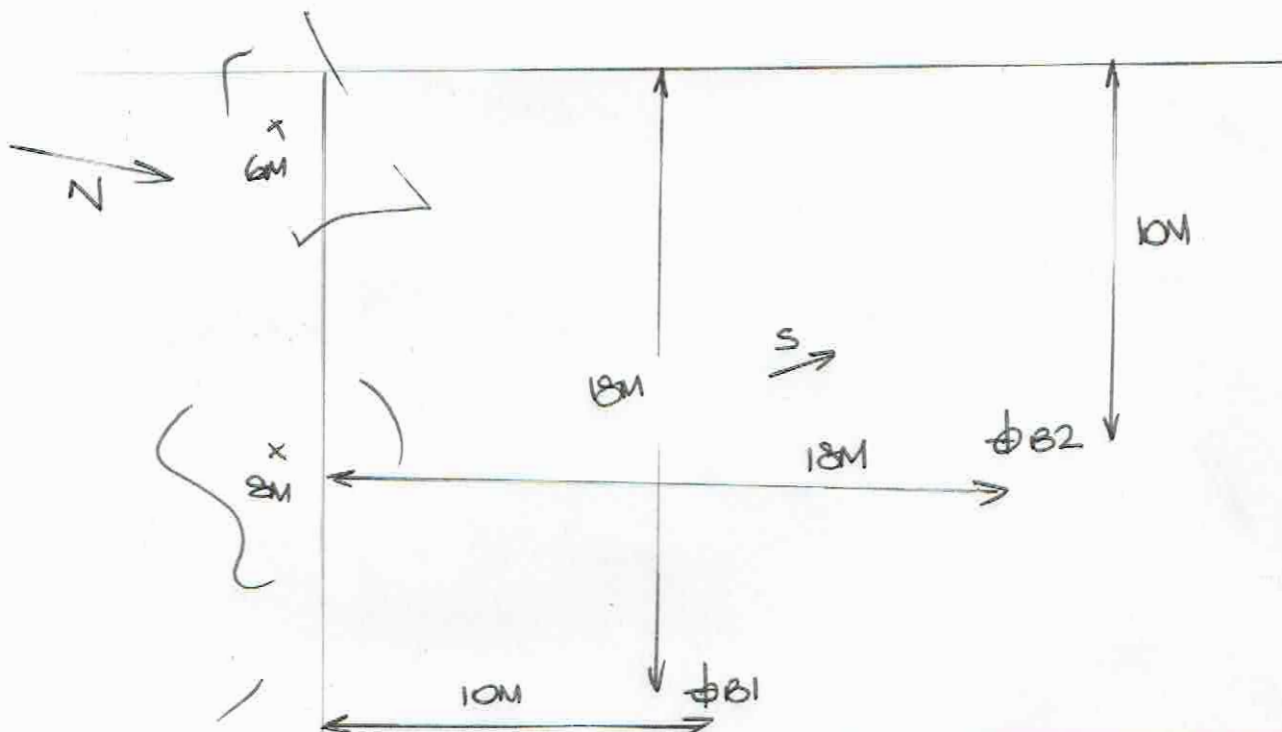
DIRECTION SEE PLAN

EXCAVATIONS AND DRAINS -

VEGETATION GRASS, TREES.

SITE PLAN

RD.



COMMENTS

DRILL MED TO HIGH WITH REF.

PORTABLE



## Attachment 3 – Nitrogen Balance, Design loadings and System Operating Capacity



RFE0319 - 589 Cudlee Creek Road, Lobethal - Vinteloper

Hydraulic and Loading Design Summary

Scenarios:	No. Persons	Breakdown
Cellar door	40	Mon - Thurs
Cellar door	100	Fri - Sat
Function	180	12 per year

Cellar Door:	Loadings	Units	Comments:
DF	8	L/p/d	Based on Wine Tasting no meals site scenario
BOD	11.2	g BOD <sub>5</sub> /p/d	40% on BOD loading applied

Staff:	Loadings	Units	Comments:
DF	30	L/p/d	Based on staff ablutions (no shower)
BOD	28	g BOD <sub>5</sub> /p/d	40% on BOD loading applied

Function	Loadings	Units	Comments:
DF	20	L/p/d	Based on Restaurant w liquor licence site scenario
BOD	21	g BOD <sub>5</sub> /p/d	40% on BOD loading applied

Capacity of System

System Capacity:	Hydraulic Load (L/d) :	Organic Load (g BOD/d):
RP10	1500	700
RP10	1500	700
Total of Proposed System 2 RP10	3000	1400

Max volume:		
Conc:	1.34	BOD/L
Max BOD	1400	BOD
Maximum daily volume rate (L/day):	1045	L/day

Maximum System Loadings		Numbers for each use			Daily Loadings		System Operation based on max #s and reduced volume (limited by BOD)		
		Function	Cellar Door	Staff (max per day)	Hydraulic Load	Organic Load	Volume treated / day	Balance tank capacity (L)	Cumulative Volume in Pumping Chamber
Week 1	Mon	0	75	3	690	924	690	5,000	0
	Tues	0	75	3	690	924	690	5,000	0
	Weds	0	75	3	690	924	690	5,000	0
	Thurs	0	75	3	690	924	690	5,000	0
	Fri	0	75	3	690	924	690	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 2	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 3	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 4	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 5	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 6	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 7	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 8	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 9	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 10	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 11	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 12	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 13	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749
Week 14	Mon	0	75	3	690	924	1045	3,606	1394
	Tues	0	75	3	690	924	1045	3,962	1038
	Weds	0	75	3	690	924	1045	4,317	683
	Thurs	0	75	3	690	924	1045	4,673	327
	Fri	0	75	3	690	924	1045	5,000	0
	Sat	150	0	5	3150	3290	1045	2,895	2105
	Sun	0	75	3	690	924	1045	3,251	1749

AWTS	Nutrient Concentration (mgTN/L)	Cellar Door + Function (at operating capacity)	Total N Kg/yr before soil loss	Total N Kg/yr after soil loss (10% losses)	Nitrogen Uptake Rate (kg/Ha/yr)	Irrigation Area Required Based on a Shrubs and some trees - unmanaged vegetation (Ha)	Irrigation Area Required (m <sup>2</sup> , based on a Shrubs and some trees - unmanaged vegetation)	Irrigation Area Adopted (m <sup>2</sup> )	Resulting DIR (L/m <sup>2</sup> /d)
Ozzi Kleen RP10A	24.4	381,425	9.31	8.4	75.0	0.112	1117	1120	0.9



## Attachment 4 – Photographs



Photograph A – Representative soil core retrieved from site drilling



Photograph B – Proposed surface irrigation land application area



9 September 2024

Ref: APP ID 24028014

Mr Tim Mason  
Statutory Planner  
Adelaide Hills Council  
63 Mount Barker Road  
Stirling SA 5152

Dear Tim

**RE: Development Application ID 24028014  
589 Cudlee Creek Road, Cudlee Creek**

**Variation to Development Application 21027668 to amend the capacity and hours of operation and the inclusion of a function venue (limited to 12 functions per annum) in association with an existing shop for the sale and tasting of wine**

Planning Studio continues to act for Mr David Bowley of Vinteloper, the owner of land located at 589 Cudlee Creek Road, Cudlee Creek, and Applicant in relation to the above development application.

We refer to Council's Request for Documentation by letter dated 5 September 2024.

The request seeks an internal floor plan and elevation of the building to be used in association with the proposed Function Venue.

Copies of approved plans, previously endorsed by Council via Development Application 21027668, are provided in **Appendix A**.

As outlined in our submission, the proposal is seeking an increase in the patron capacity and operating hours of the venue to ensure it is consistent with other similar facilities within the Adelaide Hills Wine Region. The proposal will not result in any additional building work, increase in floor area nor change to the building elevations. Use of the facility as a Function Venue will utilise the area used as a Cellar Door, with additional function seating introduced temporarily as and when the need arises.

The proposal is limited to alteration to a number of existing Conditions of Consent pertaining to the operation of the cellar door.

The variation does not change the essential nature of land use, does not result in any inconsistency with another consent and will not result in any unreasonable impacts.

We trust the above addresses Council's request and respectfully request Council provide confirmation of verification, allowing for the commencement of referral to the EPA and notification as soon as possible. Assessment fees will be paid promptly upon receipt of invoice.

Should you wish to discuss any aspects of this correspondence or the proposal further, please do not hesitate to contact me on 0431 527 636 or emma@planningstudio.com.au.

Yours sincerely



**Emma Barnes | MPA | Director**



## APPENDIX A

Development Authorisation (*extract*) | Endorsed Floor Plan and Elevations  
App ID 21027668

Regulation 65 Minor Amendment  
12 August 2022

NOTE:

STUDIO BEAL DRAWINGS PROVIDE DESIGN INTENT FOR THE BUILDER. THE DRAWINGS ARE INTENDED TO PROVIDE THE BEST DESIGN OUTCOME, AND SHOULD BE READ IN CONJUNCTION WITH NCC REQUIREMENTS AND ALL RELEVANT CODES AND REGULATIONS.

IT IS THE BUILDER'S ROLE TO CONSULT WITH AND COORDINATE ALL SUPPLIERS, CONSULTANTS AND CONTRACTORS TO ENSURE NCC REGULATIONS ARE BEING MET.

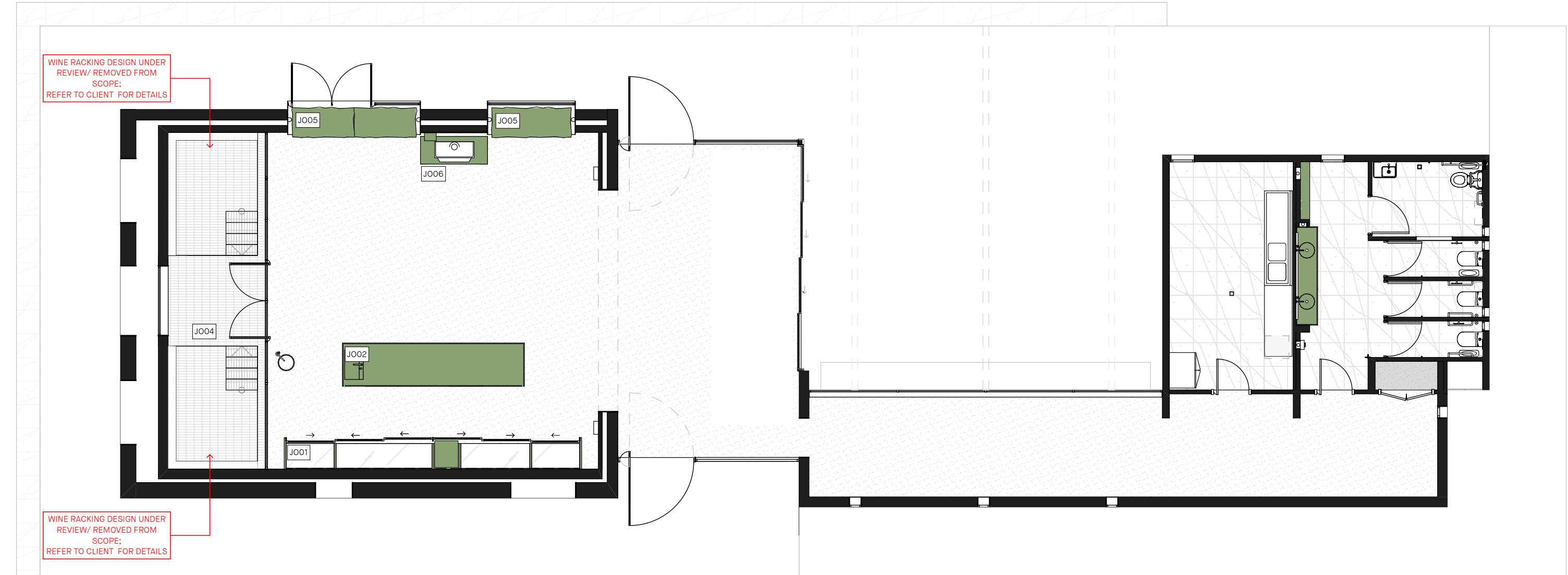
SHOULD STUDIO BEAL DRAWINGS OR SPECIFICATIONS NOT MEET SAFETY GUIDELINES, STUDIO BEAL SHOULD BE CONSULTED AND AMENDMENTS AGREED ON TO ENSURE NCC GUIDELINES ARE MET AND ADHERED TO.

LEGEND - JOINERY

TO BE READ IN CONJUNCTION WITH KIT OF PARTS;

TO BE READ IN CONJUNCTION WITH JOINERY DRAWINGS;

TO BE READ IN CONJUNCTION WITH FF&E SCHEDULE



4. GND JOINERY PLAN  
1:100

STUDIO BEAL .

VIVIENNE BEAL  
TELEPHONE +61 480 235 889  
VIVIENNE@VIVIENNEBEAL.COM  
VIVIENNEBEAL.COM

DISCLAIMER: Copyright of the design is owned by Vivienne Beal. Reproduction or use of the design by any party for any purpose is expressly forbidden without the written permission of Vivienne Beal. These drawings are to be certified by the nominated lead contractor. Vivienne Beal is responsible for the interior design and intellectual design property only. Vivienne Beal is not responsible for the certification of these drawings. The drawing is to be read in conjunction with the mandatory Building Surveyors report and any other consultants' reports as commissioned by the client, eg disability report. Check all dimensions and all site conditions prior to the commencement of any work, the purchase or ordering of any materials, fittings services or equipment, the preparation of shop drawings and/or the fabrication of any components. Do not scale drawings - refer to noted dimensions only. Any discrepancies shall immediately be referred to Vivienne Beal for clarification. Drawings shall not be used for construction purposes until issued by Vivienne Beal for construction.

REV	DESCRIPTION	DATE
03	Construction Documentation_General Amendments	4/4/2024
04	Construction Documentation_General Amendments	24/5/2024

CLIENT  
David Bowley and Sharon Hong

SITE ADDRESS  
589 Cudlee Creek Rd  
Lobethal SA 5241

PROJECT NAME  
Vinteloper

PROJECT NUMBER  
230223

SCALE  
1:50, 1:100 @A3

DESIGNER  
VB

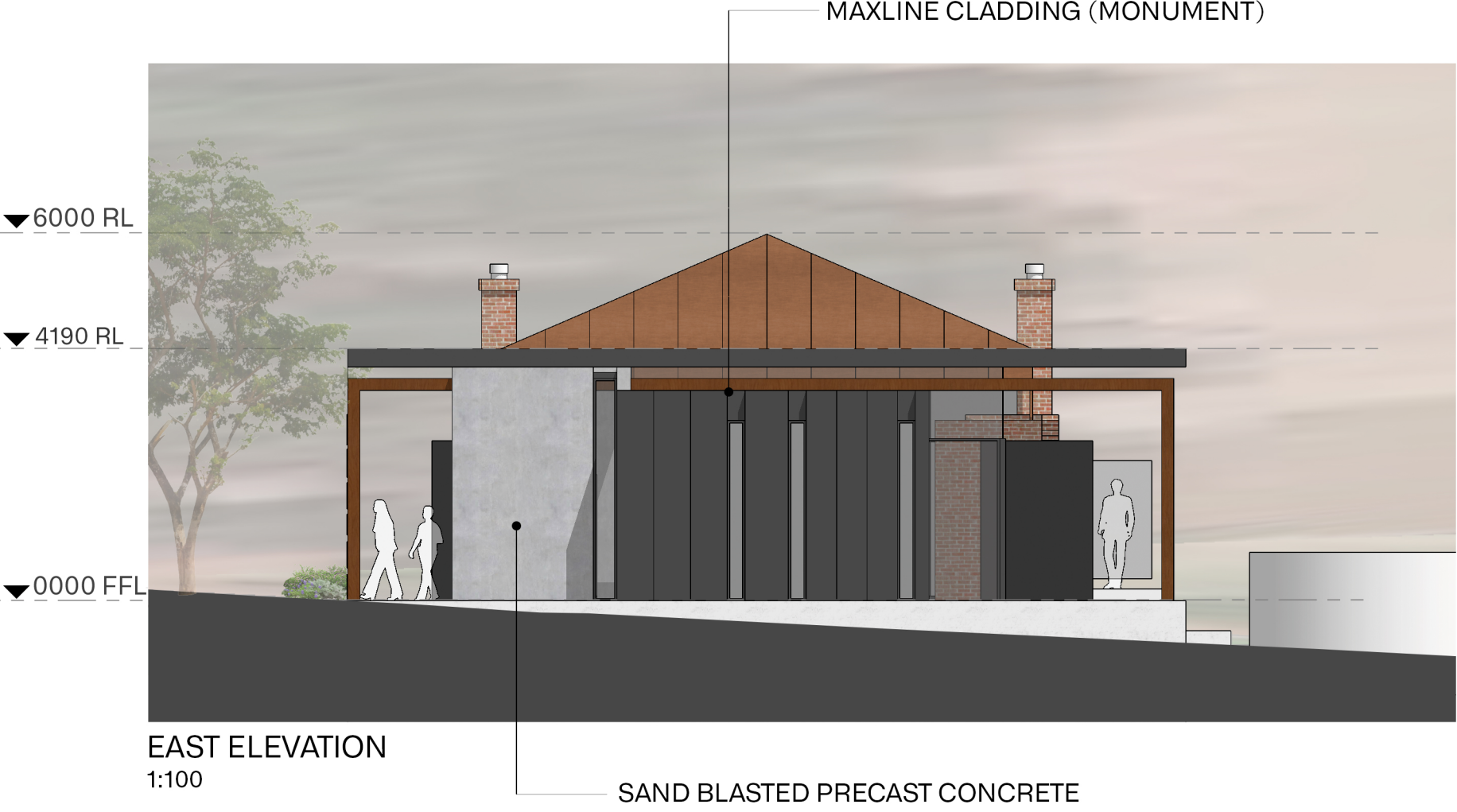
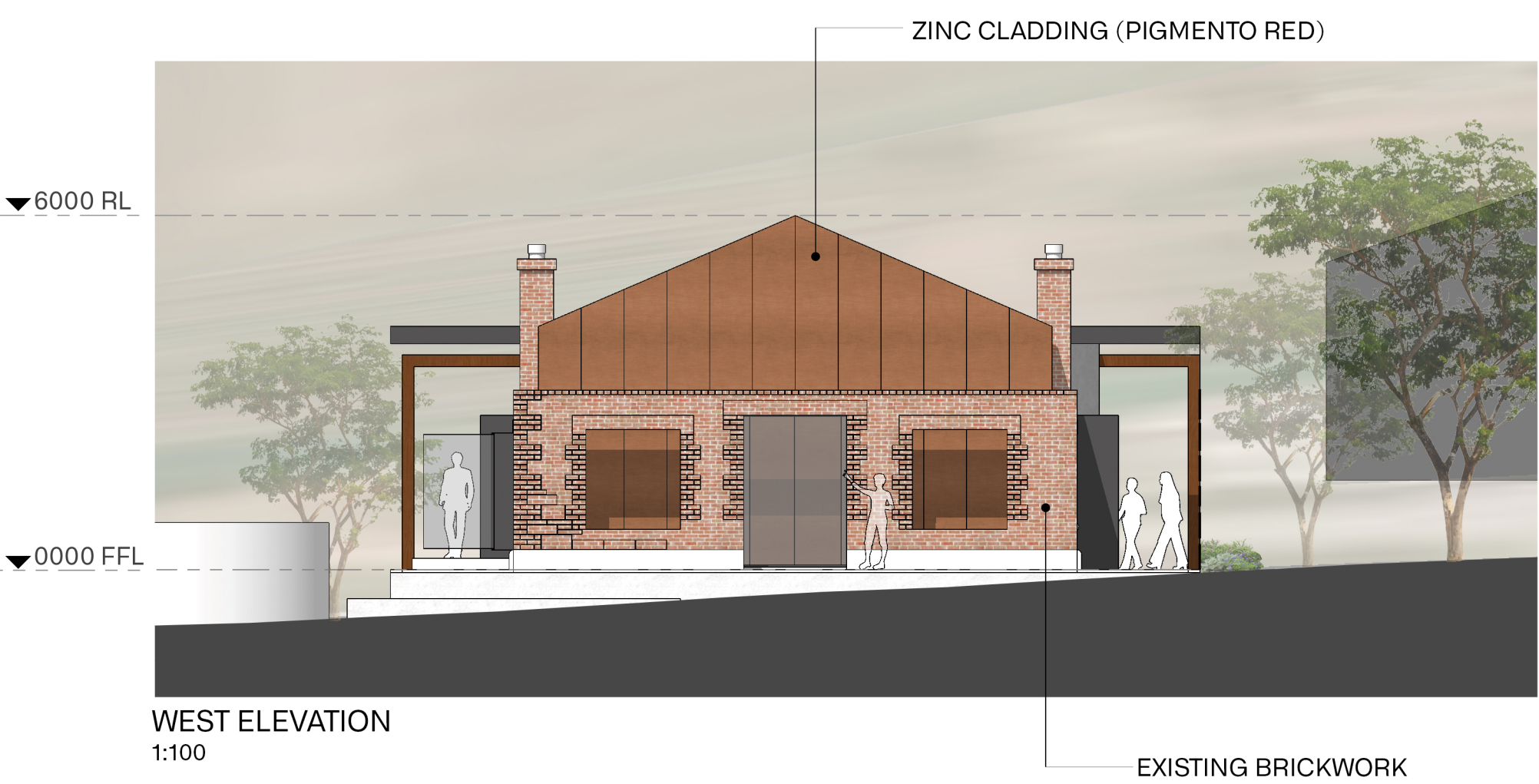
DRAWING TITLE  
PLANS  
JOINERY & FURNITURE PLAN

DATE  
24/5/2024

DRAWING NUMBER  
ID.1.02

REV  
04







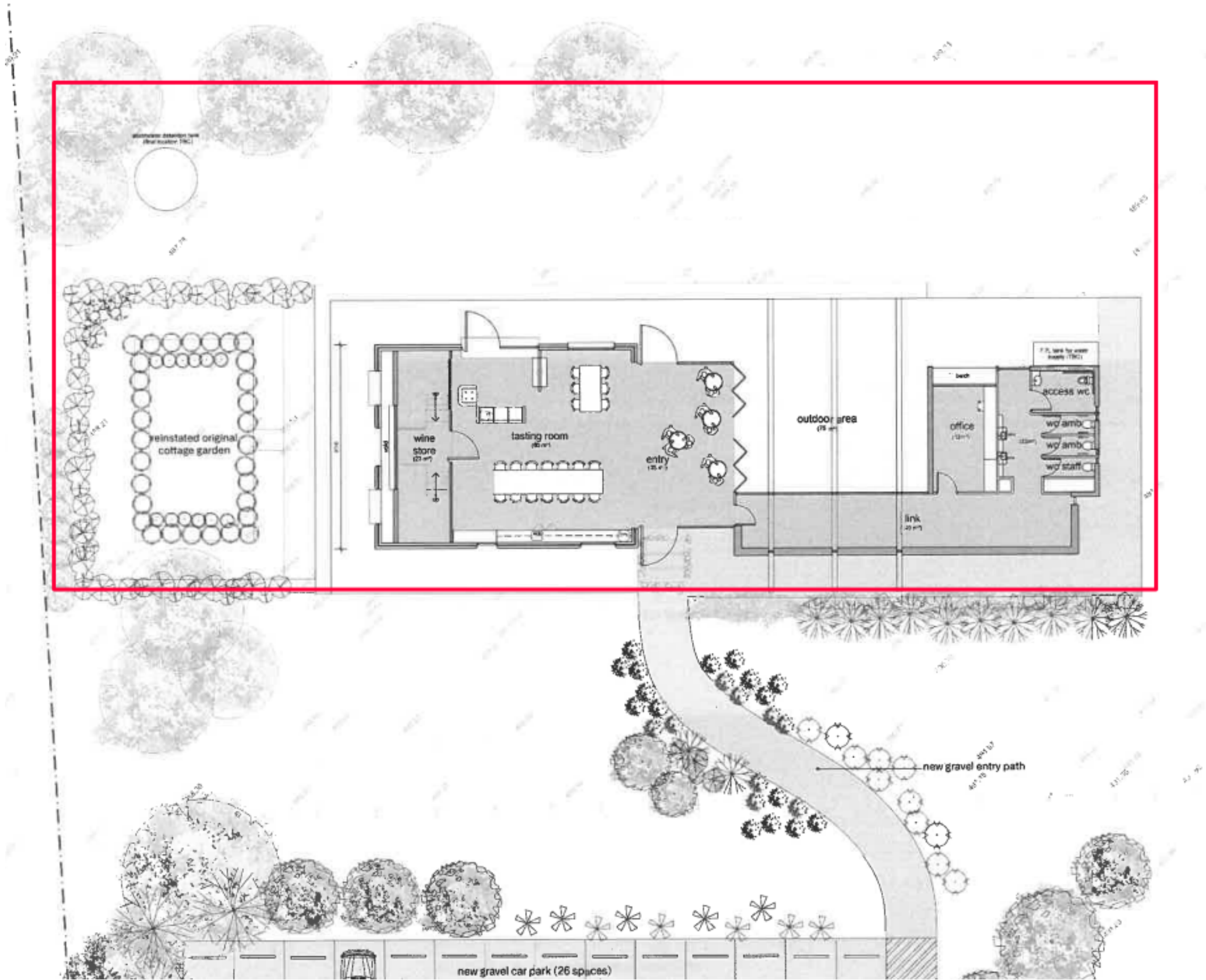
Plan A - 57617133

Liquor Licensing Act 1997

Vinteloper Wines



Government of South Australia  
Attorney-General's Department

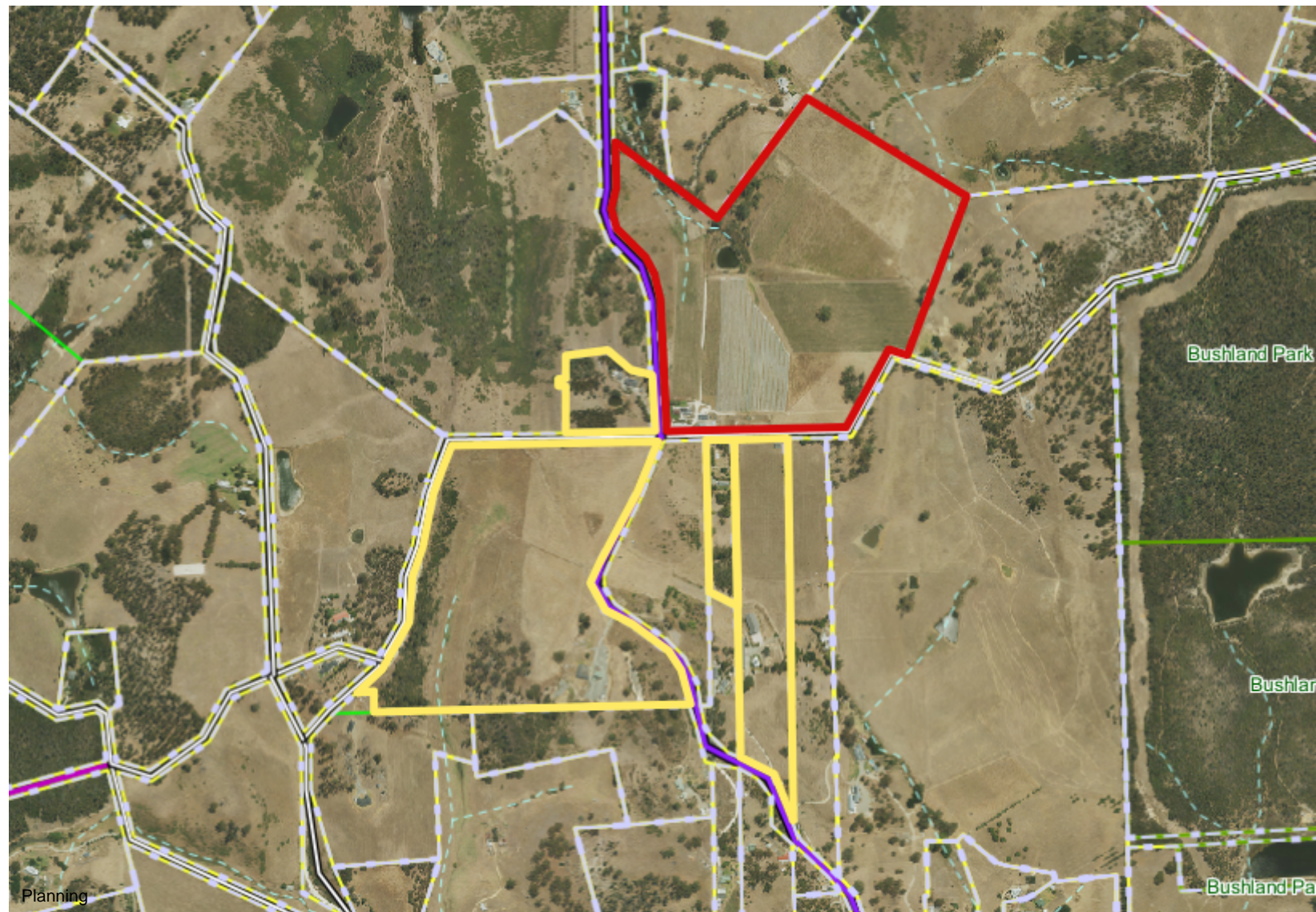


Legend

- Licensed Area ..... Red Line
- Gaming Area ..... Purple Line
- Prescribed Entertainment ..... Blue Line
- Out of Bounds to Minors ..... Orange Line
- Collective Outlets ..... Green Line

*Amidy*  
Liquor and Gambling Commissioner  
Application No: 198397, 24 September 2024





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Scale = 1:12012.840

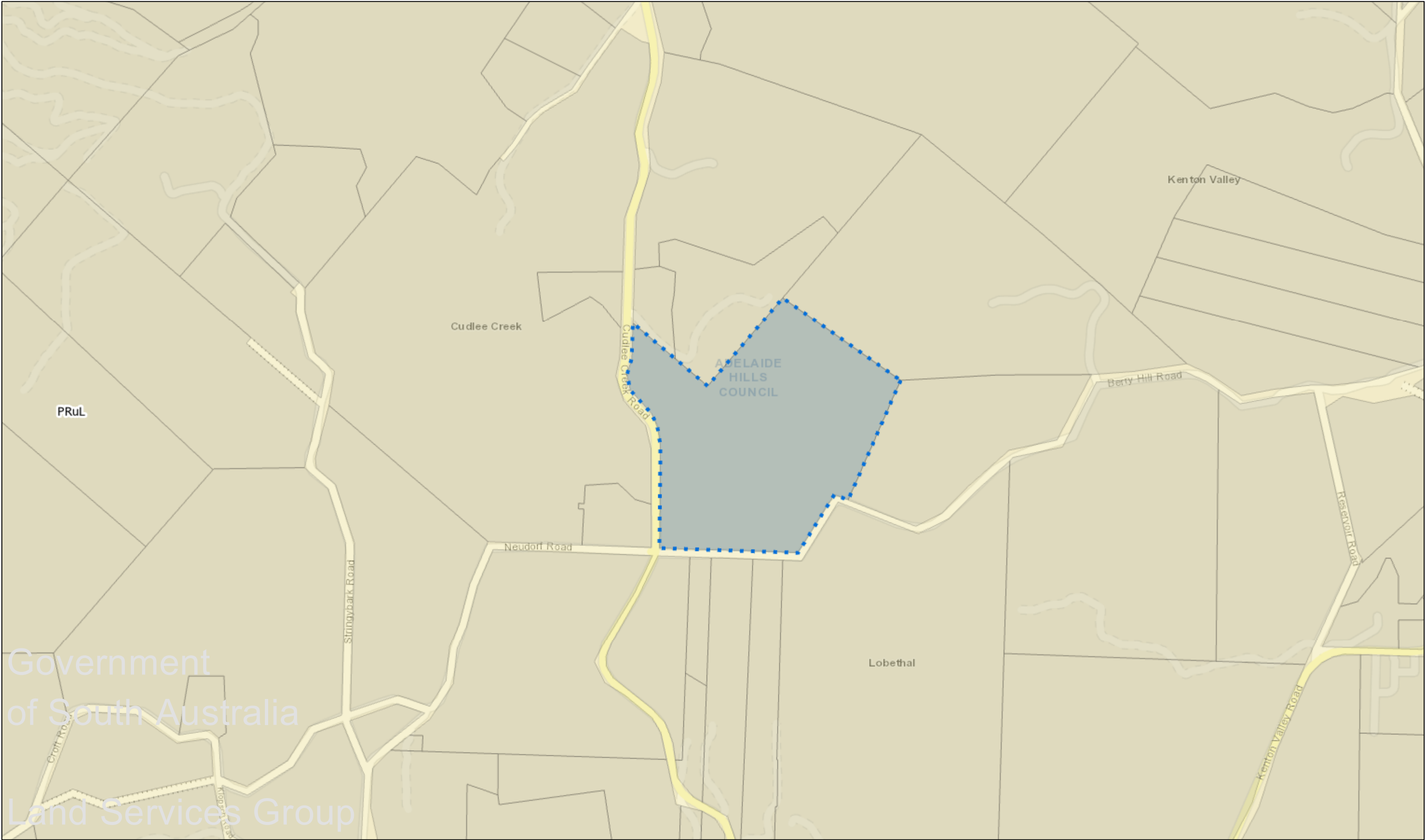
500 m



# SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

Date created:  
August 14, 2025



**Disclaimer:** The information provided above, is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.

# Details of Representations

## Application Summary

Application ID	24028014
Proposal	Variation to Development Application 21027668 - Alteration to capacity and hours of operation, change of use to include function venue (limited to 12 functions per annum) in association with an existing shop for the sale and tasting of wine
Location	589 CUDLEE CREEK RD CUDLEE CREEK SA 5232

## Representations

### Representor 1 - Andrew Watts

Name	Andrew Watts
Address	PO Box 309 LOBETHAL SA, 5241 Australia
Submission Date	17/10/2024 09:46 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<b>Reasons</b> Please see attached representation.	

## Attached Documents

A-Watts-and-E-Hoklas-representation_Application-ID-21027668-1418642.pdf
---



**Representation of A. Watts and E. Hoklas of 10 Berry Hill Road, Lobethal**  
**Development application ID 2102 7668**

**With regard to;**

**Vinteloper Cellar Door**

**589 Cudlee Creek Road, Cudlee Creek**

After reviewing the planning statement by Planning Studio dated 29<sup>th</sup> August 2024 and consulting with two qualified planners on the matter, who both echoed our own feelings after reading the application, we note a significant lack of critical detail in the proposed variation and as such must object. There is a notable deficiency of functional detail within the applicant's proposed variation, and no considerate mitigations to assuage the concerns of neighbouring residents such as ourselves, particularly the practical impacts resulting from this business.

Additionally, both planners have highlighted that as the applicant commenced trading to the public on the 27<sup>th</sup> of September 2024, and separately, that this is a significant change in property use, standard procedure states this should be lodged as a new development application rather than a variation. As such, both planners expressed surprise that the council has allowed the variation to proceed to this notification phase with so much critical detail missing and as a notable deviation from normal process. In its current form it is a significant cause of undue stress on the respondents arising from the ambiguity present, along with a considerable waste of resources for all parties.

We have been advised to respond to the variation as submitted despite there being very little practical information from the applicant on which to base an informed opinion. As such, we will note where we must make reasonable assumptions, along with corresponding impacts and/or outstanding questions/concerns.

For the sake of clarity and avoidance of doubt, specific reasoning and arguments for our objection to the variation application have been split into two distinct topics as per the structure of the planning statement by Planning Studio:

1. Increase of opening hours to 11pm Thurs-Sun, overall capacity increase to 100 people and allowance to serve externally sourced alcoholic drinks.
2. Function venue, including the associated increase in capacity to 150 persons during operation as a function venue and provision of individual meals.

# 1. Increase of opening hours to 11pm Thurs-Sun, overall capacity increase to 100 people and allowance to serve externally sourced alcoholic drinks.

To summarise our understanding, this section of the variation requests:

- a) Expanding opening hours on Thursdays to Sundays (and public holidays): 11am to 11pm (Mondays-Wednesdays to remain unchanged at 11am-5pm)
- b) Increase the venue capacity to 100 persons at any one time (**150% increase**)
- c) Permit the serving of externally sourced alcoholic drinks, specifically beer and spirits

In respect to point a), we find this to be a confusing variation request as it appears to be requesting to operate as function venue in two different forms:

1. A function venue under the guise of a “shop” classification that **primarily** exists to display and sell the applicant’s own product but can be open until 11pm Thursday to Sunday to *respond to a variety of changing market demands*, with a 150% increase in capacity and permission to offer alcoholic products outside that of the applicant’s own. While this part of the variation application does not refer to property usage as a ‘function venue’, this is in essence what permission is being sought for.
2. As a function venue classed as a “function venue”, with the same variations listed above except for the significant further increase in capacity (up to 275%).

We feel the word “primarily” is doing an excessive amount of work in the variation submission, and if the intent is to operate as a function venue after 5pm, this should be stated plainly and the applicant should accept that this constitutes a significant departure from the intended property usage of a “shop”. This very much appears to be asking to operate as a function venue after 5pm but attempting to avoid the official classification.

The rationale of point a) (increase in hours) has been characterised by the applicant as “*to respond to a variety of changing market demands*”, and the desire to “*avoid having to turn potential customers away should they be attending numerous facilities in the Hills, which is common practice*”. Foremost, the common practice of attending numerous facilities in the Hills on a day out occurs only prior to 5pm (when almost all cellar doors close, if not earlier, including the venues spoken about below) leaving the applicant’s request for increased opening hours without merit.

The applicant has identified 3 “*nearby cellar door and restaurant facilities*” that they feel are comparable and support their request to expand opening hours to 11pm:

1. Golding Wines (Lobethal)
2. Anderson Hill (Lenswood)
3. Pike & Joyce Wines (Lenswood)

While we sympathise with the applicant in not wanting to turn away customers we cannot support this line of reasoning. The 3 businesses identified are operating in vastly different physical locations to the applicant (quite isolated with significant vegetation to shield and absorb sound/light, and substantial parking facilities provided), and notably without multiple immediate neighbours/sensitive receivers. One of which (Anderson Hill) even shares its adjacent road boundary with a public reserve (Fox Creek MTB Park).

Significantly, each of these three businesses are well-known large function venues in the region that have in-house commercial kitchens to support their seated restaurants that are open for lunchtime trade for customers. The applicant's venue, however, does not offer a seated restaurant, and instead maintains its designation as a shop ("cellar door") **primarily** for the tasting/sale of Vinteloper's products. This is a fundamental difference to the applicant's property and as such these businesses cannot be viewed as comparable.

In addition, these 'comparable businesses' were open to the public well before the 2019 Cudlee Creek bushfires and therefore well before Vinteloper submitted their initial development application. The commented importance of the applicant's facility being "*able to present an offering consistent with other cellar door facilities within the region, to remain competitive and capture its share of the wine tourism industry*" thus requiring a reactive shift in business operation is not a fair statement, nor a fair assessment of the Adelaide Hills wine tourism industry.

In Appendix A we have identified as many businesses as we could that operate as a cellar door in the general Adelaide Hills region, along with their name, liquor licence, standard trading hours, time of information retrieval, other relevant information and business contact details. Of the **34** venues identified, **none** have standard cellar door/wine tasting operating hours beyond 5pm on any day, including the three being leveraged by the applicant. Only four are regularly open into the evening; these are all seated restaurants with commercial kitchens where patrons are not permitted to complete wine tastings after 5pm (Tillbrook Estate, Mt Lofty Ranges Vineyard, Tagai Vineyards and Sidewood Estate). This evidences that 'usual/standard' cellar door trading hours in the area do not exceed 5pm and as such there is no need for the applicant's business to do so.

We also feel, at a personal level, that the proposed variation is more in theme with a bar given that wine *tastings* at night don't currently exist in this region, with that time usually leaning toward the consumption of alcohol in greater volume, often in excess and with the associated social/behavioural issues that arise. This does not align in the slightest with the current venue classification of "shop" and would not be suitable for our otherwise quiet and peaceful **rural** neighbourhood (that is zoned for productive rural landscape) which lacks any infrastructure to handle social/behavioural issues likely to arise. This is amplified when viewed in combination with the request to serve alcoholic drinks outside the applicant's own production such as beer and spirits.

## 2. Function venue, including the associated increase in capacity to 150 persons during operation as a function venue and provision of individual meals.

To summarise our understanding, this section of the variation requests:

- a) Permission to host a limited number of pre-booked private functions per annum (max 12 functions per annum)
- b) Expanding opening hours on Thursdays to Sundays (and public holidays): 11am to 11pm
- c) Increase the venue capacity to 150 persons at any one time (**275% increase**)
- d) Permit the serving of externally sourced alcoholic drinks, specifically beer and spirits

As with the proposed variations made under topic 1, very little detail has been provided regarding this request and thus it is difficult to make an informed decision as to what exactly is being proposed. While we understand that a function venue is a permitted use within the Productive Rural Landscape zone, we believe that both the scale and frequency of operation is excessive given the immediate proximity to neighbouring properties. A notable detail that has been omitted from the variation is: what would be the frequency of these functions? Are we to expect:

- 1 function per calendar month, or
- 12 in summer months, or
- 12 in one month, or
- any other applicable dates that may or may not have a cadence applied, and
- would more than one function per weekend be permitted?

Without these details we find it difficult to consider the variation given that a large part of the impact will arise from the frequency of the events.

We request that the Function Venue variation request not move forward due to the lack of details provided, and that given the venue commenced trading to the public prior to assessment this should be lodged as a new application.

## Reasonable assumptions made, applicable to topics 1 and 2 together, and corresponding impacts and/or outstanding questions/concerns (Note: referenced henceforth by A<number> for brevity)

Beyond questioning the rationale and the norm which we have done above and accept may be considered subjective, we wish to further raise the following 12 key concerns on the basis of impact to immediate sensitive receivers (us and our neighbours), relying on facts known to us such as the venue site, Cudlee Creek, Neudorf and Berry Hill Roads, our own property, our proximity, our neighbours' proximity and previously approved plans:

- 1) **Noise Pollution:** No mention of significant increase in noise and people activity after 5pm due to the altered hours of operation.
  - a) Reasonable assumption made: The shift in usage from a day-time cellar door to night-time venue serving alcohol will attract and encourage a vastly different demographic of patron and corresponding behaviour i.e. drunkenness, smoking (outside the venue), breaking of glass (i.e. beer bottles), vomiting.
  - b) Impact: Disturbance to neighbouring properties including but not limited to loss of sleep and peace.
  - c) Questions: Does the venue have a dedicated, enforceable smoking area to ensure that no cigarette butts are littered or pose a risk of igniting a grass fire? What is the venue's policy for handling behaviour consistent with drinking in large quantities such as yelling, swearing and/or singing? Are there any mitigations to ensure that drunk patrons/guests do not disturb the neighbourhood peace or disturb livestock along a Berry Hill Road boundary (i.e. alpacas)?
- 2) **Music:** Music/use of PA systems has not been addressed, and no acoustic engineering report provided to ensure the proposed development will not result in negative impact on neighbouring properties.
  - a) Reasonable assumption made: Music WILL be present, and likely amplified in the outdoor courtyard/grassed area on the basis that this is standard practice for a venue operating until 11pm without dining facilities or 100% indoor seating.
  - b) Reasonable assumption made: Music amplification will result in high impact, high intensity noise pollution to neighbouring properties in the very quiet neighbourhood. This is particularly problematic for music in the outdoor area as it would naturally be projected directly toward the closest sensitive receiver. Given the close proximity to #10 Berry Hill Road this would also cause notable impact at both the property boundary (75m) and house (150m) - measured relative to the venue's south-east wall.
  - c) Questions: Will there be music/PA system utilised? Where exactly will the speaker(s) be placed and direction facing (both indoors and outdoors), what volume limit will be enforced, will there be a cutoff time prior to venue closure at 11pm and will guests be given unfettered access to the system (i.e. song requests, MC host announcements etc)? Where is the acoustic engineering report for this proposed change in venue capacity and operating hours?
  - d) To note: Design Code DO 3 – Productive Rural Landscape “*Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts*” has not been mentioned and we do not believe there is any reasonable alignment between the proposed development and the above desired outcome regarding music.

- e) To note: P4 - General Development Policies; Activities generating noise or vibration; PO 4.6 - developments incorporating music has not been addressed.

PO 4.6	DTS/DPF 4.6				
Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent <u>sensitive receiver</u> (or lawfully approved <u>sensitive receiver</u> ) or zone primarily intended to accommodate sensitive receivers.	Development incorporating music includes noise attenuation measures that will achieve the following noise levels:				
	<table> <tr> <th>Assessment location</th><th>Music noise level</th></tr> <tr> <td>Externally at the nearest existing or envisaged noise sensitive location</td><td>Less than 8dB above the level of background noise (L<sub>90,15min</sub>) in any octave band of the sound spectrum (LOCT<sub>10,15</sub> &lt; LOCT<sub>90,15</sub> + 8dB)</td></tr> </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 <sub>90,15min</sub> ) in any octave band of the sound spectrum (LOCT <sub>10,15</sub> < LOCT <sub>90,15</sub> + 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 <sub>90,15min</sub> ) in any octave band of the sound spectrum (LOCT <sub>10,15</sub> < LOCT <sub>90,15</sub> + 8dB)				

- 3) **Light Pollution:** Significant increase in light pollution due to altered hours of operation and increased parking requirements.
- Reasonable assumption made: Car park and/or street lighting WILL be required to maintain a safe environment.
  - Impact: Consistent high impact light pollution to neighbouring properties, likely even after 11pm to cater for staff and stragglers exiting the venue.
  - Impact: This will result in high impact light spill onto neighbouring properties that otherwise have no existing nighttime illumination i.e. there are no streetlights.
  - Impact: The large increase in vehicles entering/exiting Berry Hill Road after 5pm will result in a large increase in vehicle light flooding the neighbouring properties, disturbing both the neighbours themselves as well as the animals on their property.
  - Questions: What type/how many lights will be installed to illuminate the car park and walking paths? What brightness? Will these be sensor-activated or stay on continuously until manually turned off for the night?
- 4) **Parking:** Significant increase in the on-site parking requirements given the increase in capacity. Increased capacity will result in an increase in traffic volume and parking requirements. On the basis of advice from our planner the typical metric used for this type of venue is 0.4 on-site parks per person. Minimum 40 parks in total will be required to support patron capacity of 100, and 60 parks for capacity of 150. This gives a shortfall of minimum 14-34 additional parking spaces.
- Reasonable assumption made: Due to no mention of additional car parking in the variation application, we must assume that additional car parking has not been planned.
  - Reasonable assumption made: Without adequate on-site parking facilities roadside parking WILL be utilised by patrons and staff due to parking overflow. We do not accept roadside parking as an acceptable solution for the reasons listed below.
  - Reasonable assumption made: Cars parking on neighbouring property's roadside will likely cause damage to roadside verges, vegetation and surface, which must be maintained and/or repaired at the time/expense of the neighbouring property owner.

- d) Reasonable assumption made: Cars parking on the roadside will be directing headlights into neighbouring properties during entry, idling and exit. We experienced this on the evening of the applicant's opening event on 21<sup>st</sup> September 2024 at approx. 7pm.
  - e) Reasonable assumption made: Cars travelling further up Berry Hill Road will increase dust pollution.
  - f) Reasonable assumption made: Increase in vehicles using the driveway of #61 Berry Hill Road (last property on the road) as a turning circle due to it being a no-through road, again causing noise, light and dust pollution.
  - g) Questions: With only 26 car parks currently built on site, where will the additional 14-34 cars safely park? Where will staff park? What mitigations are being put in place to ensure no cars park on the roadside or verges of neighbouring properties?
- 5) **Increased Traffic:** Significant increase in traffic to the site based on a 150%-275% increase in capacity. An updated traffic engineering report has not been provided for the intersection of Cudlee Creek Road/Neudorf Road/Berry Hill Road in conjunction with the proposed increase in capacity.
- a) Reasonable assumption made: Due to no mention of increased traffic in the variation application, we must assume that the applicant has not considered the increased danger of this already blind intersection on an already busy 80km/hr road.
  - b) Reasonable assumption made: Significant safety risk for patrons, staff, neighbours and general Cudlee Creek Road users alike, *specifically the intersection after dark is a lot more dangerous to neighbours than during the day.*
  - c) Reasonable assumption made: Significant increase in vehicle noise affecting both the property at Neudorf Road/Cudlee Creek intersection (closest sensitive receiver) and at #10 Berry Hill Road, *specifically cars leaving at 11pm are vastly more intrusive to neighbours than 5pm.*
  - d) Questions: Where is the traffic engineering report for this proposed change in venue capacity and operating hours under 2024 conditions? What mitigations are being put in place to ensure patrons are entering and exiting the venue **safely** at any given time, given they will be using a blind intersection with an 80km/hr road?
- 6) **Intensity and Pattern of Traffic:** Significant change in the **intensity and pattern** of traffic. Notably, currently the traffic is that of a shop: sporadic and short-lived. Patrons come and go in small numbers throughout trade.
- a) Reasonable assumption made: This proposal would shift the traffic to **high intensity spikes** as functions typically feature guests arriving in mass, and then departing in mass when the function has ended.
  - b) Reasonable assumption made: This will further exacerbate the concerns raised above, specifically regarding noise, light and dust pollution and bushfire risk.
  - c) Impact: Traffic congestion through the Berry Hill Road/Cudlee Creek Road intersection is of significant concern as the proposed change seeks to send ~60 vehicles through the intersection in a short period of time, likely late at night at times and during summer months.  
We believe this point alone should require far more attention to the bushfire risk, i.e. if 60 vehicles were to queue on Berry Hill Road with a very conservative 5m of length allocated per car (back of car 1 to back of car 2 with no spacing) the queue would extend for 300m - nearly half the length of the entire road, and that is only counting patron cars, let alone venue staff, general traffic or the two+ residences on the road.

- 7) **Fire Risk:** There is no stated plan for days of extreme to catastrophic fire risk.
- a) Reasonable assumption made: The CFS have not been consulted as there is no mention of a referral to CFS despite the area being in a Bushfire - High Risk overlay.
  - b) Reasonable assumption made: No *enforced* plan will be in place to cater for operation during these days/periods, causing panic and confusion if there were to be an emergency evacuation.
  - c) Reasonable assumption made: Given that bushfire damage/loss and subsequent recovery is the cornerstone of the applicant's marketing strategy, and the significant loss and trauma incurred by the immediate neighbourhood, we would have assumed that fire safety would be strongly addressed in any variation application made by the applicant.
  - d) Impact: If roadside parking is normalised, based on assumption A4 (overflow parking), there is risk of grass ignition from vehicles driving over and parking on grassed roadside.
  - e) Impact: The dangers of placing a large number of vehicles and people at the head of a no-through road, with alcohol in the mix, potentially buses as the main mode of transport, and no alternative egress route for residents of the road (who have farm animals that would require evacuation) is unconscionable. There are many potential emergency situations where this will be an issue in addition to a bushfire, such as a car broken down, an accident at the intersection, a medical emergency requiring an ambulance, a farm animal/livestock medical emergency requiring a trailer or horse float. While these emergency situations are not new, the proposed increase in venue capacity greatly exacerbates the traffic/parking implications in an emergency situation.

**On the point of fire safety specifically, regardless of outcome, we implore the council to consider restricting trade and/or capacity on extreme and/or fire risk days to avoid creating a deathtrap for the residents, guests and staff alike (including residents' farm animals and livestock) in the event of another bushfire.**

- 8) **Buses:** Expected mode of patron/guest transport during functions (day or night) has not been addressed.
- a) Reasonable assumption made: Given the volume and type of patron and nature of functions, a high likelihood that small and large buses will be used to enter and exit the site in addition to cars.
  - b) Reasonable assumption made: Buses are much heavier, louder, and more cumbersome to drive than cars, and notably there is no existing location for buses to turn without significant difficulty or reliance on using roadside areas to achieve their required turning circle. Again, consideration of the points listed above in 2) and 3) with regard to roadside activity and safety.
  - c) Impact: **Further** significant increase in noise impact to neighbours as buses are far more obnoxious than cars.
  - d) Questions: What parking facilities are being implemented to cater for large group shared transport, likely buses, including space for them to safely park and turn around? We question the viability of large vehicle/bus parking given the nature of the road and general steepness of the area. Will the applicant maintain roadside verges or driveways, including those of neighbouring properties as necessary? If damage is caused by a venue patron or bus to a neighbouring property or council infrastructure that affects the neighbouring property, will the applicant take responsibility (both time and financial) for the repairs?



- e) To note: PO11 1-3 - General Development Policies; Heavy Vehicle Parking  
On the basis of assumption A6 (mode of transport) has not been mentioned.

Heavy Vehicle Parking	
<p>PO 11.1</p> <p>Heavy vehicle parking and access is designed and sited so that the activity does not result in nuisance to adjoining neighbours as a result of dust, fumes, vibration, odour or potentially hazardous loads.</p>	<p>DTS/DPF 11.1</p> <p>Heavy vehicle parking occurs in accordance with the following:</p> <ul style="list-style-type: none"> <li>(a) the site is not located within a Neighbourhood-type zone (except a Rural Living Zone)</li> <li>(b) the site is a minimum of 0.4 ha</li> <li>(c) where the site is 2 ha or more, no more than 2 vehicles exceeding 3,000 kilograms each (and trailers) are to be parked on the allotment at any time</li> <li>(d) where the site is between 0.4 ha and 2 ha, only one vehicle exceeding 3,000 kilograms (and one trailer) are to be parked on the allotment at any time</li> <li>(e) the vehicle parking area achieves the following setbacks: <ul style="list-style-type: none"> <li>(i) behind the building line or 30m, whichever is greater</li> <li>(ii) 20m from the secondary street if it is a State Maintained Road</li> <li>(iii) 10m from the secondary street if it is a local road</li> <li>(iv) 10m from side and rear boundaries</li> </ul> </li> <li>(f) parking and access areas (including internal driveways) should be sealed or have a surface that can be treated and maintained to minimise dust and mud nuisance</li> <li>(g) does not include refrigerated trailers or vehicles</li> <li>(h) vehicles only enter and exit the property in accordance with the following hours: <ul style="list-style-type: none"> <li>(i) Monday to Saturday 6:00am and 9:30pm</li> <li>(ii) Sunday and public holidays between 9:30 am and 7:00 pm</li> </ul> </li> <li>(i) the handling or trans-shipment of freight is not carried out on the property.</li> </ul>
<p>PO 11.2</p> <p>Heavy vehicle parking ensures that vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.</p>	<p>DTS/DPF 11.2</p> <p>Heavy vehicles:</p> <ul style="list-style-type: none"> <li>(a) can enter and exit the site in a forward direction; and</li> <li>(b) operate within the statutory mass and dimension limited for General Access Vehicles (as prescribed by the National Heavy Vehicle Regulator).</li> </ul>
<p>PO 11.3</p> <p>Heavy vehicle parking is screened through siting behind buildings, screening, landscaping or the like to obscure views from adjoining properties and public roads.</p>	<p>DTS/DPF 11.3</p> <p>None are applicable.</p>

- 9) **Outdoor Spillover:** Significant outdoor spillover given no planned increase in interior capacity. The occupiable indoor area of the venue is roughly 88 sqm (subtracting areas such as the toilet hallway and the wine cellar (east wall room) but not subtracting for existing furniture). Our planner has indicated a typical metric for this type of venue would be 1 person per square metre of occupiable space.
- a) Reasonable assumption made: 1 person per sqm means that **at most** 88 people would be able to fit within the venue.
  - b) Reasonable assumption made: Spillover to outside spaces WILL occur, further increasing noise and light disturbance to neighbours.
  - c) Questions: What mitigations are being put in place to prevent/minimise spillover into outdoor spaces? Is it practical to expect guests/patrons to stay within the building if the event is not at capacity? If, for example, a function is hosted for 80 guests, will the exterior doors of the building be locked so that guests cannot spend time in the outdoor areas?
  - d) To note: Design Code DO 3 – Productive Rural Landscape “*Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts*” has not been mentioned and we do not believe there is any reasonable alignment between the proposed development and the above desired outcome regarding outdoor spillover.
  - e) To note: P4 - General Development Policies; Activities generating noise or vibration; PO 4.5 - outdoor areas associated with licensed premises has not been addressed.

<p>PO 4.5</p> <p>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</p> <p>None are applicable.</p>
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- 10) **Increased staff:** No mention of increased staff requirements to accommodate the increase in patrons.
- a) Reasonable assumption made: Additional staff WILL be required to cater for the additional patrons, who will need to park their cars somewhere and be included in the overall capacity head count of the venue. We expect staff to be catered for, so they do not need to utilise roadside parking and do not utilise patron parking facilities.
  - b) Reasonable assumption made: If a function were to finish at 11pm, we would reasonably assume that staff need to stay later to clean up and reset for the next day.
  - c) Impact: Even greater cars entering/exiting Berry Hill Road, adding to even greater noise, light and dust pollution, likely extending past 11pm.
- 11) **Catering:** No mention of type, mode of transport, or mode of preparation of externally sourced catering.
- a) Reasonable assumption made: Catering may be anything ranging from delivered to site ready-to-eat platters through to on-site food trucks and portable cooking apparatus e.g. trailer-based pizza ovens.
  - b) Impact: Greater dust, noise and light pollution
- 12) **Property Value:** Decrease in property value for any nearby properties.
- a) Reasonable assumption made: A development of this nature, in a rural area, is rare and highly undesirable for prospective buyers.
  - b) Impact: We, like many others around us, moved to this area for peace and quiet and we believe it will cause a significant loss in market value if the development were to proceed as described.

We believe these assumptions are fair and reasonable, and any numeric figures quoted have either originated from the variation document, original application where not amended by variation, or have been calculated using methods supplied by our planner and were not simply calculated ad lib. We welcome any additional information from the applicant to clarify these points.

**From the above 12 key concerns, we request the applicant obtain and share with all respondents:**

- 1) Plans addressing the additional parking requirements to cater to the venue's proposed increase in capacity and additional staffing requirements, including elements such as (but not limited to) parking spaces, traffic flow through car parks, noise and lighting.
- 2) An acoustic engineering report covering the impact on neighbouring properties, including but not limited to general noise levels at varying venue capacities, noise expected during a function when people are more inebriated and therefore talking louder etc, if music were to be played indoors and/or outdoors, and if a PA system were to be used indoors and/or outdoors.
- 3) An updated traffic engineering report specifically catering for the conditions present currently in 2024 (not in 2021), intersection visibility, the increase in traffic volume and intensity (mass entry/exit), the shift in traffic timeframes (i.e. if the venue were to operate at night), and the use of buses and other heavy vehicles, specifically when making right-hand turns across an intersection with a crest that inhibits visibility (i.e. entering Berry Hill Road from Cudlee Creek Road travelling north, or likewise exiting onto Cudlee Creek Road heading north).
- 4) CFS referral and assessment given the significant increase in venue capacity up to 275%, hours of operation into the night, lack of detail around parking facilities for patrons and staff and the no-through road nature of Berry Hill Road.

Again, given the applicant's history and that of the area we had hoped for more consideration with regard to bushfire risk and some attempt to avoid the scenario where a large quantity of guests, staff and residents may become trapped on a no-through road in the event of a bushfire or other emergency situation. As above we feel that a reasonable condition is for **the venue to not be permitted to trade as a function venue on extreme to catastrophic bushfire risk days**. Or, failing that, at a significantly reduced capacity to avoid the risk to guests, staff and residents alike.

Our general sentiment is one of apprehension, and not simply to the requested changes but more broadly: if these variations are granted, we as immediate neighbours have little to no recourse for potential decrease in quality of peaceful life, privacy and property value. In addition, in the short time since commencing trade the applicant has already shown an attitude of apparent disregard to planning requirements by undertaking unplanned alterations and activity, specifically:

1. The erection of an overflow parking sign directing traffic past our driveway at #10 Berry Hill Road toward the top of the road. We have been able to find no evidence of application or approval for such parking facilities.  
While this is merely text on a sign, why would one erect this prior to lodging a variation application that omits overflow parking? Patrons will absolutely make use of this option if the main car park is full, as they aren't to know it's not approved, and this in turn directs traffic up the dirt road past our property and encourages roadside parking. In turn, there will also be regular foot traffic past our property.
2. Vastly over capacity during the grand opening event on 21<sup>st</sup> September 2024.  
We accept this was a special day, after a very long build, and do not hold any ill will over the event. However, given the fierce opposition to the initial development application from the neighbourhood at the time, we would expect some degree of respect for neighbouring properties - i.e. do not allow your guests to block the gates of neighbouring properties and park with their car lights shining into people's houses (See photos taken as Appendix B). Given this event was largely composed of friends, associates and well-wishers, we believe it's reasonable to exert a higher standard of control over guest behaviour than would be the norm for routine trading with members of the public.
3. Surfacing, and subsequent use as additional parking space by both cars and buses on the roadside adjacent to the Vinteloper car park (on Berry Hill Road).  
This is outside of the 26 spaces approved by planning, and from our understanding should have been restored with vegetation/grass rather than being cleared for overflow carparking. Since opening the venue there is already evidence of this being utilised for patron parking, specifically a bus on 12<sup>th</sup> October 2024 when at the time the on-site car park was largely empty. This illustrates how people will naturally utilise the surfaced area for this purpose even without any signage referring to it as parking. See Appendix C.

While what we've seen so far is relatively minor, we're concerned that this is only the beginning due to several occasions of overstepping his venue's approvals and may lead to a more egregious breach. While there are processes in place to deal with this sort of breach, it should not fall on the neighbours to have to police adjacent venues to simply maintain peace.

Beyond all of this we are also concerned by the applicant's pattern of behaviour: apply with small scale (i.e. the initial application), ratchet up to the maximum with minor variations (i.e. increase capacity to 40, all week trade) to avoid the need for further consultations with the neighbourhood or red tape to abide by. The variation application is significant already, and if approval results in the applicant being able to further increase hours of operation and capacity via further minor variations it will result in untenable impact on the neighbouring properties. While we understand this is legal, we feel it's taking advantage of the planning system and only draws increased scepticism from neighbours.

To summarise our stance:

1. We **object unconditionally** to the request to increase the opening hours to 11pm on any day on the basis that it shifts the venue away from the patronage of a “shop” (in the form of a cellar door) to that more in keeping with a bar/pub - very much not in keeping with the norm for a quiet rural neighbourhood with neighbours in close proximity that will be exposed to the noise and anti-social behaviour of such venues. As it stands there is no activity in the area during the night, with the local area otherwise entirely consisting of rural households, and we believe variation approval would be both unreasonable and irresponsible.

Beyond this, there is a lack of planning put forward by the applicant to cater for the significant increase in noise, light pollution, after-hours traffic, vehicle and safety impacts after 5pm.

2. We **object** to the request to host a limited number of pre-booked private functions per annum (max 12 functions per annum), on the basis that they would occur after 5pm (see point above).
3. We **object unconditionally** to the request to increase the capacity of the venue (to either 100 or 150) on the basis that no plan has been put forward to cater for the increased traffic, parking, occupancy, noise and (hard) waste that will be created by this change.

We request the council reject this proposal to avoid guaranteed spillover to outdoor areas and the resulting noise impact this will bring to the neighbouring properties in close proximity.

4. We have no objection to the service of beer and spirit products during standard opening hours of 11am to 5pm on the condition that;
  - a. Does not include keg dispensing / installation of beer taps (i.e. bottled/canned beer only) and does not include service of RTD (premix) beverages.
  - b. Effective waste management will be applied for discarded bottles, specifically;
    - i. Discarded bottles and cans will be regularly collected by staff from *around the venue, road, and any roadside verges.*
    - ii. Bulk disposal of bottles into bins must not occur before 10am or after 5pm to avoid creating further noise impact to neighbouring properties - i.e. no enormous crash of glass bottles smashing at night when they're poured into a skip or bin.
  - c. The venue must remain **primarily** focused on being a cellar door offering tastings/selling their own product, and only be permitted to offer beer or spirits as a secondary option.

Our objections may be disappointing for the applicant, however there is simply not enough information presented for us to make an informed decision, and no plans have been put forward to mitigate the myriad of flow on effects that will arise because of the proposal and impact us at 10 Berry Hill Road.

**Should any part of this development application proceed to assessment we wish to be notified and appear at any assessment panel hearing to support our response. In addition, we request that should any further information be provided by the applicant with regard to this variation, we receive all copies.**

Appendix A - Opening hours and contact details of “cellar door” venues in the Adelaide Hills region identified by the respondents.

WINERY NAME	LICENSEE NAME	LIQUOR LICENCE NO	TOWNSHIP LOCATION	VENUE CAPACITY	STANDARD TASTING OPENING HOURS	LIQ LIC AUTHORISED HOURS	FUNCTIONS PERMITTED AS PER THEIR LIQ LIC	OTHER RELEVANT NOTES	WINERY WEBSITE WITH CURRENT OPENING HOURS	DATE INFORMATION SOURCED
Golding Wines	Golding Wines Pty Ltd	57604538	Lobethal	160	11-5 every day	Su-Th 11am-10.30pm / F-S 10am-midnight	Limited to 8 per year where pax can increase up to 250, otherwise unlimited	Has a restaurant, but only open for lunches. Is a large function venue	<a href="https://www.goldingwines.com.au/">https://www.goldingwines.com.au/</a>	07.10.24
Tilbrook Estate	James Edward Tilbrook and Annabelle Mary Tilbrook	57605275	Lobethal	100	F dinner only 5pm-9pm / Weekends 11.30am-5pm	9am-5pm every day	None permitted as per liquor licence, but they do host weddings and functions up	Open for dinner every Fri night (pizzas) / Lunch on weekends (pizzas)	<a href="https://tilbrookestate.com.au/cellar-door/">https://tilbrookestate.com.au/cellar-door/</a>	07.10.24
Lobethal Road Winery	MacEwen Pty Ltd	57604740	Mt Torrens	30	11am-5pm Th-M	10am-6pm every day	Doesn't operate as function venue	Offers lunches. Don't appear to host functions based on their website	<a href="https://bbethalroad.com/pages/visit">https://bbethalroad.com/pages/visit</a>	07.10.24
Anderson Hill	Anderson Hill Pty Ltd	57610830	Lenswood	150	11-5 every day	11am-midnight every day	No limitations	Has a restaurant, but only open to 5pm. Is a large function venue	<a href="https://www.andersonhill.com.au/">https://www.andersonhill.com.au/</a>	07.10.24
Pike & Joyce Wines	Pike & Joyce Wines Pty Ltd	57604546	Lenswood	180	11-4 every day	M-W 11am-5pm / Th-Su 11am-1pm	10 per calendar year, 9x @ 75pax and 1x @ 250pax (permitted to 11pm)	Has a restaurant, but only open for lunches. Is a large function venue	<a href="https://pikeandjoyce.com.au/pages/has-linq-room">https://pikeandjoyce.com.au/pages/has-linq-room</a>	07.10.24
Mt Lofty Ranges Vineyard	Mount Lofty Ranges Vineyard Pty Ltd	57602243	Lenswood	100	11-5 every day	11am-midnight every day	No limitations	Has a restaurant offering lunch daily & dinner on 1st Fri of each month. Hosts functions & weddings of 100pax seater or 150pax	<a href="https://pikeandjoyce.com.au/pages/has-linq-room">https://pikeandjoyce.com.au/pages/has-linq-room</a>	07.10.24
Tagai Vineyards & Cellar Door	Budja Pty Ltd	57615610	Lenswood	150	11-4 every day	10am-5pm M-Th / 10am-8pm Fr-Su	Doesn't operate as function venue	Has a restaurant open for lunch daily and dinner to 8pm F-Su (pizzas)	<a href="https://tagai.com.au/pages/cellar-door">https://tagai.com.au/pages/cellar-door</a>	07.10.24
Simon Tolley	Simon Tolley Pty Ltd, Tolley Viticulture Pty Ltd	57618707	Woodside	75	11am-5pm Th-M / Tu & Wed by appointment only	11am-5pm every day	Doesn't operate as function venue	No meals or functions, but has accommodation	<a href="https://simontolley.com.au/pages/cellar-door">https://simontolley.com.au/pages/cellar-door</a>	07.10.24
Petaluma Wines	Accolade Wines Australia Limited	57600762	Woodside	60	11am-4.30pm every day	10am-8pm every day	Doesn't operate as function venue	No meals or functions	<a href="https://petalumawines.com.au/pages/cellar-door">https://petalumawines.com.au/pages/cellar-door</a>	07.10.24
Barister's Block	Cela der Pty Ltd	57605746	Woodside	125	11-5 every day	10am-11.30pm every day	No limitations. Website lists two spaces - 50pax and 180pax	Has a restaurant, but only open for lunches. Is a large function venue	<a href="https://www.baristersblock.com.au/">https://www.baristersblock.com.au/</a>	07.10.24
Bird in Hand	Bird in Hand Winery Pty Ltd	57603435	Woodside	250	11-5 every day	10am-7pm Su-Th / 10am-11pm Fr-Sa	Limited to 4 per year where pax can increase up to 400, otherwise unlimited	Has a restaurant for lunch only F-Mon / Is a large function venue	<a href="https://birdinhand.com.au/cellar-door/">https://birdinhand.com.au/cellar-door/</a>	07.10.24
Artwine	Artwine Pty Ltd	57611991	Woodside	50	11am-5pm every day	10am-11pm every day	Only 8 functions per year	Hosts functions	<a href="https://www.artwine.com.au/cellar-door/">https://www.artwine.com.au/cellar-door/</a>	09.10.24
Murdoch Hill	Erinka Pty Ltd	57602497	Woodside	50	11am-4pm M-Tu & Th-Su (closed Wed)	10am-9pm every day	Limited to 12 per year where pax can increase up to 200, otherwise unlimited	Don't appear to host functions based on their website	<a href="https://www.murdochhill.com.au/pages/visit-us">https://www.murdochhill.com.au/pages/visit-us</a>	09.10.24
Ashton Hills Vineyard	AH Vineyards Pty Ltd	57601433	Ashton	40	11am-5pm Fr-Mon	11am-5pm Fr-Mon	Doesn't operate as function venue	Don't appear to host functions based on their website	<a href="https://www.ashtonhills.com.au/pages/visit-us">https://www.ashtonhills.com.au/pages/visit-us</a>	07.10.24
Paracombe Wines	Drogemulder, P H & K H	57601467	Paracombe	80	Tastings by appointment only	6am-midnight every day	No limitations	Hosts functions	<a href="https://paracombe.com.au/cellar-door/tastings-public/">https://paracombe.com.au/cellar-door/tastings-public/</a>	07.10.24
Sinclair's Gully Winery	Sean Delaney & Susanne Delaney	57605453	Norton Summit	20	Closed over Winter Jul-Aug. Otherwise open Sundays 12pm-4pm	9am-8pm every day	No limitations	Hosts a high volume of ticketed events through Spring/Summer. Also hosts weddings up to 100 people	<a href="https://sinclairsully.com/">https://sinclairsully.com/</a>	09.10.24
Kerbrook Hill Wines & Cider	Matfield Nomorees Pty Ltd	57609732	Kerbrook	20	10am-5pm every day, plus pizza dinners to 9pm Fridays	10am-5.30pm M-Th / 10am-9pm Fr-Su	No limitations	Has a kitchen. Can do functions if someone enquires.	<a href="https://kerbrookhill.com.au/contact">https://kerbrookhill.com.au/contact</a>	09.10.24
Mt Bera Cellar Door, Restaurant & Winery	Mt Bera Vineyards Pty Ltd	57605819	Gumeracha	125	11am-9pm (assume every day?)	8am-8pm Su-Th / 8am-11.30pm Fri-Sat	Limited to 12 per year where pax can increase up to 300, otherwise unlimited	Has a restaurant open 12pm-3pm Th-Su. Also hosts functions	<a href="https://mbera.com.au/restaurant/">https://mbera.com.au/restaurant/</a>	09.10.24
Talinga Estate Cellar Door	TheLocalFood Co. Pty Ltd	57622992	Gumeracha	20	10am-4pm every day	9am-9pm every day	No limitations	There are three function areas, inside with an open fire/air conditioned (seats 55), the alfium/alfresco (seats 65) and outside under the vines and on the grass (seats approx 50) or the whole venue can be hired. A maximum limit of 105 but with your purchase of a specialised liquor licence this can be made for a larger amount of people.	<a href="https://www.talingaestate.com.au/restaurant/">https://www.talingaestate.com.au/restaurant/</a>	09.10.24
Talinga Estate Winery, Cafe & Functions	TheLocalFood Co. Pty Ltd	57304641	Gumeracha	105	N/A	7am-2am the following day	No limitations	Has a restaurant open Th-Su 11am-4pm. Also is a large function venue	<a href="https://www.talingaestate.com.au/pages/es/weddings">https://www.talingaestate.com.au/pages/es/weddings</a>	09.10.24
Cobb's Hill Estate	Cobbs Hill Pty Ltd	57615107	Oakbank	330	11am-4pm M-F / 11am-5pm weekends	10am-5pm M-Th / 10am-midnight Fr-Su	The licensee shall keep a register detailing the dates in which functions are held at the premises. A copy of the register must be kept on the licensed premises and be produced to an	Has a restaurant open Th-Su 11am-4pm. Also is a large function venue	<a href="https://cobbshillstate.com.au/drink-and-dine/">https://cobbshillstate.com.au/drink-and-dine/</a>	09.10.24
The Lane Vineyard	TheLane Wine Company Pty Ltd	57606089	Hahndorf	196	10am-5pm every day	10am-4pm M-Th / 9am-11.30pm Fr-Sa / 9am-11.30pm F-Su	No limitations	Is a large function venue. Restaurant open only for lunches	<a href="https://www.thelane.com.au/tasting-room/">https://www.thelane.com.au/tasting-room/</a>	09.10.24
Hahndorf Hill Vineyard	Hahndorf Hill Winery Pty Ltd	57602154	Hahndorf	50	10.30am-5pm M-Sa / Closed Sundays	6am-10pm every day	No limitations	Don't appear to host functions based on their website	<a href="https://www.hahndorhillwinery.com.au/contact-hlw">https://www.hahndorhillwinery.com.au/contact-hlw</a>	09.10.24
Somerled Wines & Cellar Bar	Somerled Cellar Door Pty Ltd & EKM Wines Pty Ltd	57610408	Hahndorf	50	1pm-6.30pm daily / 1pm-8pm Fridays	7am-11pm every day	No limitations	Is a bar on Main St, Hahndorf. Not a function venue.	<a href="https://www.somerled.com.au/cellar-bar">https://www.somerled.com.au/cellar-bar</a>	09.10.24
Sidewood Estate	Sidewood Cellar Pty Ltd	57616569	Hahndorf	250	11am-5pm every day	9am-10pm Su-Th / 9am-midnight Fr-Sa	No limitations	Hosts functions & restaurant open for dinner on weekends	<a href="https://sidewood.com.au/cellar-door/">https://sidewood.com.au/cellar-door/</a>	09.10.24
Nepenthe	Australian Vintage Ltd	57602992	Bahramah	150	11am-5pm Tu-Sun	10am-11.30pm Mon-Sa / 10am-5pm Sundays	Limited to 2 per year where pax can increase up to 400, otherwise unlimited	Hosts functions	<a href="https://www.nepenthe.com.au/visit-us.html">https://www.nepenthe.com.au/visit-us.html</a>	09.10.24
Shaw & Smith Vineyard	Shaw & Smith Pty Ltd	57601336	Bahramah	150	11am-5pm every day	10am-11pm every day	No limitations	Hosts functions	<a href="https://www.shawandsmith.com.au/tasting">https://www.shawandsmith.com.au/tasting</a>	09.10.24
Greenhill Wines Cellar Door & Cafe	Greenhill Wines Pty Ltd	57614355	Summertown	75	11am-5pm Fr-Su	7am-10pm every day	Limited to 6 per year where pax can increase up to 250, otherwise unlimited	Hosts functions	<a href="https://greenhillwines.com.au/contact/">https://greenhillwines.com.au/contact/</a>	09.10.24
Tapanappa Wines	Tapanappa Wines Pty Ltd	57008504	Piccadilly	120	11am-4pm every day	10am-9pm every day	Limited to 6 per year where pax can increase up to 190, otherwise unlimited	Don't appear to host functions based on their website	<a href="https://tapanappawines.com.au/cellar-door-and-winery/">https://tapanappawines.com.au/cellar-door-and-winery/</a>	09.10.24
Between the Vines	Laurajune Moodle	57612727	Longwood	60	12pm-5pm Fri & Mon / 11am-5pm Sa-Su / Closed 10am-5pm every day	10am-9pm every day	No limitations	Hosts functions	<a href="https://betweenthevines.com.au/visit-us/">https://betweenthevines.com.au/visit-us/</a>	09.10.24
Deviation Road	Charleston Cellars Pty Ltd	57605542	Longwood	135	10am-5pm every day	8am-6pm every day	No limitations	Wre no longer host weddings or evening	<a href="https://www.deviationroad.com/visit">https://www.deviationroad.com/visit</a>	09.10.24
Howard Vineyard (has 2 licences)	Exotic Vineyards Pty Ltd	57607374	Nairne	Not listed	11am-4pm M-F / 10am-5pm weekends	8am-6pm every day	No limitations	Has a restaurant for lunch only & is a large function venue	<a href="https://www.howardvineyard.com/about-us/">https://www.howardvineyard.com/about-us/</a>	09.10.24
Howard Vineyard (has 2 licences)	Amos Vignerons Pty Ltd	57007207	Nairne	200	11am-4pm M-F / 10am-5pm weekends	7am-10pm M-Th / 7am-11pm F-Sa / 8am-6pm Su	No limitations	Has a restaurant for lunch only & is a large function venue	<a href="https://www.howardvineyard.com/about-us/">https://www.howardvineyard.com/about-us/</a>	09.10.24
Ngeringa	Ngeringa Vineyards Pty Ltd	57606653	Mount Barker Springs	200	11am-4pm Th-Su	9am-6pm Su-Th / 9am-midnight F-Sa	No limitations	Our private event packages are suitable for groups 20 - 100 guests. The capacity of our Winery Dining Space is: Sit down, max 60 guests and Stand up, max 100 guests	<a href="https://ngeringa.com.au/pages/cellar-door">https://ngeringa.com.au/pages/cellar-door</a>	09.10.24



**Appendix B** - Photos of extensive street parking on neighbouring property boundaries during the grand opening event on 21<sup>st</sup> September, including blocking a neighbour's gate.



**Appendix C** - Photographs of unapproved

- a) Branded sign with designated “overflow parking” direction, pointing generally towards the flattened area at top of the Vinteloper property

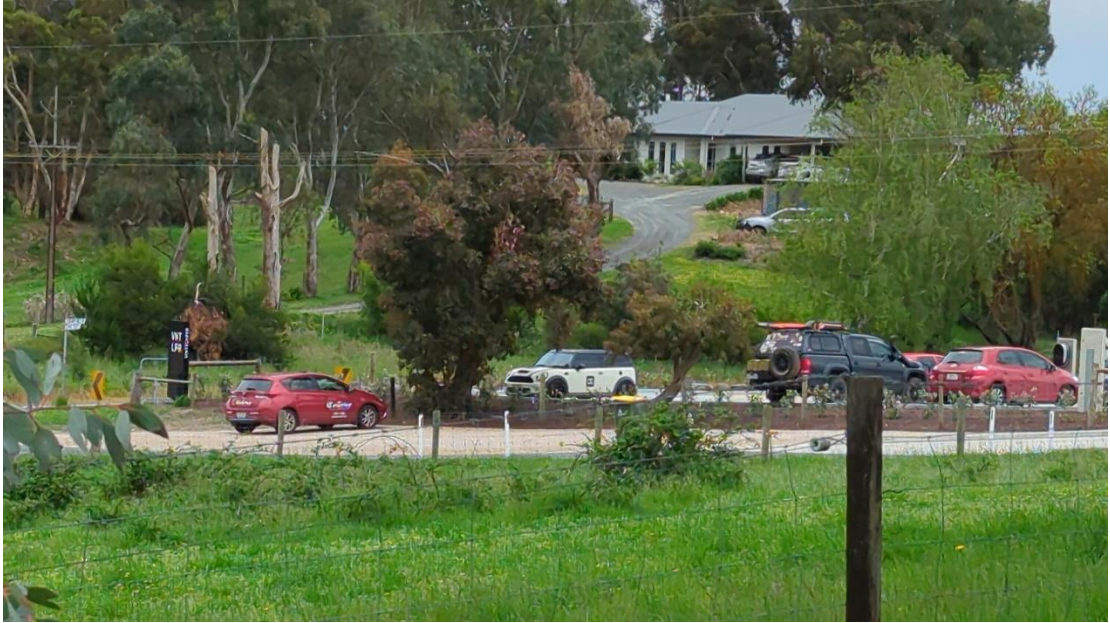


- b) The large flattened and backfilled area at the top of the Vinteloper property





- c) Surfaced (gravel road base) area next to Cudlee Creek Road entrance to Berry Hill Road used as additional parking



Representations

Representor 2 - Jason Draper Tamara Mieglich

Name	Jason Draper Tamara Mieglich
Address	632 CUDLEE CREEK ROAD LOBETHAL SA, 5241 Australia
Submission Date	18/10/2024 10:54 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<b>Reasons</b> see attached	

Attached Documents

RepresentationOnApplication-JasonDraperAndTamaraMieglich-24028014-9527546.docx
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Representations

Representor 3 - Roger Moreton

Name	Roger Moreton
Address	PO 112 LOBETHAL SA, 5241 Australia
Submission Date	21/10/2024 05:15 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<b>Reasons</b> In addition to my original objection, the applicant held an event on the 19th October 2024 before the date of submissions closed. This event highlighted how loud the events are and how much they impact the rural lifestyle that we have valued up to this point. This event also indicated the applicants disregard for due process. Key points -Event went until 11pm at night -The event was loud on the lawn area which closer to our dwelling that the venue -Drunken loud party goers at night -Parking on the road Photos and sound recorded can be supplied	

Attached Documents

Representations

Representor 4 - Erin Hoklas

Name	Erin Hoklas
Address	PO Box 309 LOBETHAL SA, 5241 Australia
Submission Date	21/10/2024 11:02 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<b>Reasons</b> Please refer attached response document.	

Attached Documents

Subsequent-E-Hoklas-and-A-Watts-submission-Application-ID-21027668-1419740.pdf
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**Subsequent submission of E. Hoklas and A. Watts of 10 Berry Hill Road, Lobethal  
Development application ID 2102 7668**

**With regard to;**

**Vinteloper Cellar Door**

**589 Cudlee Creek Road, Cudlee Creek**

In support of our submission via PlanSA portal on 17th October 2024 at 9.46pm detailing our position of not supporting the development application, we would like to provide the below additional information and appendices with photographs and audio recordings.

Many of our key concerns detailed in our original submission surround three key themes if the applicant's venue were to begin hosting events: safety, patron behaviour and noise disturbance. Our concerns in regard to all three themes were validated on Saturday 19th October 2024 when the applicant hosted a wedding event at their venue at 589 Cudlee Creek Road. We estimate approximately 60 guests attended this wedding, and the event had guests on-site from approx 3.40pm to 11.30pm.

**Brief detail of pertinent events**

- Guests began arriving by car from approximately 3.40pm, and at 4pm two Des's mini-buses arrived and dropped off approx. 30 guests (total). The mini-buses both parked on the surfaced verge adjacent the venue which is dangerously close to the intersection of Neudorf Road/Cudlee Creek Road/Berry Hill Road, stayed for only 5 minutes, and used Berry Hill Road and opposite verge to manoeuvre/turn around upon departure. This is a significant safety risk as well as causing damage to the verges of other people's properties.
- Cars parked for the duration of the event on verge further up Berry Hill Road in front of the applicant's property and directly opposite our property 10 Berry Hill Road, despite the venue's dedicated car park not being at capacity. This illustrates that the natural behaviour of drivers is to park wherever is easiest or most convenient, despite where they are 'supposed to', and in this instance poses a significant safety risk as well as property damage.
- On multiple occasions cars used our driveway at 10 Berry Hill Road to turn around and exit the road back onto Cudlee Creek Road. While no damage was caused on this one occasion, this again illustrates natural behaviour of drivers and will be an ongoing issue that will likely eventually cause damage that will be our expense to repair.
- The ceremony was held outside on the northern side of the cellar door building ("shop") and utilised a PA system with the celebrant, bride and groom all speaking into a microphone during this period. We could hear this dialogue from our property despite high Cudlee Creek Road traffic at the time.



- During the ceremony, many vehicles passing by on Cudlee Creek Road honked and yelled 'woohoo' sounds from their cars as they could see the ceremony taking place. While this can be seen as a nice gesture, in reality it is a compounding source of noise disturbance in an extremely quiet neighbourhood.
- At the end of the outdoor ceremony (approx. 4.45pm) we could clearly hear cheering and clapping from guests, at which point music began to play from the PA system.
- At 5pm a photography/videography drone flew directly over our property and at least one other neighbouring property, with no permission sought or granted, and invading our privacy.
- The reception was held inside, though we could clearly hear the music grow continuously louder throughout the evening, notably being turned up a notch at approx. 6.50pm, 7.30pm, 9pm and again at 10pm. In line with the music's volume, the volume of general noise coming from the venue also increased as the event went on, particularly loud, drunken singing and cheering. The music was turned off for the night at 11.04pm.
- On more than one occasion guests were seen smoking either in the car park or on the grassed verge out front of the venue - a major safety hazard.
- Guests began to leave from 9pm, though the majority were still on the property after 11pm as they were awaiting the buses to take them home again. The two Des's mini-buses arrived separately, the first at 10.08pm and the second just after 11.15pm. When the first bus arrived we assume it must have been early as it idled with its lights on (shining directly into neighbouring properties and across Cudlee Creek Road into north-bound oncoming traffic) for 15 mins before turning off the engine to wait for the guests who eventually spilled out of the venue at 11.10pm. These guests were very loud and drunkenly yelling to one another, milling around in the carpark awaiting the remaining guests to exit the venue and board the bus. This bus departed at 11.15pm while the second bus arrived a few minutes later, collected the remaining guests (also loudly yelling and singing) and departed quite quickly though needed to manoeuvre its exit of the car park with reversing beeper which was very loud at that time of night.
- At the end of the evening it was clear that many guests were exceptionally drunk, and were particularly loud when leaving the venue. At 11.22pm there were guests outside in the carpark waiting to board the bus who were yelling loudly and disturbing our peace.
- At no point throughout the event did venue staff members come outside to try and quiet the guests down to be respectful of neighbours or check things were as they expected.
- When exiting Berry Hill Road, the vast majority of vehicles turned right to travel north-bound up Cudlee Creek Road. This is significant as this direction of travel poses by far the highest safety risk due to the crest inhibiting visibility, causing vehicles to exit Berry Hill Road into the path of cars travelling 80km/hr down Cudlee Creek Road toward Lobethal.

While we understand the council cannot control the actions of individuals, we do believe it is the council's responsibility to control the form, function and conditions of development to remove the need to control the actions of individuals, or mitigate them at the very least.

Given the circumstances of the pending variation, we would have expected the applicant to maintain an event that did not disturb neighbours in any way and utilise the opportunity to put his best foot forward. The applicant could have shown neighbours that increasing capacity, increasing hours and hosting events wouldn't be an issue, though in reality he has shown that these variations will be problematic.

We feel this event underpins our concerns outlined in our previous submission and is a clear example of what would be to come should the applicant's variation be approved.

### **Supporting photographs taken from our property on 19th October 2024:**

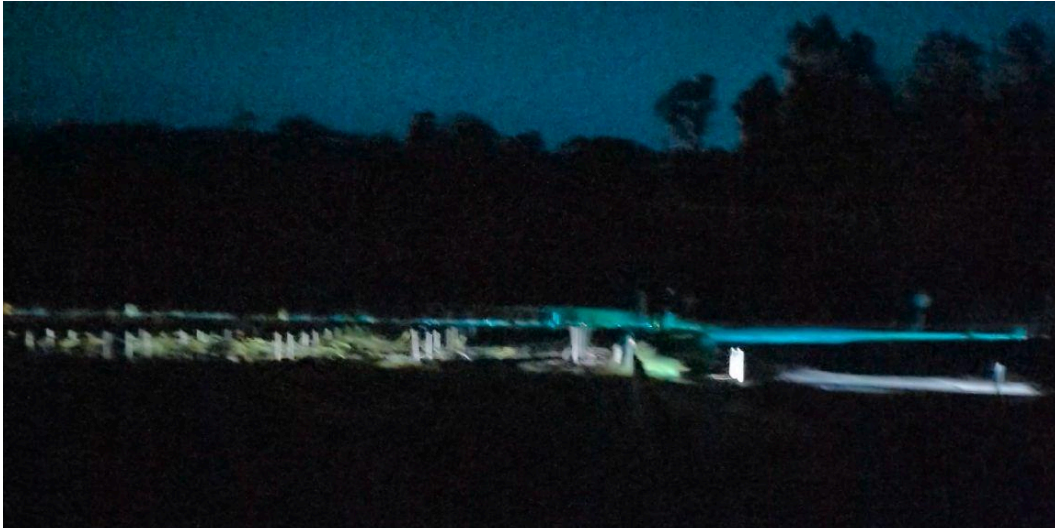
Outdoor ceremony showing just a portion of guests and visible speakers, taken by our neighbours Michelle Markham and Roger Moreton of 363 Neudorf Road:



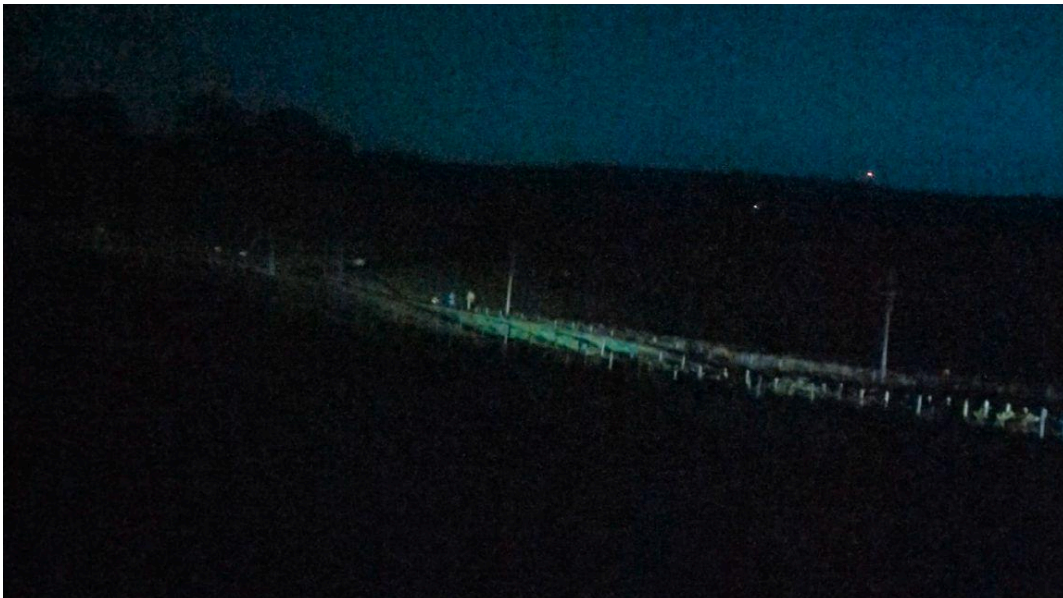
Buses parked on verge near corner and manoeuvring to exit:



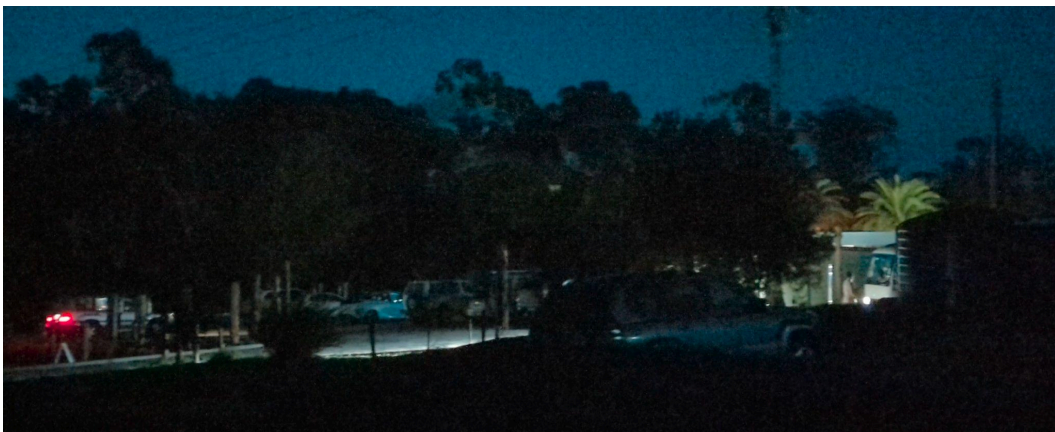
Approx. 10.10pm: Bus #1 idling and flooding neighbouring properties with light:



Same bus light shining down Cudlee Creek Road into oncoming traffic heading north-bound:



Approx 11.10pm: Guest boarding bus #1, bus lights flooding neighbouring properties, car in carpark idling with lights on and foot on brake:

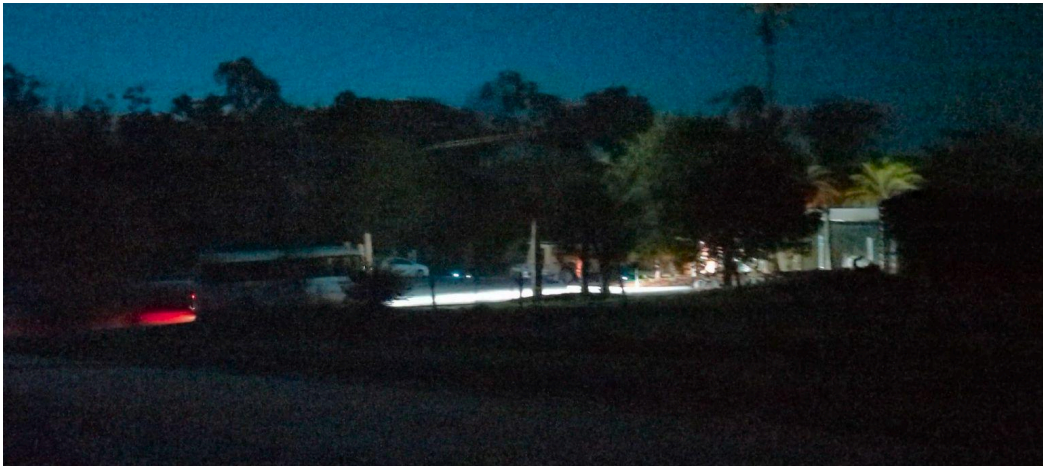




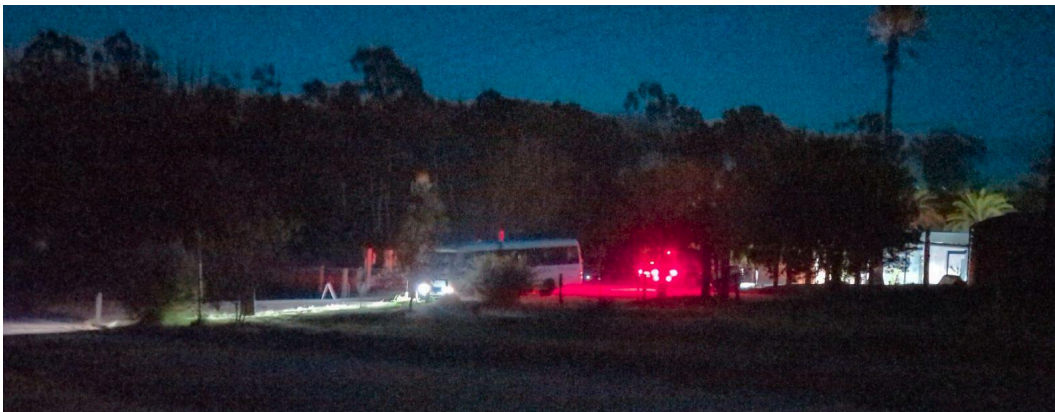
Approx 11.15pm: Bus #1 departing with lights on high-beam flooding neighbouring properties:



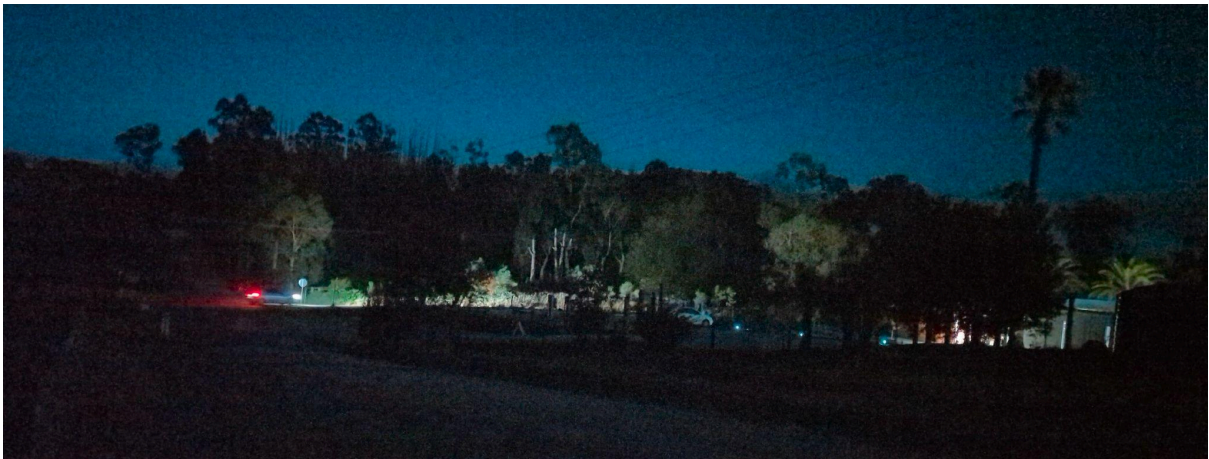
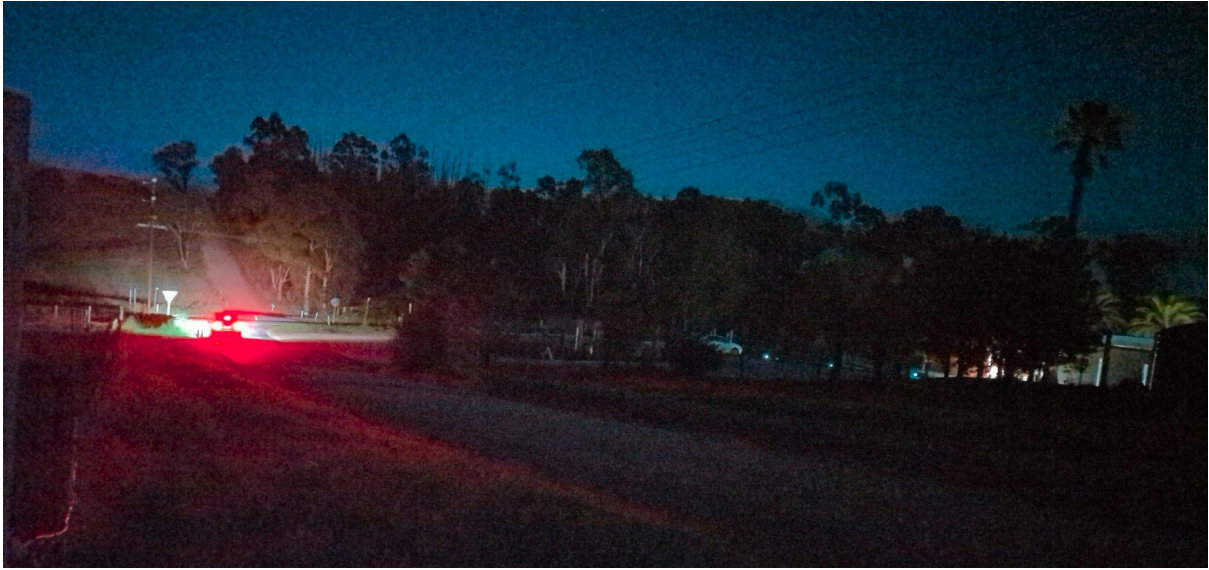
Approx. 11.20pm: Bus #2 arriving 20 mins after event ended and venue closed:



Approx. 11.25pm: Bus #2 departing about 25 mins after event ended and venue closed, with lights flooding neighbouring properties:



Approx. 11.25pm: Car that has left the venue turning right onto Cudlee Creek Road with high-beams on (significant light spill)



**Note: We would like to also provide sound audio recorded from the evening and video footage that isn't possible through the PlanSA portal. Please advise if these files can be shared to assist throughout the assessment period, we are happy to do so at any time.**

# Representations

**Representor 5** - Roger Moreton

Name	Roger Moreton
Address	PO Box 112 LOBETHAL SA, 5241 Australia
Submission Date	22/10/2024 01:44 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

**Reasons**  
The specific reasons that the planning consent should be refused are represented in the attached letter. The fact that the applicant has failed to uphold his previous verbal assurances and used the bushfire narrative to push his marketing campaign, has been distressing to the neighbours that lost everything through the event. The lack of good faith in this process has made us concerned that the rural lifestyle that we all treasure will be more eroded than it already is with the new winery. This winery is 82 metres from our residence.

## Attached Documents

Vinteloper-objection2-24028014-9555571.pdf





*Planning Advisory Services*

*27 / 19th Street, Gawler South SA 5118*

*ABN 50 577 956 625*

*CFS Building  
60 Wymouth Street, Adelaide, South Australia 5000*

Ref PAS Vinteloper

Tim Mason  
Statutory Planner  
Adelaide Hills Council  
tmason@ahc.sa.gov.au

By electronic lodgement  
PlanSA portal

Submission on behalf of Michelle Markham and Roger Moreton  
Development application ID 2102 7668  
Vinteloper Cellar Door  
589 Cuddle Creek Road, Cuddle Creek

Contact : Roger Moreton:

This submission made on behalf of Michelle Markham and Roger Moreton

I have reviewed the Planning Statement by Planning Studio dated 29 August with its attachments and had reference to the Code.

There are important procedural problems/errors with this application and insufficient information available for the Authority to make a decision.

For the reasons set out the application is not in a form that is suitable to be verified. The proposal is not a variation but a very different use to the one verified.

Regardless of then application's technical shortcomings, the application does not align with the Planning and Design Code.

Whilst not a matter that affects this application's assessment the current use operates outside of its approved framework by encouraging roadside parking through signage and infrastructure at a road intersection. This has a negative effect on amenity and safety of the locality.

The approved use is located with minimal setbacks to public roads and there are residential neighbour's close proximity. The use does not have the benefit of being centrally located on a large property with its own land to buffer visual, acoustic and other intrusive impacts.

As presently advised, due to the lack of detail in the application (for example the position of the Function Venue and the expanded car parking are obvious shortcomings), it means it is in fact not possible to define a locality that would be affected by the development proposal. This is essential for the Authority to properly assess the application.

#### Procedural problems/errors

The Productive Rural Landscape Zone provides in overall terms for agricultural production and value adding within specified parameters.

An approval has been issued for "shop".

The approval has limits which are directly linked to policies in the Code and the constraints of the use's locality (a close juxtaposition to public roads and neighbours).

The purported variation seeks to change the use from "Shop" to "Shop and Function Venue"

A number of indicators demonstrate that the addition of a "Function Venue" makes the use different to that approved, which is contrary to the applicant's assertions that "the nature of development remains the same".

The new development proposal requires a fresh application because it is not the same use as that approved, viz;

- A "Shop" (for sale and tasting of (own) wine, and with a limit of 40 persons is very different to a "Function Venue" for 150 persons (or is it 100 persons as there is inconsistency in the application documents).

It cannot be said that an increase in patronage of between 150% to 275% is a variation and is the same use.

The scale of the increase, and the change in the character of the new activity, means the use will have a different purpose. It will serve an entirely different market to that of a "shop" selling its own wine.

The difference in scale in the uses also triggers a different set of planning implications relative to: parking, traffic management (safety, noise and lights), acoustic impacts, and the visual and character impacts on the locality.

- A change from the approved operating hours which presently are required to cease at 5pm on all days (restrictions which were no doubt applied for good reason to manage amenity impacts), to a close time of 11pm on Thursdays, Fridays, Saturdays, Sundays, and public holidays further emphasises the operational differences, but moreover its expanded scope and reach, and hence impacts on the locality.
- Different product.

The proposed “Function Venue” will act as a destination and thereby serve a completely different market to a visitor experience exploring the Adelaide Hills region.

The use will transform from offering exclusively it's an own product to other alcoholic products.

The use will require a change to its Liquor licence.

The use will add individual meals to its offer.

These differences demonstrate the distinction in purpose and character between the two uses.

It is not within the either the planning system's framework or the common person's understanding to accept that the addition of a “Function Venue” is a variation, but a new use for which there should be a new application.

- New Infrastructure

The new use cannot accommodate the protected increase without new infrastructure.

The obvious is new car parking capacity of at least double of that approved, and which is not shown on the proposal plans.

It maybe that the additional capacity, increases the fire risk and needs to give consideration to escape pathways. These are matters that have not been addressed.

### Application deficiencies


There are multiple shortfalls with the application:

1. Where will the 100 -150 persons be located on the land?
2. There are no designated spaces for patrons. Are there multiple areas? Are they inside a building or outside in the open air?
3. Will there be live music? Will there be amplified music?
4. The use will require 40 - 60 car parking spaces. Where will they be located?
5. Car parking will require lighting. How ? Placement? Intensity?  
Presently Car parking is prompted to be on the roadside verge contrary to its consent.
6. Proximity to neighbours will require an acoustic assessment which has not been undertaken. This is not possible without the known the design parameters, ie placement, indoor outdoor, music.

7. PO 6.6 of the Zone requires that Function venues are sited, designed and of a scale that maintains a pleasant natural and rural character and amenity. There is no recognition in the application of this as a consideration, and how a pleasant natural and rural character and amenity will be achieved.
8. DO 3 of the Zone provides Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts. It means that that agriculture and associated value adding investment should not unfettered. Therefore, the contextual setting and associated impacts are critical assessment considerations, which are not evident in either the design or detail of this application. Further PO 1.1 says The proliferation of land uses (associated value adding of primary produce (such as beverage production, retailing and tourism)\_that may be sensitive to those activities is avoided.
9. The use is located in a Hazards (Bushfire - High Risk) Overlay. This, and the fire history of the land raises concern on how the use will be managed with an increase patron capacity of between 150% -275%. Without detail on where the patrons will be located on the property, and where their vehicles will be parked and transverse (for example could it be proposed they be located as overflow in a grassed paddock), it is impossible to properly assess the new uses fire risk.
10. Contrary to the application's assertion about the extent of required referrals, the location in the a High Fire Risk needs referral to the fire authority.

I, and or my clients, will want to appear at any Assessment Panel hearing to support this submission however it is my expectation that if the development proposal is to proceed to assessment it will need to be a new application for the reasons given.

If you have any question with regard to this advice or should you require further advice or information please contact me

A handwritten signature in black ink, appearing to read 'Michael Wohlstadt', with a stylized, flowing script.

Yours Faithfully

**Michael Wohlstadt, RPIA, Grad Dip URP**



Planning  
Institute  
Australia



Representations

Representor 6 - Michelle Markham

Name	Michelle Markham
Address	PO Box 112 LOBETHAL SA, 5241 Australia
Submission Date	22/10/2024 01:52 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<b>Reasons</b> The specific reasons that the planning consent should be refused are represented in the attached letter. The fact that the applicant has failed to uphold his previous verbal assurances and used the bushfire narrative to push his marketing campaign, has been distressing to the neighbours that lost everything through the event. The lack of good faith in this process has made us concerned that the rural lifestyle that we all treasure will be more eroded than it already is with the new winery. This winery is 82 metres from our residence.	

Attached Documents

Vinteloper-objection2-24028014-9555732.pdf
--



*Planning Advisory Services*

*27 / 19th Street, Gawler South SA 5118*

*ABN 50 577 956 625*

*CFS Building  
60 Wymouth Street, Adelaide, South Australia 5000*

Ref PAS Vinteloper

Tim Mason  
Statutory Planner  
Adelaide Hills Council  
tmason@ahc.sa.gov.au

By electronic lodgement  
PlanSA portal

Submission on behalf of Michelle Markham and Roger Moreton  
Development application ID 2102 7668  
Vinteloper Cellar Door  
589 Cuddle Creek Road, Cuddle Creek

Contact : Roger Moreton:

This submission made on behalf of Michelle Markham and Roger Moreton

I have reviewed the Planning Statement by Planning Studio dated 29 August with its attachments and had reference to the Code.

There are important procedural problems/errors with this application and insufficient information available for the Authority to make a decision.

For the reasons set out the application is not in a form that is suitable to be verified. The proposal is not a variation but a very different use to the one verified.

Regardless of then application's technical shortcomings, the application does not align with the Planning and Design Code.

Whilst not a matter that affects this application's assessment the current use operates outside of its approved framework by encouraging roadside parking through signage and infrastructure at a road intersection. This has a negative effect on amenity and safety of the locality.

The approved use is located with minimal setbacks to public roads and there are residential neighbour's close proximity. The use does not have the benefit of being centrally located on a large property with its own land to buffer visual, acoustic and other intrusive impacts.

As presently advised, due to the lack of detail in the application (for example the position of the Function Venue and the expanded car parking are obvious shortcomings), it means it is in fact not possible to define a locality that would be affected by the development proposal. This is essential for the Authority to properly assess the application.

#### Procedural problems/errors

The Productive Rural Landscape Zone provides in overall terms for agricultural production and value adding within specified parameters.

An approval has been issued for "shop".

The approval has limits which are directly linked to policies in the Code and the constraints of the use's locality (a close juxtaposition to public roads and neighbours).

The purported variation seeks to change the use from "Shop" to "Shop and Function Venue"

A number of indicators demonstrate that the addition of a "Function Venue" makes the use different to that approved, which is contrary to the applicant's assertions that "the nature of development remains the same".

The new development proposal requires a fresh application because it is not the same use as that approved, viz;

- A "Shop" (for sale and tasting of (own) wine, and with a limit of 40 persons is very different to a "Function Venue" for 150 persons (or is it 100 persons as there is inconsistency in the application documents).

It cannot be said that an increase in patronage of between 150% to 275% is a variation and is the same use.

The scale of the increase, and the change in the character of the new activity, means the use will have a different purpose. It will serve an entirely different market to that of a "shop" selling its own wine.

The difference in scale in the uses also triggers a different set of planning implications relative to: parking, traffic management (safety, noise and lights), acoustic impacts, and the visual and character impacts on the locality.

- A change from the approved operating hours which presently are required to cease at 5pm on all days (restrictions which were no doubt applied for good reason to manage amenity impacts), to a close time of 11pm on Thursdays, Fridays, Saturdays, Sundays, and public holidays further emphasises the operational differences, but moreover its expanded scope and reach, and hence impacts on the locality.
- Different product.

The proposed “Function Venue” will act as a destination and thereby serve a completely different market to a visitor experience exploring the Adelaide Hills region.

The use will transform from offering exclusively it's an own product to other alcoholic products.

The use will require a change to its Liquor licence.

The use will add individual meals to its offer.

These differences demonstrate the distinction in purpose and character between the two uses.

It is not within the either the planning system's framework or the common person's understanding to accept that the addition of a “Function Venue” is a variation, but a new use for which there should be a new application.

- New Infrastructure

The new use cannot accommodate the protected increase without new infrastructure.

The obvious is new car parking capacity of at least double of that approved, and which is not shown on the proposal plans.

It maybe that the additional capacity, increases the fire risk and needs to give consideration to escape pathways. These are matters that have not been addressed.

### Application deficiencies

There are multiple shortfalls with the application:

1. Where will the 100 -150 persons be located on the land?
2. There are no designated spaces for patrons. Are there multiple areas? Are they inside a building or outside in the open air?
3. Will there be live music? Will there be amplified music?
4. The use will require 40 - 60 car parking spaces. Where will they be located?
5. Car parking will require lighting. How ? Placement? Intensity?  
Presently Car parking is prompted to be on the roadside verge contrary to its consent.
6. Proximity to neighbours will require an acoustic assessment which has not been undertaken. This is not possible without the known the design parameters, ie placement, indoor outdoor, music.

7. PO 6.6 of the Zone requires that Function venues are sited, designed and of a scale that maintains a pleasant natural and rural character and amenity. There is no recognition in the application of this as a consideration, and how a pleasant natural and rural character and amenity will be achieved.
8. DO 3 of the Zone provides Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts. It means that that agriculture and associated value adding investment should not unfettered. Therefore, the contextual setting and associated impacts are critical assessment considerations, which are not evident in either the design or detail of this application. Further PO 1.1 says The proliferation of land uses (associated value adding of primary produce (such as beverage production, retailing and tourism)\_that may be sensitive to those activities is avoided.
9. The use is located in a Hazards (Bushfire - High Risk) Overlay. This, and the fire history of the land raises concern on how the use will be managed with an increase patron capacity of between 150% -275%. Without detail on where the patrons will be located on the property, and where their vehicles will be parked and transverse (for example could it be proposed they be located as overflow in a grassed paddock), it is impossible to properly assess the new uses fire risk.
10. Contrary to the application's assertion about the extent of required referrals, the location in the a High Fire Risk needs referral to the fire authority.

I, and or my clients, will want to appear at any Assessment Panel hearing to support this submission however it is my expectation that if the development proposal is to proceed to assessment it will need to be a new application for the reasons given.

If you have any question with regard to this advice or should you require further advice or information please contact me

A handwritten signature in black ink, appearing to read 'Michael Wohlstadt', with a stylized, flowing script.

Yours Faithfully

**Michael Wohlstadt, RPIA, Grad Dip URP**



Planning  
Institute  
Australia



## Representations

### Representor 7 - Janet Bouwmeester

Name	Janet Bouwmeester
Address	PO Box 169 LOBETHAL SA, 5241 Australia
Submission Date	16/10/2024 07:58 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

#### Reasons

I'm not expert on council requirements but an amendment to the existing approval for the cellar door seems inappropriate. Surely the increase from 40 patrons to 100 or 150 (both are mentioned in the proposal) along with extension of the hours of operation requires a whole new application? The comparison to Goldings and Cobbs is also a stretch. Neither of those places are as close to houses as vinterloper is. They also exit onto much quieter roads. I had no real objection to the cellar door. It closed at 5pm and was small, but now it's going to become a place for functions. My guess is this was David's intention all along despite promises to neighbours that it was to be a cellar door only. The increase of traffic along Berry Hill road will be substantial. All the people driving and walking along Berry Hill road can look straight into our property affecting our privacy. At the opening day cars parked along the verge and someone parked across our back gate blocking it completely. The noise from these larger gatherings will travel affecting all of us that live close. Has this been evaluated? I also believe the potential for a nasty accident is very real. The intersection is on a crest. Pulling out into Cudlee Creek Rd from Berry Hill road is hazardous. Locals know this. Visitors do not. Motorbikes fly up that hill on the weekends.

### Attached Documents

8 August 2025

Ref: APP ID 24028014

Mr Tim Mason  
Statutory Planner  
Adelaide Hills Council  
63 Mount Barker Road  
Stirling SA 5152

Dear Tim

**RE: Development Application ID 24028014  
589 Cudlee Creek Road, Cudlee Creek**

**Variation to Development Application 21027668 - Alteration to capacity and hours of operation, change of use to include function venue (limited to 12 functions per annum) in association with an existing shop for the sale and tasting of wine**

Planning Studio continues to act for Mr David Bowley of Vinteloper, the owner of land located at 589 Cudlee Creek Road, Cudlee Creek, and Applicant in relation to the above development application.

The following submission seeks to respond to Council's Second Request for Information by letter dated 9 October 2024, and to the seven (7) representations received during the prescribed notification period. It also outlines an amendment to the proposal in response.

### **Amended Proposal**

We note that the existing cellar door has an operative consent and associated liquor licence to operate between the hours of 11am – 5pm, seven days per week, with a capacity of 40 persons at any one time.

Having considered the matters raised during notification and having had opportunity to consider the long-term business plan further, we are instructed by our client to amend the current variation proposal to the following:

**Hours of operation:** 11am – 6pm seven days per week (one additional hour)  
**Capacity:** 90 persons  
**Function Venue** extended until 11pm (max 12 occasions per year)

The earlier submission outlined the operating hours and capacity of other similar cellar door and function venues operating within the local area and Adelaide Hills Wine Region more broadly. The now amended proposal continues to be considered consistent with other cellar door and function venues, and is an appropriate response to the matters raised during notification.

While it will be rare for the full 90 person capacity to attend the cellar door at all available days, this allows for flexibility to respond to market demand and regional and industry events without the need to seek additional licences for individual dates. It is also highly unlikely that such capacity would be required during the week, but again, the amended proposal provides flexibility for the operator and avoids the duplication of administrative process should additional demand arise.

The area to be made available as a function venue is consistent with the previously approved land use and associated liquor licence. A copy of the licence plan can be made available upon request.



## Response to Request for Information

We note Council's initial Request for Information seeking 'evidence that the proposal has been approved by the Adelaide Hills Council's Environmental Health Unit to connect to the on-site waste management system' and confirm that a copy of the Council Wastewater Works Approval No.: 21/W241/473, dated 3/09/2024, was provided in response. That approval related to an increased operating capacity consistent with the previously proposed patron numbers and far more generous conduct of functions and events (up to 100 persons within cellar door and functions at 150 persons). This approval was supported by a Site and Soil Assessment report prepared by RFE Consulting, dated 12 August 2024.

### EPA Referral

Noting the above, the EPA was referred the application pursuant to section 122(5)(b)(ii) of the *Planning, Development and Infrastructure Act*, and provided a report on 1 November 2024 noting that the development was acceptable to the EPA providing the on-site wastewater system was installed in accordance with the above noted RFE Consulting report.

We acknowledge Council's 2<sup>nd</sup> Request for Information which has requested the following:

- A Traffic Management Plan prepared by a suitably qualified professional addressing the capacity of the existing carpark to manage the proposed capacity of the cellar door and function venue.
- An Acoustic Report prepared by a suitably qualified professional addressing the anticipated impacts of the proposed Function Venue on the surrounding locality.

### 1. Traffic Management Plan

The proposal has been amended to accommodate a maximum capacity of 90 persons.

As a cellar door facility, carparking demand is calculated on a square metre basis in accordance with use of the building as a 'shop' as defined by the Planning and Design Code.

A 'shop' is defined within the Code as:

- a) *premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or*
- b) *a personal or domestic services establishment.*

Within the Adelaide Hills Council, cellar door facilities are generally described as a 'shop' for the purpose of assessment.

The proposed use accords with the definition.

Carparking provision for the cellar door was addressed in the initial development application (App 21027668), and includes a 26 space dedicated carpark on the southern side of the building.

Table 1 – General Off-Street Car parking Requirements requires a 'shop' to provide parking at a rate of 5.5 spaces per 100m<sup>2</sup> of gross leasable floor area. With a total floor area of 212m<sup>2</sup>, the proposal generates a requirement for 11.7 spaces.

The proposal demonstrates a **surplus of 14 spaces**. An increase in patron numbers has no impact on the rate to be applied.



Given there is no intended increase in floor area to facilitate the proposal, and Council have confirmed that the amended proposal maintains the primary approved use as a Shop, being specifically a 'cellar door'. No additional parking is required under PO5.1 to support the variation to the operating hours or capacity of the cellar door.

Development Policies | Transport Access and Parking PO 5.1 is outlined below.

Vehicle Parking Rates	
<b>PO 5.1</b> Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:  (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared	<b>DTS/DPF 5.1</b> Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:  (a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements (b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces

The variation proposal includes an intent to include limited operation as a Function Venue on no more than 12 occasions per year.

The Planning and Design Code defines a Function Venue as follows:

*Function Venue: Means premises used primarily for the hosting of events, conferences, conventions, receptions or functions.*

The Planning and Design Code does not define a rate of parking for a Function Venue. As noted above, the current facility has a surplus of 14 spaces in association with its use as a cellar door. In the event of use as a function venue (max 12 times per year), application of the same rate as the cellar door would be acceptable.

Should Council seek to take a more conservative approach and apply the Code parking rate for a Shop (Restaurant), and more particularly as a 'premises with a dine-in service only' (despite the proposal not being in the form of a dine in restaurant), this would attract a rate of 0.4 spaces per seat.

With a function capacity of 90 persons, a total of 36 spaces would be required, being an additional 10 spaces from that approved for the cellar door.

We maintain our submission that the majority of attendees of functions held at a cellar door facility will carpool, utilise ride share services or, in many cases with organised functions, utilise bus transport organised by the host. It is unlikely that the existing car park would be fully utilised for a function.

Notwithstanding, there is more than adequate overflow parking opportunity available on the land. It is proposed that an area to the east of the cellar door building, with access provided from the public road, be allocated and available as 'overflow parking' during functions (and would remain available at all other times if required). This existing portion of land is cleared, levelled and grassed. The identified portion of un-used land is appropriate for overflow parking and readily accessible by patrons. Appropriate signage directing patrons to the overflow area can be erected on site.



With an approximate available area of 2,000m<sup>2</sup>, there is more than sufficient area available to accommodate the 10 spaces/vehicles if required.

The area intended is identified in **Figure 1**.



**Figure 1** | Overflow parking area

Given the limited risk/frequency for an exceedance of parking provision requirements, and the ability to readily accommodate overflow parking on the subject land, it is not considered warranted to seek a formal Traffic Management Plan prepared by a traffic engineer.

The land can sufficiently accommodate all parking demands generated by use as both a cellar door and on a limited number of occasions when operating as a function venue.

## 2. Acoustic Report

Council's Request for Information also requested an Acoustic Report prepared by a suitably qualified professional addressing the anticipated impacts of the proposed *function venue* on the surrounding locality.

Sonus Pty Ltd have been engaged to undertake an Environmental Noise Assessment in support of the proposed use. The Sonus report is limited to consideration of use of the existing cellar door as a function venue for 12 events per year with up to 90 patrons and extended operation until 11:00pm.

The Sonus report has identified the nearest sensitive receivers, with the most relevant being residential dwellings located to the north-west and south-east of the site. The assessment has considered a number of features of the proposal including patron and vehicle noise, music noise and car park activity. The assessment has had the benefit of being able to undertake sound transfer testing of the existing building, which enables the application of a maximum allowable noise level. There is a high degree of confidence in the assessment given the building is existing.



In general terms, the acoustic assessment has considered the noise levels at the surrounding noise sensitive receivers from activity associated with the changes to operation. The assessed noise sources include the noise from patrons, use of the car park at the conclusion of an event, and internal music noise.

Noise criteria for each of the sensitive receiver locations in the vicinity have been determined in accordance with the Planning and Design Code and the Environment Protection (Commercial and Industrial Noise) Policy 2023.

The Sonus assessment concludes the following:

*Predicted noise levels will achieve the criteria at all sensitive receiver locations subject to the recommendations provided within this report.*

*The recommendations consist of:*

- *Allowing access to the venue via the southern main entry door and the eastern courtyard door only.*
- *Ensuring that only moderately high background music is played inside the venue that does not exceed 82 dB(A) (L10,15min).*

*It is therefore considered that the development will not unreasonably impact the amenity of sensitive receivers, thereby achieving the relevant provisions of the Code related to environmental noise.*

A copy of the Environmental Noise Assessment prepared by Sonus is provided in **Appendix A**.





## Response to Representations

We note that seven representations were received as outlined in the table below. It should be noted that multiple submissions were made by some individuals, and further that a single response prepared by Mr Michael Wohlstadt of Planning Advisory Services was submitted by two representors.

Rep.	Representor	Address	Position on the Development
1	Andrew Watts	PO Box 309, Lobethal 10 Berry Hill Road, Lobethal	Oppose
2	Jason Draper and Tamara Mieglich	632 Cudlee Creek Road, Lobethal	Oppose
3	Roger Moreton	PO Box 112, Lobethal	Oppose
4	Erin Hoklas	PO Box 309, Lobethal 10 Berry Hill Road, Lobethal	Oppose
5	<i>Roger Moreton (see also No. 3) represented by Planning Advisory Services</i>	<i>PO Box 112, Lobethal</i>	<i>Oppose</i>
6	<i>Michelle Markham (see also No. 3 and 5) represented by Planning Advisory Services</i>	PO Box 112, Lobethal	Oppose (note replication as joint property owners)
7	Janet Bouwmeester	PO Box 169, Lobethal	Oppose

We acknowledge that a number of the issues raised within representations are common amongst submissions. For this reason, our response remains issue based rather than seeking to respond to individual representations. It is also noted that a number of representations raised matters which were considered in the original cellar door application (for example fire risk and safety) and may not have been repeated within the variation as they did not change as a result of the variation proposal.

While the original cellar door proposal was also subject to notification at the time, we note that current representors may not have engaged during the first application and may not have had the benefit of the extensive detail included within that proposal. By its nature, the variation seeks to alter only elements of the initial proposal and does not seek to repeat the entire assessment that may have been relevant at that time. Notwithstanding, a brief response to such matters is provided.

The issues raised include the following:

- Clarity on Nature of Proposal
- Excessive Hours of Operation
- Noise (including music and patron)
- Patron behaviour
- Light Pollution
- Traffic and Parking
- Fire risk and safety
- Increased staff and catering
- Impact on Property Value
- Alterations made to the road reserve
- Requirement to alter Liquor Licence



### 1. Clarity on Nature of Proposal

We trust the amendment to the nature of the proposal and clarity around opening hours and capacity will address all concerns raised regarding ambiguity embedded within the initial proposal.

### 2. Excessive Hours of Operation

While the initial variation proposal sought to provide for a level of implied flexibility for the operator, with no intent to ever operate for the full extent of hours or capacity, concerns of representors have been acknowledged and the proposal amended accordingly.

We trust that clarity around hours of operation and limitation of functions to 12 occasions per year addresses these concerns.

The proposal has been amended to alter cellar door opening hours from 11am - 6pm, representing only one additional hour per day.

On no more than twelve occasions per year functions would cease by 11pm.

The maximum capacity of the venue would be 90 persons at any one time. This is entirely consistent with other cellar door facilities operating within the Adelaide Hills and other wine regions in South Australia.

### 3. Noise (including music and patron)

Refer to the Environmental Noise Assessment report prepared by Sonus Pty Ltd and provided in **Appendix A**.

### 4. Patron behaviour

Concerns regarding undesirable patron behaviour, particularly during/following functions is noted. While this is not a planning consideration per se, the landowner and operator acknowledge the concern and remain committed to ensuring that any negative patron behaviour is managed quickly and effectively.

In South Australia, individuals involved in the sale, supply, or service of alcohol must complete a Responsible Service of Alcohol (RSA) course. This requirement extends to all staff, including volunteers, and security personnel working at any licensed premises.

It is a policy requirement within the business that all staff have undertaken training and have accreditation in the Responsible Service of Alcohol ('RSA'). Vinteloper takes this responsibility very seriously and ensures that patron behaviour is acceptable at all times.

### 5. Light Pollution

Lighting is provided within and around the building, including parking areas, in a manner that ensures the safety of patrons and staff. All lighting will be turned off upon closing.

### 6. Traffic and Parking

See above discussion regarding the provision of parking in accordance with the Planning and Design Code requirements and the ability to access the subject land from a public road.



## 7. Fire risk and safety

As outlined in the original development application, to minimise the threat of impact to life, neither the cellar door or function venue would operate on any day declared 'catastrophic' or when there is a known fire within the local area.

In the event that there is danger posed by an approaching fire, every effort would be made to ensure the safe and timely evacuation of all patrons and staff. The site has the benefit of direct access to Berry Hill and Cudlee Creek Roads, with entry to the Lobethal township 2 kilometres to the south.

Notwithstanding, the siting and design of the *existing building* is such that there is adequate existing all weather access to the site, sufficient turning areas for fire appliances, and other emergency services vehicles should they be required. The site of the *existing building* has minimal vegetation surrounding the site of the cellar door, albeit the need to carefully balance this requirement with a desire for the site to be appropriately landscaped to provide adequate levels of shade and visual screening.

The site is also provided with in excess of 100,000 litres of static water supply, and has during construction of the new building addressed all fire protection and Essential Safety Provision requirements of the Building Code of Australia. All fire protection requirements were demonstrated prior to the issue of a Certificate of Occupancy for the building.

Construction materials have also been selected based on their compliance with fire protection requirements, although we acknowledge this does not provide a guarantee that the structure will not burn.

## 8. Increased staff and catering

As noted in the proposal, the existing cellar door does not have a commercial kitchen, nor facilities suitable to prepare food services that may be required for the 12 functions proposed per year. Similar to many function venues, external catering services will be utilised on a bump in/out basis. Catering services will utilise the existing building but may require additional facilities which would be bought to site on a temporary basis. Similarly, additional staff may be required for specific functions, with numbers to be determined on an as needs basis. Staffing is not commonly a planning consideration and has little bearing on the assessment of the proposal. Car parking rates generally take staffing into account.

## 9. Impact on Property Value

The perceived impact on property value arising from the proposed variation to the existing Cellar Door is not a planning issue nor a matter for consideration as part of the Development Application.

## 10. Alterations made to the road reserve

Resurfacing of the verge was carried out by the landowner to urgently repair the damage done by Council's contractor after Berry Hill Road was resurfaced.

The intent to undertake these works while there were available contractors on site was informally communicated to the relevant infrastructure staff at Council. The condition of the site was vastly improved and made safe. Should a section 221 permit be required, noting that works undertaken were done so to rectify damage arising from Council works, an application can be submitted separately to the development application.



The verge remains public land.

While sufficient parking is made available on the subject land to support the existing and proposed land use, it remains a public road under the care and control of Council, akin to any other public road. Should Council determine that it is inappropriate or unsafe for vehicles to park on, or adjacent, this portion of public road, we encourage the erection of no parking signs to deter parking. A similar approach can be taken to any areas that may be considered unsafe for public parking.

#### 11. Requirement to alter Liquor Licence

The need to amend the site's Liquor Production & Sales Licence is noted. An application to amend the existing licence has been prepared by Wallmans Lawyers and submitted to Consumer and Business Services (CBS) pending outcome of the current development application. The need to amend an existing liquor licence is not a matter for consideration of the proposal.

Notwithstanding, we can confirm that approved operating hours and patron numbers will be consistent across both the development authorisation and liquor licence.



## Closing

We remain of the opinion that the proposed variation to the existing authorisation and land use satisfies the intent of the Productive Rural Landscape Zone of the Planning and Design Code as it relates to the proposal and the subject land and locality.

The proposal seeks to amend the operating hours and patron capacity of the existing cellar door in response to matter raised during notification, in a manner that is consistent with similar facilities within the Adelaide Hills, and to introduce limited opportunity for use as a function venue.

The proposal expands upon the successful launch of the new cellar door and explicitly addresses the desires of the Code to promote horticulture and value adding opportunities, including the sale and consumption of agricultural based products, that expands the economic base and promotes its regional identity, and create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts.

The development is entirely consistent with the established existing use of the site as a cellar door and responds directly to Productive Rural Landscape Zone PO 6.5 that calls for the introduction of function venues where they are associated with the primary use of the land for primary production or primary production related value adding industry.

The variation proposal contributes to the continued recovery of the site and Vinteloper, providing an opportunity to showcase the site and the wines produced from produce sourced from the land.

The proposal warrants the granting of Planning Consent.

We trust that sufficient information has now been provided to enable the application to be presented to the next available meeting of the Council Assessment Panel.

We confirm that we will attend the meeting and be available to respond to any questions that may arise.

Should you wish to discuss any aspects of this correspondence or the proposal further, please do not hesitate to contact me on 0431 527 636 or [emma@planningstudio.com.au](mailto:emma@planningstudio.com.au).

Yours sincerely

**Emma Barnes | MPA | Director**

**Cc:** D Bowley, Vinteloper



## APPENDIX A

Environmental Noise Assessment  
Sonus Pty Ltd

Ref: S8597C1

July 2025



# Vinteloper Cellar Door

589 Cudlee Creek Road, Lobethal

Environmental Noise Assessment

S8597C1

July 2025

sonus.

**Sonus Pty Ltd**  
17 Ruthven Ave  
Adelaide SA 5000  
Phone: +61 (8) 8231 2100  
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[www.sonus.com.au](http://www.sonus.com.au)

**Document Title** : Vinteloper  
Environmental Noise Assessment  
**Document Reference** : S8597C1  
**Date** : July 2025  
**Author** : Simon Moore, MAAS  
**Reviewer** : Chris Turnbull, MAAS

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## 1 INTRODUCTION

An environmental noise assessment has been prepared for Vinteloper, 589 Cudlee Creek Road, Lobethal. The environmental noise assessment has been prepared to support the proposed use of the existing venue as a function venue for 12 events per year with up to 90 patrons and extended operation until 11:00pm.

The Adelaide Hills Council has requested the following information as part of the proposed use of the venue as a function venue:

*An Acoustic Report prepared by a suitably qualified professional addressing the anticipated impacts of the proposed Function Venue on the surrounding locality.*

Noise sensitive receivers (residences) are located in the vicinity of the site, the most relevant being to the north-west and south-east of the site. The assessment considers noise from music, patrons and car parking activity.

The subject site is shown in relation to the nearby residences in Figure 1.



Figure 1: Subject site and surroundings

The following information has been provided as inputs to the assessment:

- Background noise monitoring undertaken from Thursday 12 June to Thursday 26 June 2025.
- Noise transfer testing of the venue undertaken on Thursday 26 June 2025.
- The facility will operate as a function venue on up to 12 occasions per year on any day until 11:00pm, with up to 90 patrons.
- Access to the venue would be via the main entry door on the southern side of the building, and access to the external lawn and courtyard areas would be via the eastern facing doors to the courtyard.



## 2 CRITERIA

### 2.1 Patron and Vehicle Noise

The subject site and nearby residences are located within the Productive Rural Landscape Zone of the South Australian *Planning and Design Code* (the **Code**). The Code has been reviewed and the provisions considered relevant to the noise assessment are provided in Appendix A.

Performance Outcome (**PO**) 4.1 of the *Interface between Land Uses* section of the Code specifically requires that noise from a development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers). The Deemed-to-Satisfy / Designated Performance Feature (**DTS/DPF**) for PO 4.1 references the *Environment Protection (Commercial and Industrial Noise) Policy 2023* (the **Policy**).

The Policy is underpinned by the World Health Organisation *Guidelines for Community Noise* and provides an objective measure of acceptable noise levels for residential amenity. That is, achieving the relevant requirements of the Policy, would provide suitable residential amenity in relation to noise.

Noise goals are provided by the Policy based on the zones of the noise source (Vinteloper) and the noise sensitive receivers (nearby residences). Part 5 of the Policy also states that the noise goals for a Development Application are 5 dB(A) less than those which would otherwise apply.

The development would operate during the daytime hours (7:00am to 10:00pm) as well as night time hours (10:00pm to 7:00am) as defined by the Policy. The assessment has been compared against the following criteria, for each nearby residence:

- An average noise level ( $L_{eq}$ ) of 52 dB(A) during the day.
- An average noise level ( $L_{eq}$ ) of 45 dB(A) during the night.

When measuring or predicting noise levels for comparison with the Policy, adjustments may be made for each “annoying” characteristic of impulsiveness, intermittency, low frequency, modulation and tonality. The characteristic must be considered dominant in the acoustic environment and therefore the application varies depending on the assessment location, time of day, the noise source being assessed and the predicted noise levels. The application of penalties is discussed further in the following section.

## 2.2 Music Noise

DTS/DPF 4.6 of the *Interface between Land Uses* section of the Code provides objective criteria for the assessment of music, and is consistent with the Environment Protection Authority (EPA) Guidelines *Music noise from indoor venues and the South Australian Planning System (the EPA Guidelines)*. Both DTS/DPF 4.6 and the EPA Guidelines provide noise criteria to be met at residences based on the existing acoustic environment.

To objectively assess music in accordance with the Code, the existing background noise environment has been measured continuously from 12 June 2025 to 26 June 2025. The results are provided in Appendix B of this report.

To allow for music to be played at any time during the proposed extended operating hours for functions (until 11:00pm), music noise levels at nearby noise sensitive receivers will need to be no greater than 8 dB above the background noise level in each octave band ( $L_{90,15min}$ ) at the time of the lowest background noise level within these hours.

The background noise levels in each octave band ( $L_{90,15min}$ ) at the time of the lowest background noise level within the proposed hours of operation have been identified from the background noise measurements and are presented in Table 1, along with the resulting music noise criteria to be achieved at nearby noise sensitive receivers. There are periods when the criteria are below the threshold of perception in the 63, 125 and 250 Hz octave bands. In such circumstance, the background noise level in this octave band has been adjusted up to the threshold of perception using the International Standard ISO 389-7:2019<sup>1</sup>.

Table 1: Music noise criteria

Noise Level	Noise Level [dB(A)] in Octave Band Centre Frequency [Hz]						
	63	125	250	500	1,000	2,000	4,000
Lowest Measured Background Noise Level ( $L_{A90,15min}$ )	5	10	4	7	9	12	12
Lowest measured background noise levels adjusted to threshold of perception ( $L_{A90,15min}$ )	17	11	8	7	9	12	12
Noise Criteria ( $L_{A10}$ )	25	19	16	15	17	20	20

<sup>1</sup> The adjustment also requires a conversion from one third octave bands (as specified in ISO 389-7:2019) to octave bands to enable comparison with the Development Plan and EPA Guidelines.

### 3 ASSESSMENT

#### 3.1 Patron and Vehicle Noise

The noise levels at residences from the proposed site activity have been predicted based on a range of previous noise measurements and observations at similar facilities. These include:

- Car park activity such as people talking as they vacate or approach their vehicles, the opening and closing of car doors, vehicles starting, vehicles idling, and vehicles moving into and accelerating away from their parked position.
- Vehicle movements on site.
- Patron noise (i.e. people talking) from the venue.

The sound power levels of the above activities are shown in Appendix C.

A noise model of the subject site and the surrounding area has been developed using the SoundPLAN noise modelling software to predict noise levels at nearby sensitive receivers due to activity at the site. The model considers the sound power level of each source, the distance between each noise source and the noise sensitive receivers, reflections and shielding provided by structures or terrain and 'worst-case' meteorological conditions with respect to noise propagation (resulting in the highest predicted noise level at residences).

Environmental noise predictions have been made using the CONCAWE noise propagation model within the SoundPLANnoise noise modelling software. The CONCAWE algorithm has been widely used and accepted by authorities for the prediction of environmental noise and takes into account the sound power generated by a source, its relative location within the site, its height, topography, ground absorption, air absorption, meteorological conditions and the separation distance between the noise sources and the receivers. In accordance with the Policy, the conditions correspond to CONCAWE weather category 5 during the day and weather category 6 during the night.

The predictions have been based on the following assumed activity within any 15-minute period (the default assessment period of the Policy):

- 90 patrons total, consisting of 40 on the grassed area, 40 within the courtyard area and 10 inside. This is a conservative assumption for use after 10:00pm as the main function space will be indoors (where the music will be played) and most patrons would therefore likely be indoors.
- 20 vehicle movements departing the site car park (i.e. departing all of the on-site car parks).
- General activity in 20 of the car parking spaces for 30 seconds per vehicle.

It is understood that these operational assumptions represent the highest level of activity which is expected at the site and will result in the worst-case (the highest) noise levels.

Noise from the subject site will be dominated by patron noise. While the noise from patrons may fluctuate to an extent, the noise level of 90 patrons talking continuously will be quasi-steady. Further to this, the noise from an individual shouting would not be dominant above the continuous noise level of 90 patrons. Therefore, it is not expected that the noise would attract either a modulation or intermittency penalty under the Policy. Similarly, noise from the Development is unlikely to comprise significant impulsive, low frequency or tonal components and therefore would unlikely attract a penalty for these characteristics under the Policy.

It can be seen from the results in Table 2 that the predicted noise levels achieve the criteria at all nearby residences, without any specific acoustic treatment.

Table 2: Predicted Noise Levels

Receiver	Criterion (Night time average noise level, $L_{eq}$ )	Highest predicted average noise level ( $L_{eq}$ )
Residence to north-west	45	44
Residence to south-east		29

It can be seen from Table 2 that operational noise from the facility is predicted to achieve the criteria provided by the Policy at all nearby noise sensitive receivers, without any specific acoustic treatment.

### 3.2 Music Noise

It is understood that music would only be played inside the venue during a function, and access would be provided via the southern and eastern facing doors as shown in Figure 2.

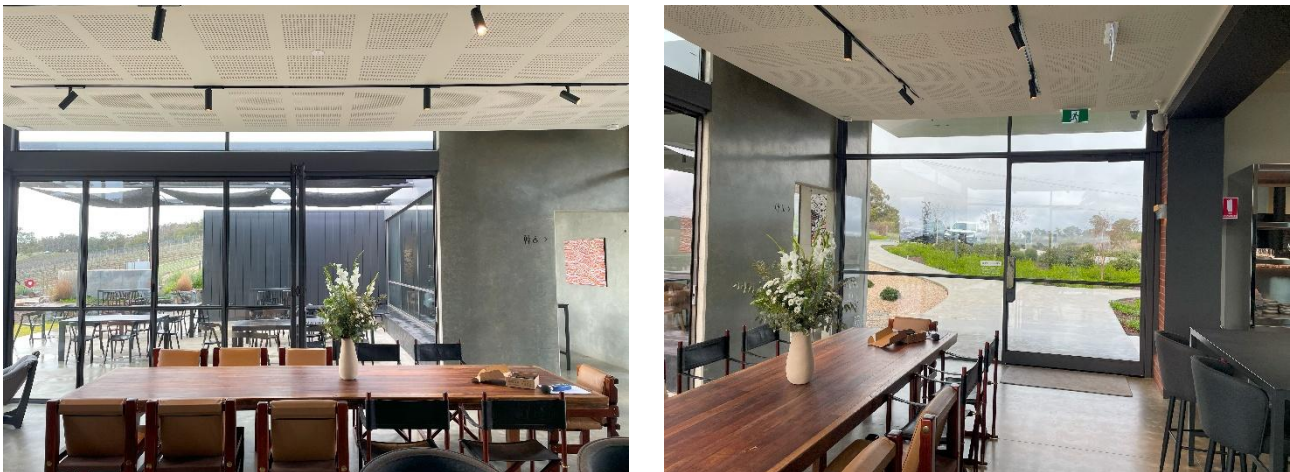


Figure 2: Access doors to the venue (left image: eastern door to courtyard, right image: southern main entry door)

Based on the sound transfer testing of the venue (with both of the access doors noted in Figure 2 held open), the maximum allowable internal music noise level for any function must not exceed 82 dB(A) when measured as a reverberant sound pressure level not closer than 3m to any speaker (refer to music noise spectrum in Table 3). This level of music is best described as being moderately high background level music. Music from loud bands or DJs would not be able to be accommodated (noise levels from these noise sources would typically be in the order of 90-95 dB(A)).

Table 3: Maximum Internal Music Noise Level

Noise Level	Noise Level [dB(A)] in Octave Band Centre Frequency [Hz]						
	63	125	250	500	1,000	2,000	4,000
Allowable Internal Music Noise Level (L <sub>A10</sub> )	68	68	72	77	77	73	75

Based on the allowable internal music noise level presented in Table 3, the noise levels presented in Table 4 are predicted at the nearest noise sensitive receivers. The music noise levels presented in Table 4 comply with the octave band noise criteria at all frequencies.



Table 4: Predicted Music Noise Levels ( $L_{10,15min}$ )

Noise Level	Noise Level [dB(A)] in Octave Band Centre Frequency [Hz]						
	63	125	250	500	1,000	2,000	4,000
Residence to north-west	22	16	16	14	15	15	14
Residence to south-east	25	19	16	13	13	7	4
Criteria	25	19	16	15	17	20	20

## 4 CONCLUSION

An environmental noise assessment has been conducted for the proposed use of the Vinteloper Cellar Door for functions and events. It is proposed for functions and events to occur on up to 12 occasions per year that conclude by 11:00pm and with up to 90 patrons.

The assessment considers the noise levels at the surrounding noise sensitive receivers from activity associated with the changes to operation. The assessed noise sources include the noise from patrons, use of the car park at the conclusion of an event, and internal music noise.

Noise criteria for each of the sensitive receiver locations in the vicinity have been determined in accordance with the *Planning and Design Code* and the *Environment Protection (Commercial and Industrial Noise) Policy 2023*. Predicted noise levels will achieve the criteria at all sensitive receiver locations subject to the recommendations provided within this report. The recommendations consist of:

- Allowing access to the venue via the southern main entry door and the eastern courtyard door only.
- Ensuring that only moderately high background music is played inside the venue that does not exceed 82 dB(A) ( $L_{10,15min}$ ).

It is therefore considered that the development will *not unreasonably impact the amenity of sensitive receivers*, thereby achieving the relevant provisions of the Code related to environmental noise.

## APPENDIX A: SOUTH AUSTRALIAN PLANNING AND DESIGN CODE

### PART 4 – GENERAL DEVELOPMENT POLICIES

#### Interface between Land Uses

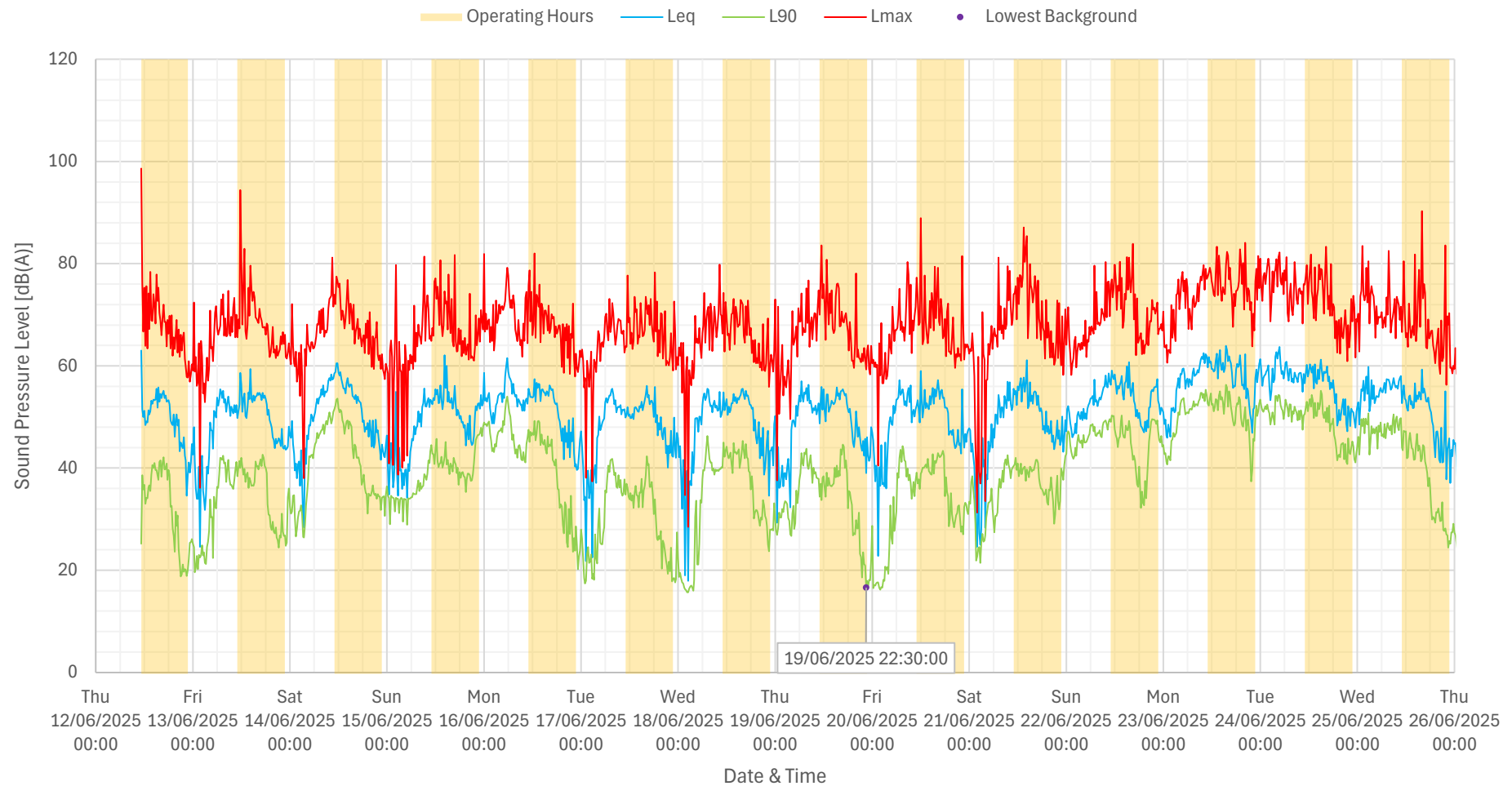
##### Desired Outcome (DO)

**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								
<b>General Land Use Compatibility</b>									
<p><b>PO 1.2</b> 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><b>DTS/DPF 1.2</b> None are applicable.</p>								
<b>Hours of Operation</b>									
<p><b>PO 2.1</b> Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ul style="list-style-type: none"> <li>(a) the nature of the development</li> <li>(b) measures to mitigate off-site impacts</li> <li>(c) the extent to which the development is desired in the zone</li> <li>(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.</li> </ul>	<p><b>DTS/DPF 2.1</b> Development operating within the following hours:</p> <table> <tr> <th>Class of Development</th><th>Hours of operation</th></tr> <tr> <td>Consulting room</td><td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td></tr> <tr> <td>Office</td><td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td></tr> <tr> <td>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 8am to 5pm, Saturday and Sunday</td></tr> </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 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								

Activities Generating Noise or Vibration					
<p><b>PO 4.1</b> <i>Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</i></p>	<p><b>DTS/DPF 4.1</b> <i>Noise that affects sensitive receivers achieves the relevant Environment Protection (Commercial and Industrial Noise) Policy criteria.</i></p>				
<p><b>PO 4.2</b> <i>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:</i></p> <ul style="list-style-type: none"> <li><i>(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</i></li> <li><i>(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</i></li> <li><i>(c) housing plant and equipment within an enclosed structure or acoustic enclosure</i></li> <li><i>(d) providing a suitable acoustic barrier between the plant and /or equipment and the adjacent sensitive receiver boundary or zone.</i></li> </ul>	<p><b>DTS/DPF 4.2</b> <i>None are applicable.</i></p>				
<p><b>PO 4.6</b> <i>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.</i></p>	<p><b>DTS/DPF 4.6</b> <i>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</i></p> <table border="1"> <thead> <tr> <th>Assessment Location</th><th>Music Noise Level</th></tr> </thead> <tbody> <tr> <td>Externally at the nearest existing or envisaged noise sensitive location</td><td>Less than 8dB above the level of background noise (<math>L_{90,15min}</math>) in any octave band of the sound spectrum (<math>LOCT_{10,15} &lt; LOCT_{90,15} + 8dB</math>)</td></tr> </tbody> </table>	Assessment Location	Music Noise Level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum ( $LOCT_{10,15} < LOCT_{90,15} + 8dB$ )
Assessment Location	Music Noise Level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum ( $LOCT_{10,15} < LOCT_{90,15} + 8dB$ )				

## APPENDIX B: BACKGROUND NOISE MONITORING RESULTS



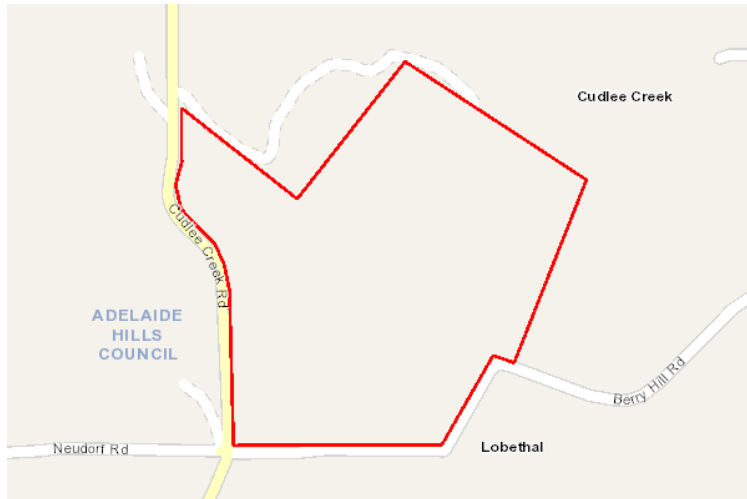


APPENDIX C: NOISE LEVELS

Noise Source	Sound Power Levels
Patron Noise (per person)	75 dB(A)
Car parking (general activity)	82 dB(A)
Car movement	82 dB(A) / m
Internal music level	82 dB(A) (reverberant internal sound pressure level)

Address: 589 CUDLEE CREEK RD CUDLEE CREEK SA 5232

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



### Property Zoning Details

#### Zone

Productive Rural Landscape

#### Overlay

Environment and Food Production Area  
Hazards (Bushfire - High Risk)  
Hazards (Flooding - Evidence Required)  
Limited Land Division  
Mount Lofty Ranges Water Supply Catchment (Area 2)  
Native Vegetation  
Prescribed Water Resources Area  
Traffic Generating Development  
Urban Transport Routes  
Water Resources

### Development Pathways

#### ■ Productive Rural Landscape

##### 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.

- None

##### 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.

- Deck

##### 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.

- Deck

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.

Part 2 - Zones and Sub Zones

Productive Rural Landscape Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A diverse range of land uses at an appropriate scale and intensity that capitalise on the region's proximity to the metropolitan area and the tourist and lifestyle opportunities this presents while also conserving the natural and rural character, identity, biodiversity and sensitive environmental areas and scenic qualities of the landscape.
DO 2	A zone that promotes agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation that expands the economic base and promotes its regional identity.
DO 3	Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<div>PO 1.1</div> <div>The productive value of rural land for a range of primary production and horticultural activities and associated value adding of primary produce (such as beverage production), retailing and tourism is supported, protected and maintained. The proliferation of land uses that may be sensitive to those activities is avoided.</div>	<div>DTS/DPF 1.1</div> <div>Development comprises one or more of the following:</div> <div><div>(a)</div>Advertisement</div> <div><div>(b)</div>Agricultural building</div> <div><div>(c)</div>Brewery</div> <div><div>(d)</div>Carport</div> <div><div>(e)</div>Cidery</div> <div><div>(f)</div>Commercial forestry</div> <div><div>(g)</div>Distillery</div> <div><div>(h)</div>Dwelling</div> <div><div>(i)</div>Dwelling addition</div> <div><div>(j)</div>Farming</div> <div><div>(k)</div>Function venue</div> <div><div>(l)</div>Horse keeping</div> <div><div>(m)</div>Horticulture</div> <div><div>(n)</div>Industry</div> <div><div>(o)</div>Low intensity animal husbandry</div> <div><div>(p)</div>Outbuilding</div> <div><div>(q)</div>Shop</div> <div><div>(r)</div>Small-scale ground mounted solar power facility</div> <div><div>(s)</div>Tourist accommodation</div> <div><div>(t)</div>Transport distribution</div> <div><div>(u)</div>Verandah</div> <div><div>(v)</div>Warehouse</div> <div><div>(w)</div>Winery</div>

	(x) Workers' accommodation
Siting and Design	
PO 2.1 Development is provided with suitable vehicle access.	DTS/DPF 2.1 Development is serviced by an all-weather trafficable public road.
PO 2.2 Buildings are generally located on flat land to minimise cut and fill and the associated visual impacts.	DTS/DPF 2.2 Buildings: <ul style="list-style-type: none"> <li>(a) are located on a site with a slope not greater than 10% (1-in-10)</li> <li>(b) do not result excavation and/or filling of land that is greater than 1.5m from natural ground level.</li> </ul>
Horticulture	
PO 3.1 Horticulture is located and conducted on land that has the physical capability of supporting the activity and in a manner that: <ul style="list-style-type: none"> <li>(a) enhances the productivity of the land for the growing of food and produce in a sustainable manner</li> <li>(b) avoids adverse interface conflicts with other land uses</li> <li>(c) utilises sound environmental practices to mitigate negative impacts on natural resources and water quality</li> <li>(d) is sympathetic to surrounding rural landscape character and amenity, where horticulture is proposed to be carried out in an enclosed building such as such as a greenhouse.</li> </ul>	DTS/DPF 3.1 Horticultural activities: <ul style="list-style-type: none"> <li>(a) are conducted on an allotment with an area of at least 1ha</li> <li>(b) are sited on land with a slope not greater than 10% (1-in-10)</li> <li>(c) are not conducted within 50m of a watercourse or native vegetation</li> <li>(d) are not conducted within 100m of a sensitive receiver in other ownership</li> <li>(e) provide for a headland area between plantings and property boundaries of at least 10m in width</li> <li>(f) where carried out in an enclosed building such as a greenhouse, the building has a total floor area not greater than 250m<sup>2</sup></li> <li>(g) in the form of olive growing, is not located within 500m of a conservation or national park.</li> </ul>
Rural Industry	
PO 4.1 Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.	DTS/DPF 4.1 Industries, storage, warehousing, produce grading and packing and transport distribution activities and similar activities (or any combination thereof): <ul style="list-style-type: none"> <li>(a) are directly related and ancillary to a primary production use on the same or adjoining allotment</li> <li>(b) are located on an allotment not less than 2ha in area</li> <li>(c) have a total floor area not exceeding 350m<sup>2</sup>.</li> </ul>
PO 4.2 Expansion of established small-scale or new large scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities: <ul style="list-style-type: none"> <li>(a) are commensurate with the allotment on which it is situated to mitigate adverse impacts on the amenity of land in other ownership and the character of locality</li> <li>(b) realise efficiencies in primary production related storage, sorting, packaging, manufacturing and the like</li> <li>(c) primarily involve primary production commodities sourced from the same allotment and/or surrounding rural areas.</li> </ul>	DTS/DPF 4.2 None are applicable.
PO 4.3 Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural function and character in a manner that respects landscape amenity.	DTS/DPF 4.3 Buildings and associated activities: <ul style="list-style-type: none"> <li>(a) are setback at least 50m from all road and allotment boundaries</li> <li>(b) are not sited within 100m of a sensitive receiver in other ownership</li> </ul>

	<ul style="list-style-type: none"> <li>(c) have a building height not greater than 10m above natural ground level</li> <li>(d) incorporate the loading and unloading of vehicles within the confines of the allotment.</li> </ul>
Dwellings	
<p>PO 5.1</p> <p>Dwellings provide a convenient base for landowners to conduct and manage commercial scale primary production and related value adding activities without compromising the use of the allotment, adjacent land or long term purpose of the zone for primary production or related tourism values due to a proliferation of dwellings.</p>	<p>DTS/DPF 5.1</p> <p>Dwellings:</p> <ul style="list-style-type: none"> <li>(a) are located on an allotment with an area not less than:</li> <li>(b) are located on an allotment used for and is ancillary to primary production and/or primary production related value-adding activities</li> <li>(c) will not result in more than one dwelling on an allotment.</li> </ul> <p>In relation to DTS/DPF 5.1, in instances where:</p> <ul style="list-style-type: none"> <li>(d) more than one value is returned, refer to the <i>Minimum Dwelling Allotment Size Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development</li> <li>(e) no value is returned for DTS/DPF 5.1(a) (ie there is a blank field), then there is no minimum dwelling allotment size applicable and DTS/DPF 5.1(a) is met.</li> </ul>
<p>PO 5.2</p> <p>Dwelling are sited, designed and of a scale that maintains a pleasant natural and rural character and amenity.</p>	<p>DTS/DPF 5.2</p> <p>Dwellings:</p> <ul style="list-style-type: none"> <li>(a) are setback from all allotment boundaries by at least 40m</li> <li>(b) do not exceed 2 building levels and 9m measured from the top of the footings</li> <li>(c) have a wall height no greater than 6m.</li> </ul>
<p>PO 5.3</p> <p>Development resulting in more than one dwelling on an allotment supports ageing in place for the owner of the allotment or multi-generational management of farms in a manner that minimises the potential loss of land available for primary production.</p>	<p>DTS/DPF 5.3</p> <p>Dwelling that will result in more than one dwelling on an allotment where all the following are satisfied:</p> <ul style="list-style-type: none"> <li>(a) it is located within 20m of an existing dwelling</li> <li>(b) share the same utilities of the existing dwelling</li> <li>(c) will use the same access point from a public road as the existing dwelling</li> <li>(d) it is located on an allotment not less than 40ha in area</li> <li>(e) will not result in more than two dwellings on an allotment.</li> </ul>
<p>PO 5.4</p> <p>Dwelling additions are sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 5.4</p> <p>Additions or alterations to an existing dwelling:</p> <ul style="list-style-type: none"> <li>(a) are setback behind the main façade of the existing dwelling</li> <li>(b) do not exceed 2 building levels and 9m measured from the top of the footings</li> <li>(c) have a wall height that is no greater than 6m from the top of the footings.</li> </ul>
Shops, Tourism and Function Venues	
<p>PO 6.1</p> <p>Shops are associated with an existing primary production or primary</p>	<p>DTS/DPF 6.1</p> <p>Shops, other than where located in The Cedars Subzone:</p>



production related value adding industry to support diversification of employment, provide services to visitors and showcase local and regional products.	<ul style="list-style-type: none"> <li>(a) are ancillary to and located on the same allotment or adjoining allotment used for primary production or primary production related value adding industries</li> <li>(b) offer for sale or consumption produce or goods that are primarily sourced, produced or manufactured on the same allotment or adjoining allotments</li> <li>(c) have a gross leasable floor area not exceeding 100m<sup>2</sup> or 250m<sup>2</sup> in the case of a cellar door</li> <li>(d) have an area for the display of produce or goods external to a building not exceeding 25m<sup>2</sup></li> <li>(e) do not result in more than 75 seats for customer dining purposes in a restaurant.</li> </ul>
<p>PO 6.2</p> <p>Shops that are proposed in new buildings are sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 6.2</p> <p>Shops in new buildings:</p> <ul style="list-style-type: none"> <li>(a) are setback from all property boundaries by at least 20m</li> <li>(b) are not sited within 100m of a sensitive receiver in other ownership</li> <li>(c) have a building height that does not exceed 9m above natural ground level.</li> </ul>
<p>PO 6.3</p> <p>Tourist accommodation is associated with the primary use of the land for primary production or primary production related value adding industry to enhance and provide authentic visitor experiences.</p>	<p>DTS/DPF 6.3</p> <p>Tourist accommodation, other than where located in The Cedars Subzone:</p> <ul style="list-style-type: none"> <li>(a) is ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry</li> <li>(b) in relation to the area used for accommodation: <ul style="list-style-type: none"> <li>(i) where in a new building, or buildings, does not exceed a cumulative total floor area of 100m<sup>2</sup> or</li> <li>(ii) where in an existing building, does not exceed 150m<sup>2</sup> and</li> </ul> </li> <li>(c) does not result in more than one tourist accommodation facility being located on the same allotment.</li> </ul>
<p>PO 6.4</p> <p>Tourist accommodation proposed in a new building or buildings are sited, designed and of a scale that maintains a pleasant rural character and amenity.</p>	<p>DTS/DPF 6.4</p> <p>Tourist accommodation in new buildings:</p> <ul style="list-style-type: none"> <li>(a) is setback from all property boundaries by at least 40m</li> <li>(b) has a building height that does not exceed 7m above natural ground level.</li> </ul>
<p>PO 6.5</p> <p>Function venues are associated with the primary use of the land for primary production or primary production related value adding industry.</p>	<p>DTS/DPF 6.5</p> <p>Function venues, other than where located in The Cedars Subzone:</p> <ul style="list-style-type: none"> <li>(a) are ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry</li> <li>(b) do not exceed a capacity of 75 persons for customer dining purposes.</li> </ul>
<p>PO 6.6</p> <p>Function venues are sited, designed and of a scale that maintains a pleasant natural and rural character and amenity.</p>	<p>DTS/DPF 6.6</p> <p>Function venues:</p> <ul style="list-style-type: none"> <li>(a) are located on an allotment having an area of at least 5ha</li> <li>(b) are setback from all property boundaries by at least 40m</li> <li>(c) are not sited within 100m of a sensitive receiver in other ownership</li> <li>(d) have a building height that does not exceed 9m above natural ground level.</li> </ul>

Offices	
<p>PO 7.1</p> <p>Offices are directly related to and associated with the primary use of the land for primary production or primary production related value adding industry.</p>	<p>DTS/DPF 7.1</p> <p>Offices, other than where located in The Cedars Subzone:</p> <ul style="list-style-type: none"> <li>(a) are ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry</li> <li>(b) have a gross leasable floor area not exceeding 100m<sup>2</sup>.</li> </ul>
Adaptive Reuse of Existing Buildings	
<p>PO 8.1</p> <p>Adaptive reuse of existing buildings for small-scale shops, offices, tourist accommodation or ancillary rural activities.</p>	<p>DTS/DPF 8.1</p> <p>Development within an existing building is for any of the following:</p> <ul style="list-style-type: none"> <li>(a) a shop</li> <li>(b) office</li> <li>(c) tourist accommodation.</li> </ul>
Workers' accommodation	
<p>PO 9.1</p> <p>Workers' accommodation provides short-term accommodation for persons temporarily engaged in the production, management or processing of primary produce.</p>	<p>DTS/DPF 9.1</p> <p>Workers' accommodation:</p> <ul style="list-style-type: none"> <li>(a) is developed on a site at least 2ha in area</li> <li>(b) has a total floor area not exceeding 250m<sup>2</sup></li> <li>(c) is in the form of a single building or part of a cluster of buildings that are physically connected</li> <li>(d) amenities accommodate not more than 20 persons at any one time</li> <li>(e) is setback at least 50m from a road boundary</li> <li>(f) is setback at least 40m from a side or rear allotment boundary</li> <li>(g) is located within 20m of an existing dwelling on the same allotment</li> <li>(h) does not result in more than one facility being located on the same allotment.</li> </ul>
Renewable Energy Facilities	
<p>PO 10.1</p> <p>Renewable energy facilities and ancillary development minimises significant fragmentation or displacement of existing primary production.</p>	<p>DTS/DPF 10.1</p> <p>None are applicable.</p>
<p>PO 10.2</p> <p>Small-scale ground mounted solar power facilities support rural production or value-adding industries.</p>	<p>DTS/DPF 10.2</p> <p>None are applicable.</p>
Built Form and Character	
<p>PO 11.1</p> <p>Large buildings designed and sited to reduce impacts on scenic and rural vistas by:</p> <ul style="list-style-type: none"> <li>(a) having substantial setbacks from boundaries and adjacent public roads</li> <li>(b) using low reflective materials and finishes that blend with the surrounding landscape</li> <li>(c) being located below ridgelines.</li> </ul>	<p>DTS/DPF 11.1</p> <p>None are applicable.</p>
Land Division	
<p>PO 12.1</p> <p>Land division creating additional allotments is not supported other than where located in The Cedars Subzone to support tourist development.</p>	<p>DTS/DPF 12.1</p> <p>Except where the land division is proposed in The Cedars Subzone, no additional allotments are created.</p>

<p>PO 12.2</p> <p>Allotment boundaries, including by realignment, are positioned to incorporate sufficient space around existing residential, tourist accommodation and other habitable buildings (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) to:</p> <ul style="list-style-type: none"> <li>(a) maintain a pleasant rural character and amenity for occupants</li> <li>(b) manage vegetation within the same allotment to mitigate bushfire hazard.</li> </ul>	<p>DTS/DPF 12.2</p> <p>Allotment boundaries are located no closer to an existing residential, tourist accommodation or other habitable building than the greater of the following:</p> <ul style="list-style-type: none"> <li>(a) 40m</li> <li>(b) the distance required to accommodate an asset protection zone wholly within the relevant allotment.</li> </ul>
Agricultural Buildings	
<p>PO 13.1</p> <p>Agricultural buildings and associated activities are sited, designed and of a scale that maintains a pleasant rural character and function.</p>	<p>DTS/DPF 13.1</p> <p>Agricultural buildings:</p> <ul style="list-style-type: none"> <li>(a) are located on an allotment having an area of at least 2ha</li> <li>(b) are setback at least 40m from an allotment boundary</li> <li>(c) have a building height not exceeding 10m above natural ground level</li> <li>(d) do not exceed 350m<sup>2</sup> in total floor area</li> <li>(e) incorporate the loading and unloading of vehicles within the confines of the allotment.</li> </ul>
Outbuildings, Carports and Verandahs	
<p>PO 14.1</p> <p>Outbuildings are sited, designed and of a scale that maintain a pleasant natural and rural character and amenity.</p>	<p>DTS/DPF 14.1</p> <p>Outbuildings:</p> <ul style="list-style-type: none"> <li>(a) have a primary street setback that is at least as far back as the building to which it is ancillary</li> <li>(b) have a combined total floor area that does not exceed 100m<sup>2</sup></li> <li>(c) do not exceed 5m in wall height measured from natural ground level (not including a gable end)</li> <li>(d) have a total roof height that does not exceed 6m measured from natural ground level</li> <li>(e) if clad in sheet metal, it is pre-colour treated or painted in a non-reflective colour</li> <li>(f) will not result in more than 2 outbuildings on the same allotment.</li> </ul>
<p>PO 14.2</p> <p>Carports and verandahs are sited, designed and of a scale to maintain a pleasant natural and rural character and amenity.</p>	<p>DTS/DPF 14.2</p> <p>Carports and verandahs:</p> <ul style="list-style-type: none"> <li>(a) are set back from the primary street at least as far back as the building to which it is ancillary</li> <li>(b) have a total floor area that does not exceed 80m<sup>2</sup></li> <li>(c) have a post height that does not exceed 3m measured from natural ground level (not including a gable end)</li> <li>(d) have a total roof height that does not exceed 5m measured from natural ground level</li> <li>(e) if clad in sheet metal, the cladding is pre-colour treated or painted in a non-reflective colour.</li> </ul>
Concept Plans	
<p>PO 15.1</p> <p>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 15.1</p> <p>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 15.1, in instances where:</p> <ul style="list-style-type: none"> <li>(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.</li> </ul>

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		(b)	in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 15.1 is met.
Advertisements			
PO 16.1 Freestanding advertisements that identify the associated business without creating a visually dominant element within the locality.		DTS/DPF 16.1 Freestanding advertisements:  (a) do not exceed 2m in height (b) do not have a sign face that exceeds 2m <sup>2</sup> 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**

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

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

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

A relevant authority may determine that a variation to 1 or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any development involving any of the following (or of any combination of any of the following): <div>             (a) advertisement             (b) agricultural building             (c) air handling unit, air conditioning system or exhaust fan             (d) ancillary accommodation             (e) carport             (f) deck             (g) fence             (h) dwelling             (i) dwelling addition             (j) farming             (k) horse keeping             (l) internal building work             (m) land division             (n) outbuilding             (o) pergola             (p) private bushfire shelter             (q) protective tree netting structure             (r) replacement building           </div>	None specified.

<ul style="list-style-type: none"> <li>(s) retaining wall</li> <li>(t) solar photovoltaic panels (roof mounted)</li> <li>(u) shade sail</li> <li>(v) swimming pool or spa pool and associated swimming pool safety features</li> <li>(w) temporary accommodation in an area affected by bushfire</li> <li>(x) tree damaging activity</li> <li>(y) verandah</li> <li>(z) water tank.</li> </ul>	
<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"> <li>(a) industry</li> <li>(b) store</li> <li>(c) warehouse.</li> </ul>	<p>Except development that does not satisfy any of the following:</p> <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 4.1</li> <li>2. Productive Rural Landscape Zone DTS/DPF 4.3.</li> </ul>
<p>4. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> <li>1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building)</li> <li>2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).</li> </ul>
<p>5. Function venue within The Cedars Subzone.</p>	<p>None specified.</p>
<p>6. Function venue.</p>	<p>Except function venue that does not satisfy Productive Rural Landscape Zone DTS/DPF 6.6.</p>
<p>7. Horticulture.</p>	<p>Except horticulture that does not satisfy any of the following:</p> <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 3.1(d)</li> <li>2. Productive Rural Landscape Zone DTS/DPF 3.1(e).</li> </ul>
<p>8. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>
<p>9. Shop within The Cedars Subzone.</p>	<p>None specified.</p>
<p>10. Shop.</p>	<p>Except shop that does not satisfy any of the following:</p> <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 6.1</li> <li>2. Productive Rural Landscape Zone DTS/DPF 6.2.</li> </ul>
<p>11. Tourist accommodation within The Cedars Subzone.</p>	<p>None specified.</p>
<p>12. Tourist accommodation.</p>	<p>Except tourist accommodation that does not to satisfy any of the following:</p> <ul style="list-style-type: none"> <li>1. Productive Rural Landscape Zone DTS/DPF 6.3</li> <li>2. Productive Rural Landscape Zone DTS/DPF 6.4.</li> </ul>

#### Placement of Notices - Exemptions for Performance Assessed Development

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

#### Placement of Notices - Exemptions for Restricted Development

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



Part 3 - Overlays

Environment and Food Production Areas Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of valuable rural, landscape, environmental and food production areas from urban encroachment.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Land division undertaken in accordance with Section 7 of the <i>Planning, Development and Infrastructure Act 2016</i> .	DTS/DPF 1.1 None are applicable.

Procedural Matters (PM)

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

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

Hazards (Bushfire - High Risk) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development, including land division is sited and designed to minimise the threat and impact of bushfires on life and property with regard to the following risks:  (a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change (b) high levels and exposure to ember attack (c) impact from burning debris (d) radiant heat (e) likelihood and direct exposure to flames from a fire front.
DO 2	Activities that increase the number of people living and working in the area or where evacuation would be difficult is sited away from areas of unacceptable bushfire risk.
DO 3	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
Land Use	
PO 1.1 Development that significantly increases the potential for fire outbreak as a result of the spontaneous combustion of materials, spark generation or through the magnification and reflection of light is not located in areas of unacceptable bushfire risk.	DTS/DPF 1.1 None are applicable.
PO 1.2 Child care facilities, educational facilities, hospitals, retirement and supported accommodation are sited away from areas of unacceptable bushfire risk and locations that: <ul style="list-style-type: none"> <li>(a) are remote from or require extended periods of travel to reach safer locations</li> <li>(b) don't have a safe path of travel to safer locations.</li> </ul>	DTS/DPF 1.2 None are applicable.
Siting	
PO 2.1 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 2.1 None are applicable.
Built Form	
PO 3.1 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 3.1 None are applicable.
PO 3.2 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 3.2 Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.
Habitable Buildings	
PO 4.1 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 accommodation and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.	DTS/DPF 4.1 None are applicable.
PO 4.2 Residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) is sited away from vegetated areas that pose an unacceptable bushfire risk.	DTS/DPF 4.2 Residential and tourist accommodation and habitable buildings for vulnerable communities are provided with asset protection zone(s) in accordance with (a) and (b): <ul style="list-style-type: none"> <li>(a) the asset protection zone has a minimum width of at least:               <ul style="list-style-type: none"> <li>(i) 50 metres to unmanaged grasslands</li> </ul> </li> </ul>

	<p>(ii) 100 metres to hazardous bushland vegetation</p> <p>(b) the asset protection zone is contained wholly within the allotment of the development.</p>
<p>PO 4.3</p> <p>Residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) has a dedicated area available that:</p> <p>(a) 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>(b) includes the provision of an all-weather hardstand area in a location that:</p> <p>(i) allows fire-fighting vehicles to safely access the dedicated water supply and exit the site in a forward direction</p> <p>(ii) is no further than 6 metres from the dedicated water supply outlet(s) where required.</p>	<p>DTS/DPF 4.3</p> <p>None are applicable.</p>
Land Division	
<p>PO 5.1</p> <p>Land division for residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) is limited to those areas specifically set aside for these uses.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
<p>PO 5.2</p> <p>Land division is designed and incorporates measures to minimise the danger of fire hazard to residents and occupants of buildings, and to protect buildings and property from physical damage in the event of a bushfire.</p>	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>
<p>PO 5.3</p> <p>Land division is designed to provide a continuous street pattern (avoiding the use of dead end roads/cul-de-sac road design) to facilitate the safe movement and evacuation of emergency vehicles, residents, occupants and visitors. Where cul-de-sac / dead end roads are proposed, an alternative emergency evacuation route is provided.</p>	<p>DTS/DPF 5.3</p> <p>None are applicable.</p>
<p>PO 5.4</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 5.4</p> <p>None are applicable.</p>
<p>PO 5.5</p> <p>Land division provides sufficient space for future asset protection zones and 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 5.5</p> <p>None are applicable.</p>
Vehicle Access –Roads, Driveways and Fire Tracks	
<p>PO 6.1</p> <p>Roads are designed and constructed to facilitate the safe and effective:</p>	<p>DTS/DPF 6.1</p> <p>Roads:</p>

<p>(a) access, operation and evacuation of fire-fighting vehicles and emergency personnel</p> <p>(b) evacuation of residents, occupants and visitors.</p>	<p>(a) are constructed with a formed, all-weather surface</p> <p>(b) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the road</p> <p>(c) have a cross fall of not more than 6 degrees (1-in-9.5) at any point along the road</p> <p>(d) have a minimum formed road width of 6m</p> <p>(e) provide overhead clearance of not less than 4.0m between the road surface and overhanging branches or other obstructions including buildings and/or structures (Figure 1)</p> <p>(f) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around road curves by constructing the curves with a minimum external radius of 12.5m (Figure 2)</p> <p>(g) incorporating cul-de-sac endings or dead end roads are provided within an alternative evacuation route and do not exceed 200m in length and the end of the road has either:</p> <ul style="list-style-type: none"> <li>(i) a turning area with a minimum formed surface radius of 12.5m (Figure 3)</li> <li>or</li> <li>(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)</li> </ul> <p>(h) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.</p>
<p>PO 6.2</p> <p>Access to habitable buildings is designed and constructed to facilitate the safe and effective:</p> <p>(a) use, operation and evacuation of fire-fighting and emergency personnel</p> <p>(b) evacuation of residents, occupants and visitors.</p>	<p>DTS/DPF 6.2</p> <p>Access is in accordance with (a) or (b):</p> <p>(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</p> <p>(b) driveways:</p> <ul style="list-style-type: none"> <li>(i) do not exceed 600m in length</li> <li>(ii) are constructed with a formed, all-weather surface</li> <li>(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)</li> <li>(iv) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway</li> <li>(v) have a crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway</li> <li>(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)</li> <li>(vii) incorporate passing bays with a minimum width of 6m and length of 17m every 200m (Figure 5)</li> <li>(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)</li> <li>(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)</li> <li>(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"> <li>A. a loop road around the building</li> <li>or</li> </ul> </li> </ul>

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		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.	
PO 6.3	Development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.	DTS/DPF 6.3	None are applicable.

## Procedural Matters (PM) - Referrals

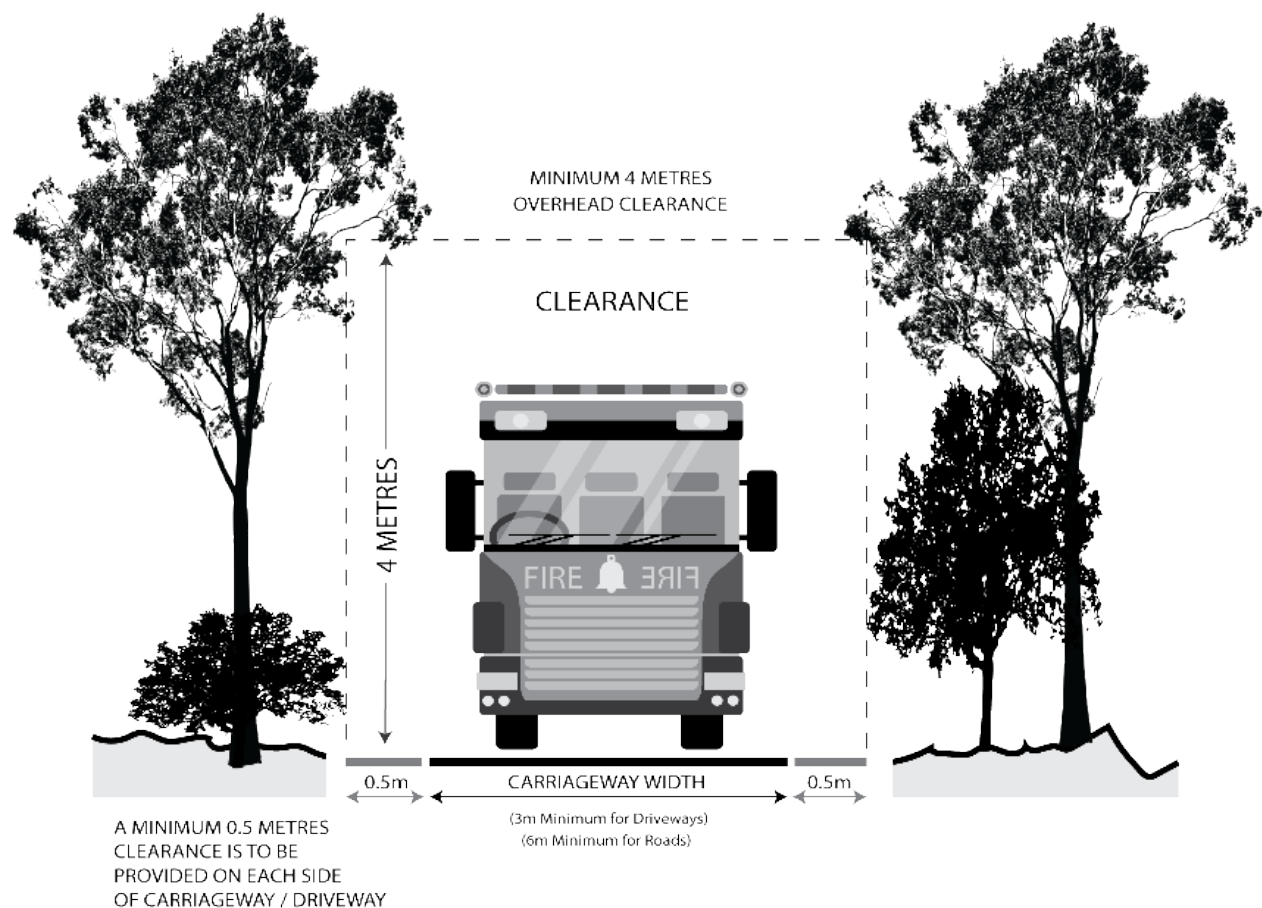
The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except if a <b>relevant certificate</b> accompanies the application for planning consent in respect of the development, any of the following classes of development (including alterations and additions which increase the floor area of such buildings by 10% or more):</p> <ul style="list-style-type: none"> <li>(a) land division creating one or more additional allotments</li> <li>(b) dwelling</li> <li>(c) ancillary accommodation</li> <li>(d) residential flat building</li> <li>(e) tourist accommodation</li> <li>(f) boarding home</li> <li>(g) dormitory style accommodation</li> <li>(h) workers' accommodation</li> <li>(i) student accommodation</li> <li>(j) child care facility</li> <li>(k) educational facility</li> <li>(l) retirement village</li> <li>(m) supported accommodation</li> <li>(n) residential park</li> <li>(o) hospital</li> <li>(p) camp ground.</li> </ul>	South Australian Country Fire Service.	To provide expert assessment and direction to the relevant authority on the potential impacts of bushfire on the development.	Development of a class to which Schedule 9 clause 3 item 2 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

## Figures and Diagrams

Fire Appliance Clearances
Figure 1 - Overhead and Side Clearances





Roads and Driveway Design

Figure 2 - Road and Driveway Curves

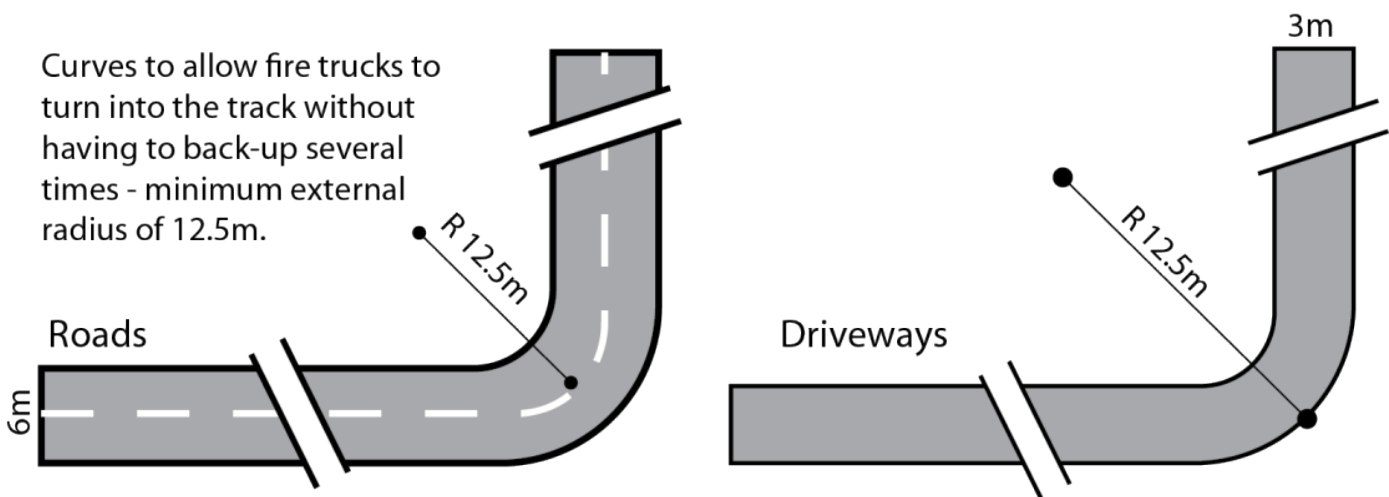


Figure 3 - Full Circle Turning Area

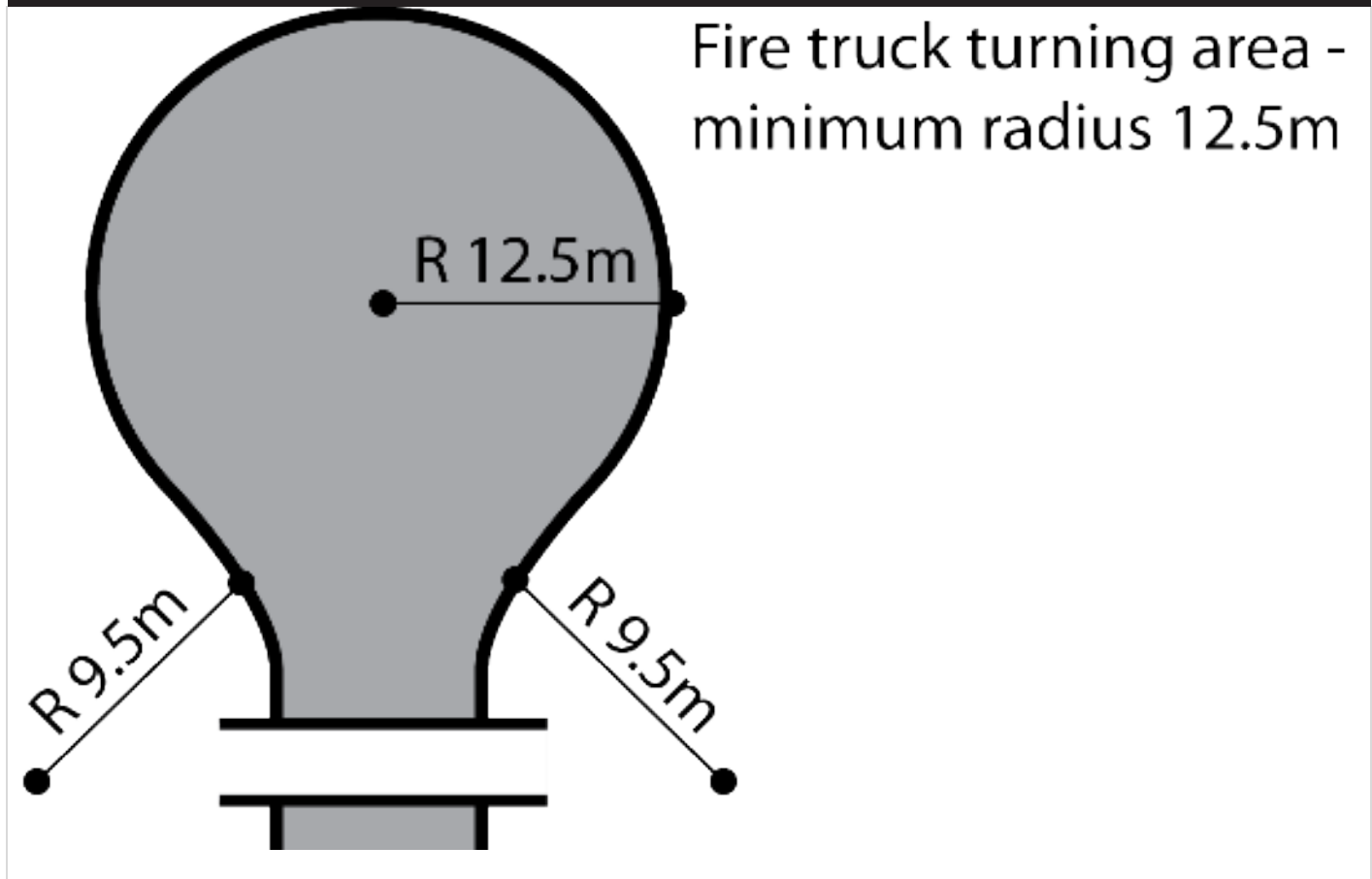
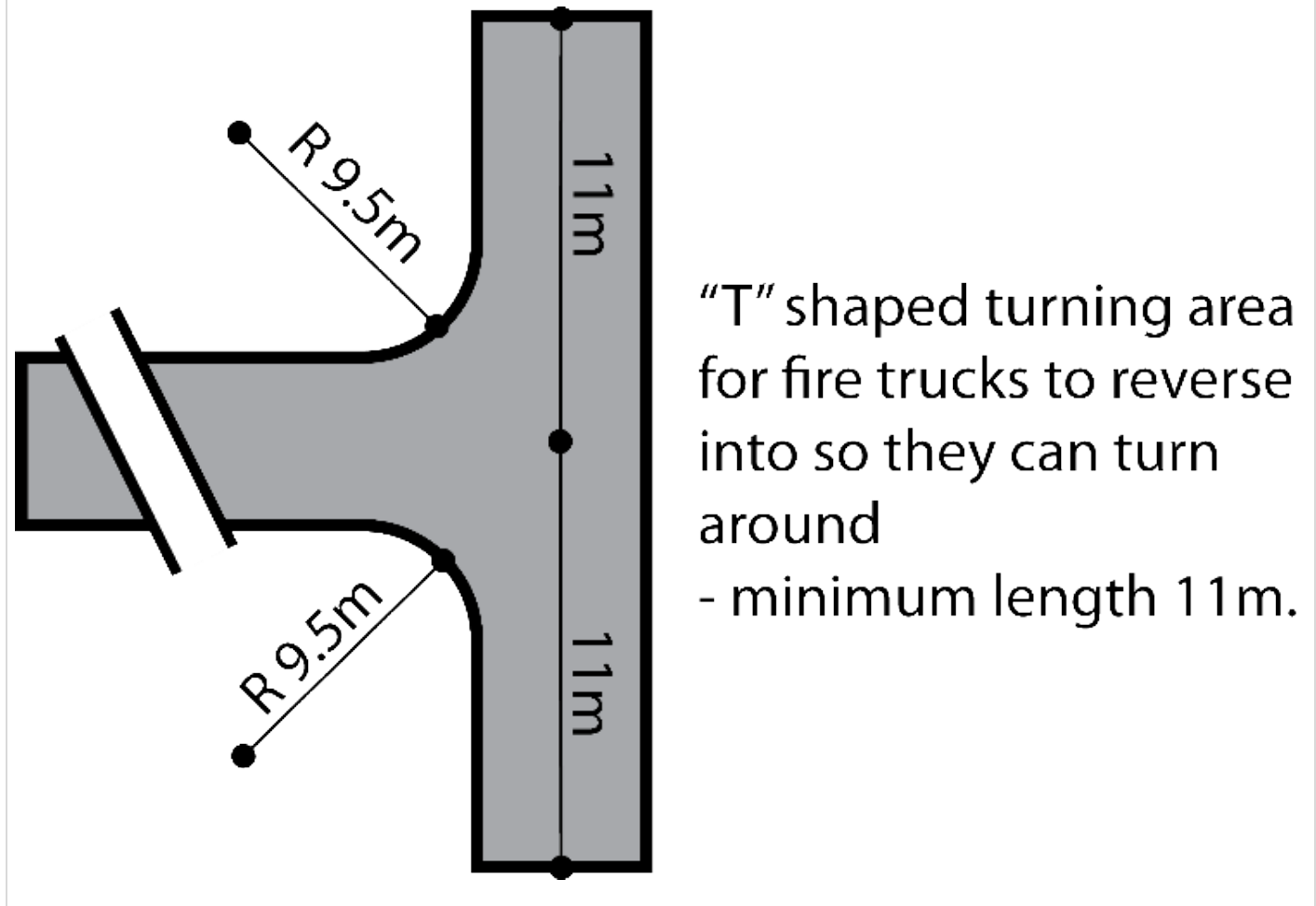


Figure 4 - 'T' or 'Y' Shaped Turning Head



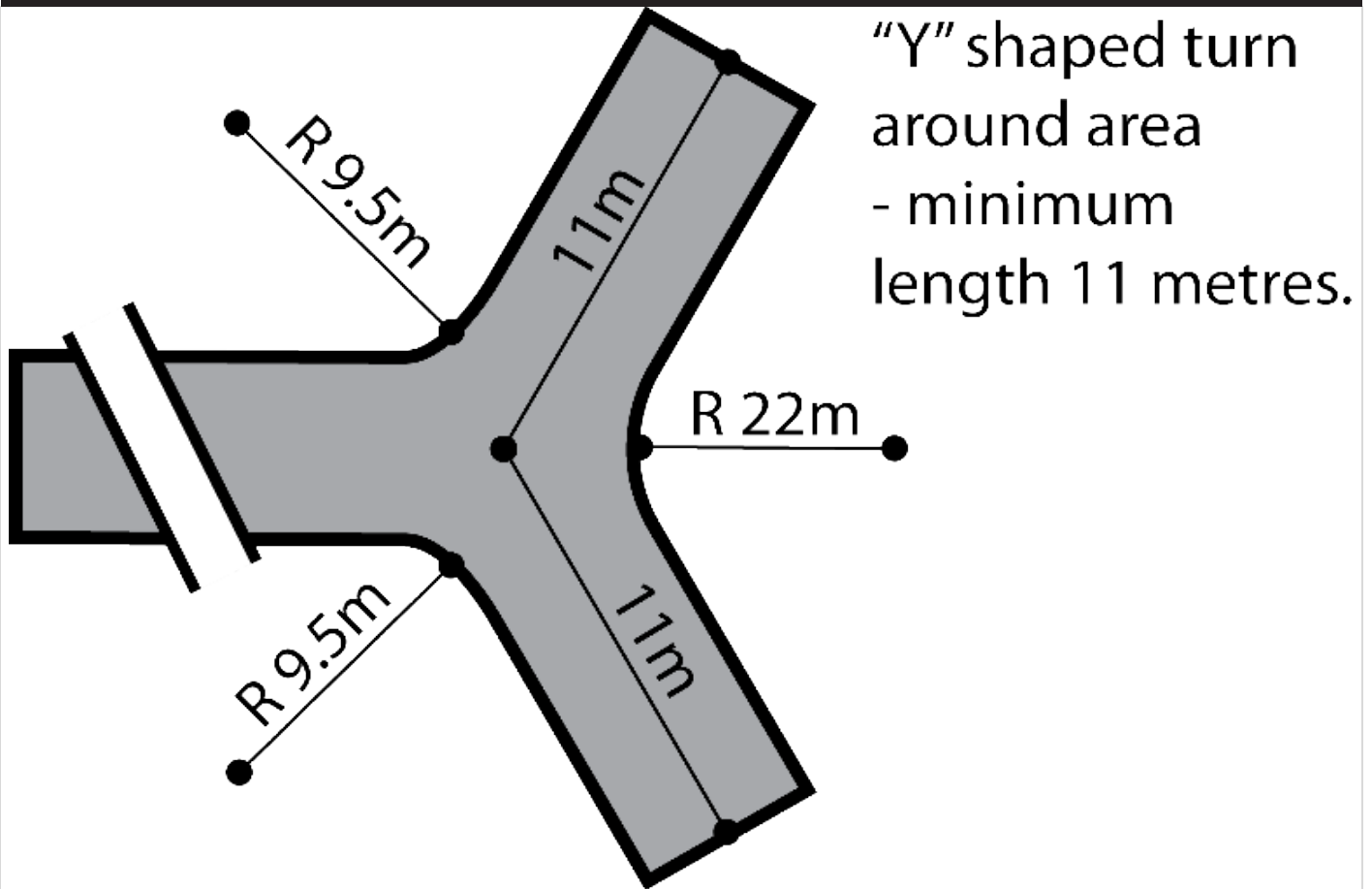
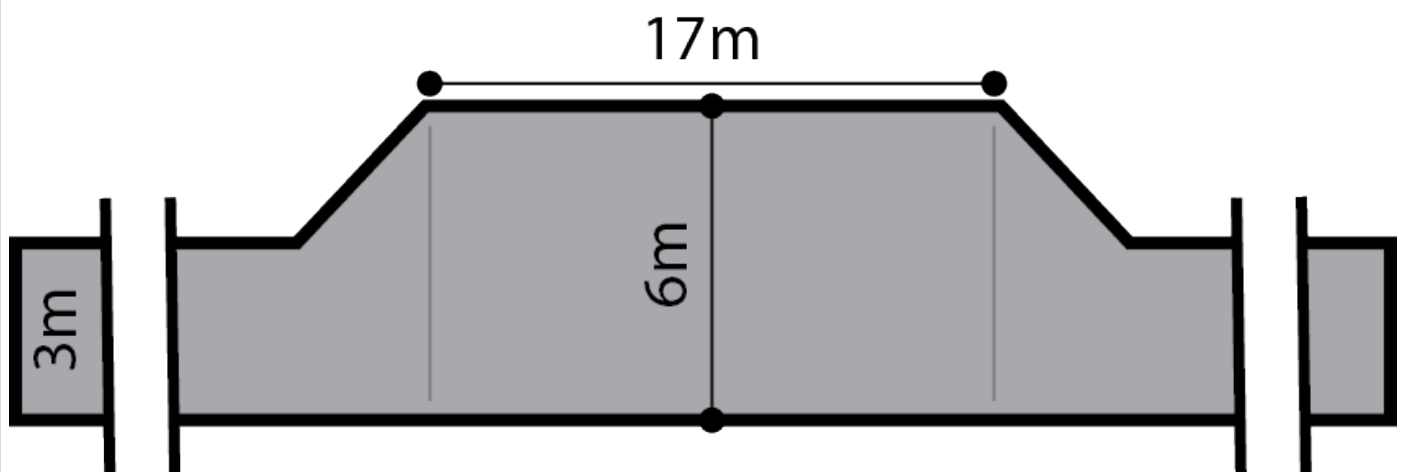


Figure 5 - Driveway Passing Bays

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



Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above:  (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb
Environmental Protection	
PO 2.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building.	DTS/DPF 2.1 Development does not involve the storage of hazardous materials.

Procedural Matters (PM) - Referrals

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

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

Limited Land Division Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

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

in the relevant Zone is not greater than the number that existed prior to the realignment.

### 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

## Mount Lofty Ranges Water Supply Catchment (Area 1) Overlay

### Assessment Provisions (AP)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Wastewater	
<p>DTS/DPF 2.4</p> <p>All components of an effluent disposal area are:</p> <ul style="list-style-type: none"> <li>(a) set back 50 metres or more from a watercourse</li> <li>(b) set back 100 metres or more from a public water supply reservoir</li> <li>(c) located on land with a slope no greater than 1-in-5 (20%)</li> <li>(d) located on land with 1.2m or more depth to bedrock or a seasonal or permanent water table</li> <li>(e) above the 10% AEP flood level.</li> </ul>	Stormwater
<p>DTS/DPF 3.4</p> <p>Development includes:</p> <ul style="list-style-type: none"> <li>(a) rainwater tanks with a minimum capacity of 1,000L connected to carports, verandahs and outbuildings or</li> <li>(b) rainwater tanks with a minimum capacity of 4,500L connected to agricultural buildings exceeding 100m<sup>2</sup>.</li> </ul>	<p>DTS/DPF 3.5</p> <p>Dwelling additions are connected to a rainwater tank with a minimum capacity of 1,000L.</p>
<p>DTS/DPF 3.6</p> <p>Shops and tourist accommodation satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) are located 50m or more from watercourses, wetlands, land prone to waterlogging and bores</li> <li>(b) are located 100m or more from public water supply reservoirs and diversion weirs</li> <li>(c) are located on land with a slope not exceeding 20%</li> <li>(d) includes buildings connected to rainwater tanks with a minimum capacity of 1,000L</li> <li>(e) includes swales that divert clean stormwater away from areas where it could be polluted.</li> </ul>	<p>DTS/DPF 3.9</p> <p>Excavation and/or filling satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) is located 50m or more from watercourses</li> <li>(b) is located 100m or more from public water supply reservoirs and diversion weirs</li> <li>(c) does not involve excavation exceeding a vertical height of 0.75m</li> <li>(d) does not involve filling exceeding a vertical height of 0.75m</li> <li>(e) does not involve a total combined excavation and filling vertical height of 1.5m.</li> </ul>

## Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay



## Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Safeguard Greater Adelaide's public water supply by ensuring development has a neutral or beneficial effect on the quality of water harvested from secondary reservoirs or diversion weir catchments from the Mount Lofty Ranges.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Quality	
PO 1.1 Development results in a neutral or beneficial effect on the quality of water draining from the site to maintain and enhance the role of the catchment as a water supply.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development does not include land uses that have the potential to cause adverse impacts on the quality of water draining into secondary public water supply reservoirs and weirs.	DTS/DPF 1.2 Development does not involve any one or combination of the following: (a) landfill (b) special industry.
Wastewater	
PO 2.1 Development that generates human wastewater, including alterations and additions, are established at an intensity and in a manner to minimise potential adverse impact on water quality within secondary reservoir and weir catchment areas.	DTS/DPF 2.1 Development including alterations and additions, in combination with existing built form and activities within an allotment:  (a) do not generate a combined total of more than 1500 litres of wastewater per day and (b) will be connected to the same on-site wastewater system that is compliant with relevant South Australian standards  or is otherwise connected to a sewer or community wastewater management system.
PO 2.2 Dairy development is of a scale and design that will avoid adverse water quality impacts.	DTS/DPF 2.2 Dairy development satisfies all of the following:  (a) is located at least 100 metres from any watercourse, dam, bore or well (b) is connected to a wastewater management system that is located 200 metres from any watercourse, dam, bore or well and is designed and constructed to avoid leakage to groundwater or overflow under extreme rainfall conditions (c) treated wastewater irrigation areas: (i) have a slope of less than 1-in-5 (20 percent) (ii) are greater than 100 metres from any watercourse, dam, bore or well  are suitable to provide for seasonal wastewater irrigation without causing pollution of surface or groundwater.
PO 2.3 Development that generates trade or industrial wastewater is designed to ensure wastewater disposal avoids adverse impacts on the quality of water draining into secondary public water supply reservoirs and weirs.	DTS/DPF 2.3 Development that generates trade or industrial wastewater is connected to:

	<ul style="list-style-type: none"> <li>(a) a sewer or community wastewater management system with sufficient hydraulic and treatment capacity to accept the inflow or</li> <li>(b) an on-site wastewater holding tank which has storage capacity of more than four days total flow during peak operations and is contained within an impervious, bunded area with a total liquid holding capacity of more than 120 percent of the total holding tank capacity, prior to transporting for off-site disposal.</li> </ul>
<p>PO 2.4</p> <p>Wastewater management systems result in a neutral or beneficial effect on the quality of water draining from the site.</p>	<p>DTS/DPF 2.4</p> <p>Development results in:</p> <ul style="list-style-type: none"> <li>(a) a building or land use that is currently connected to an existing on-site wastewater system that is non-compliant with relevant South Australian standards being connected to a new or upgraded system that complies with such standards or</li> <li>(b) an existing on-site wastewater system being decommissioned and wastewater being disposed of to a sewer or community wastewater management system that complies with relevant South Australian standards.</li> </ul>
<p>PO 2.5</p> <p>Surface and groundwater protected from wastewater discharge pollution.</p>	<p>DTS/DPF 2.5</p> <p>All components of an effluent disposal area are:</p> <ul style="list-style-type: none"> <li>(a) setback 50 metres or more from a watercourse</li> <li>(b) setback 100 metres or more from a public water supply reservoir</li> <li>(c) located on land with a slope no greater than 1-in-5 (20%)</li> <li>(d) located on land with 1.2m or more depth to bedrock or a seasonal or permanent water table</li> <li>(e) above the 10% AEP flood level.</li> </ul>
Stormwater	
<p>PO 3.1</p> <p>Post-development peak stormwater discharge quantities and rates do not exceed pre-development quantities and rates to maintain water quality leaving the site.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Stormwater run-off from areas not likely to be subject to pollution diverted away from areas that could cause pollution.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>PO 3.3</p> <p>Polluted stormwater is treated prior to discharge from the site.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Stormwater from carports, verandahs, outbuildings and agricultural buildings captured to protect water quality.</p>	<p>DTS/DPF 3.4</p> <p>Development includes:</p> <ul style="list-style-type: none"> <li>(a) rainwater tanks with a minimum capacity of 1,000L connected to carports, verandahs and outbuildings or</li> <li>(b) rainwater tanks with a minimum capacity of 4,500L connected to agricultural buildings exceeding 100m<sup>2</sup>.</li> </ul>
<p>PO 3.5</p> <p>Stormwater from dwelling additions captured to protect water quality.</p>	<p>DTS/DPF 3.5</p> <p>Dwelling additions are connected to a rainwater tank with a minimum capacity of 1,000L.</p>
<p>PO 3.6</p> <p>Stormwater from shops and tourist accommodation is managed to protect water quality.</p>	<p>DTS/DPF 3.6</p> <p>Shops and tourist accommodation satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) are located 50m or more from watercourses, wetlands, land prone to waterlogging and bores</li> </ul>

	<ul style="list-style-type: none"> <li>(b) are located 100m or more from public water supply reservoirs and diversion weirs</li> <li>(c) are located on land with a slope not exceeding 20%</li> <li>(d) includes buildings connected to rainwater tanks with a minimum capacity of 1,000L</li> <li>(e) includes swales that divert clean stormwater away from areas where it could be polluted.</li> </ul>
<p>PO 3.7</p> <p>Stormwater from horse keeping and low intensity animal husbandry is managed to protect water quality.</p>	<p>DTS/DPF 3.7</p> <p>Horse keeping and low intensity animal husbandry satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) is located 50m or more from watercourses, wetlands, land prone to waterlogging and bores</li> <li>(b) is located on land with a slope not exceeding 10%</li> <li>(c) includes stables, shelters or other roofed structures connected to rainwater tanks with a minimum capacity of 1,000L</li> <li>(d) includes swales that divert clean stormwater away from areas (including yards, manure storage areas, and watering points) within which it could be polluted.</li> </ul>
<p>PO 3.8</p> <p>Stormwater from horticulture is managed to protect water quality.</p>	<p>DTS/DPF 3.8</p> <p>Horticulture satisfies all the following:</p> <ul style="list-style-type: none"> <li>(a) is located 50m or more from watercourses, wetlands, land prone to waterlogging and bores</li> <li>(b) is located 100m or more from public water supply reservoirs and diversion weirs</li> <li>(c) is located on land with a slope not exceeding 10%</li> <li>(d) includes swales or other structures that divert clean stormwater away from areas (including plant growing areas, chemical storage areas and plant waste storage areas) within which it could be polluted.</li> </ul>
<p>PO 3.9</p> <p>Stormwater from excavated and filled areas is managed to protect water quality.</p>	<p>DTS/DPF 3.9</p> <p>Excavation and/or filling satisfy all the following:</p> <ul style="list-style-type: none"> <li>(a) is located 50m or more from watercourses</li> <li>(b) is located 100m or more from public water supply reservoirs and diversion weirs</li> <li>(c) does not involve excavation exceeding a vertical height of 0.75m</li> <li>(d) does not involve filling exceeding a vertical height of 0.75m</li> <li>(e) does not involve a total combined excavation and filling vertical height of 1.5m.</li> </ul>
Landscapes and Natural Features	
<p>PO 4.1</p> <p>Development minimises the need to modify landscapes and natural features.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
Land Division	
<p>PO 5.1</p> <p>Land division does not result in an increased risk of pollution to surface or underground water.</p>	<p>DTS/DPF 5.1</p> <p>Land division does not create additional allotments and satisfies (a) and/or (b):</p> <ul style="list-style-type: none"> <li>(a) is for realignment of allotment boundaries to correct an anomaly in the placement of those boundaries with respect to the location of existing buildings or structures or</li> <li>(b) is for realignment of allotment boundaries in order to improve management of the land for primary production and/or conservation of natural features.</li> </ul>

PO 5.2 Realignment of allotment boundaries does not create development potential for a dwelling and associated onsite wastewater management system where no such potential currently exists.	DTS/DPF 5.2 None are applicable.
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### Procedural Matters (PM)

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 are not connected (or not proposed to be connected) to a community wastewater management system or sewerage infrastructure:</p> <ul style="list-style-type: none"> <li>(a) land division creating one or more additional allotments, either partly or wholly within the area of the overlay</li> <li>(b) function venue with more than 75 seats for customer dining purposes</li> <li>(c) restaurant with more than 40 seats for customer dining purposes</li> <li>(d) restaurant with more than 30 seats for customer dining purposes in association with a cellar door</li> <li>(e) dwelling where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</li> <li>(f) tourist accommodation where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a habitable dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</li> <li>(g) workers' accommodation where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a habitable dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</li> </ul>	Environment Protection Authority.	To provide expert technical assessment and direction to the relevant authority on whether a proposed development will have a neutral or beneficial impact on water quality.	Development of a class to which Schedule 9 clause 3 item 9 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

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(h) any other development that generates human wastewater from a peak loading capacity of more than 40 persons (or more than 6,000 litres/day)			
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)			
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 2.5 ML of wastewater (EPA Licence required at more than 5ML)			
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 - carrying on of a dairy with a total processing capacity exceeding 100 milking animals at any one time.			

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the	DTS/DPF 1.1 An application is accompanied by:



siting of buildings, access points, bushfire protection measures and building maintenance.	<p>(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:</p> <ul style="list-style-type: none"> <li>(i) in connection with a relevant access point and / or driveway</li> <li>(ii) within 10m of a building (other than a residential building or tourist accommodation)</li> <li>(iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control</li> <li>(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</li> </ul> <p>or</p> <p>(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>
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <ul style="list-style-type: none"> <li>(a) significant wildlife habitat and movement corridors</li> <li>(b) rare, vulnerable or endangered plants species</li> <li>(c) native vegetation that is significant because it is located in an area which has been extensively cleared</li> <li>(d) native vegetation that is growing in, or in association with, a wetland environment.</li> </ul>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Intensive animal husbandry, commercial forestry 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"> <li>(a) in the case of commercial forestry, the spread of fires from a plantation</li> <li>(b) the spread of pest plants and phytophthora</li> <li>(c) the spread of non-indigenous plants species</li> <li>(d) excessive nutrient loading of the soil or loading arising from surface water runoff</li> <li>(e) soil compaction</li> <li>(f) chemical spray drift.</li> </ul>	<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"> <li>(a) horticulture</li> <li>(b) intensive animal husbandry</li> <li>(c) dairy</li> <li>(d) commercial forestry</li> <li>(e) aquaculture.</li> </ul>
<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"> <li>(a) an application is accompanied by one of the following: <ul style="list-style-type: none"> <li>(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></li> <li>(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</li> <li>(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'</li> </ul> </li> </ul> <p>or</p>

	<p>(b) an application for land division which is being considered concurrently with a proposal to develop each allotment which will satisfy, or would satisfy, the requirements of DTS/DPF 1.1, including any clearance that may occur or</p> <p>(c) the division is to support a Heritage Agreement under the Native Vegetation Act 1991 or the <i>Heritage Places Act 1993</i>.</p>
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### Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.	Native Vegetation Council	To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.	Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

## Prescribed Water Resources Area Overlay

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Sustainable water use in prescribed water resources areas maintains the health and natural flow paths of surface water, watercourses and wells.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>All development, but in particular development involving any of the following:</p> <ul style="list-style-type: none"> <li>(a) horticulture</li> <li>(b) activities requiring irrigation</li> <li>(c) aquaculture</li> <li>(d) industry</li> <li>(e) intensive animal husbandry</li> <li>(f) commercial forestry</li> </ul>	<p>DTS/DPF 1.1</p> <p>Development satisfies either of the following:</p> <ul style="list-style-type: none"> <li>(a) the applicant has a current water licence in which sufficient spare capacity exists to accommodate the water needs of the proposed use or</li> <li>(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>.</li> </ul>

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has a lawful, sustainable and reliable water supply that does not place undue strain on water resources in prescribed water resource areas.			
PO 1.2 Development comprising the erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert surface water flowing over land is undertaken in a manner that maintains the quality and quantity of flows required to meet the needs of the environment as well as downstream users.		DTS/DPF 1.2 None are applicable.	

### Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that comprises the erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert, or collects or diverts surface water flowing over land.	Relevant authority under the <i>Landscape South Australia Act 2019</i> that would, if it were not for the operation of section 106(1)(e) of that Act, have the authority under that Act to grant or refuse a permit to undertake the subject development.	To provide expert assessment and direction to the relevant authority on potential impacts from development on the health, sustainability and/or natural flow paths of water resources in accordance with the provisions of the relevant water allocation plan or regional landscape plan or equivalent.	Development of a class to which Schedule 9 clause 3 item 12 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
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> :  (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 and maintains the health and natural flow paths of water resources.	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> .			

## Traffic Generating Development Overlay

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.

Policy24		P&D Code (in effect) Version 2024.17 12/9/2024
DO 2	Provision of safe and efficient access to and from urban transport routes and major urban transport routes.	

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Traffic Generating Development	
<p>PO 1.1</p> <p>Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.</p>	<p>DTS/DPF 1.1</p> <p>Access is obtained directly from a State Maintained Road where it involves any of the following types of development:</p> <ul style="list-style-type: none"> <li>(a) building, or buildings, containing in excess of 50 dwellings</li> <li>(b) land division creating 50 or more additional allotments</li> <li>(c) commercial development with a gross floor area of 10,000m2 or more</li> <li>(d) retail development with a gross floor area of 2,000m2 or more</li> <li>(e) a warehouse or transport depot with a gross leasable floor area of 8,000m2 or more</li> <li>(f) industry with a gross floor area of 20,000m2 or more</li> <li>(g) educational facilities with a capacity of 250 students or more.</li> </ul>
<p>PO 1.2</p> <p>Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.</p>	<p>DTS/DPF 1.2</p> <p>Access is obtained directly from a State Maintained Road where it involves any of the following types of development:</p> <ul style="list-style-type: none"> <li>(a) building, or buildings, containing in excess of 50 dwellings</li> <li>(b) land division creating 50 or more additional allotments</li> <li>(c) commercial development with a gross floor area of 10,000m2 or more</li> <li>(d) retail development with a gross floor area of 2,000m2 or more</li> <li>(e) a warehouse or transport depot with a gross leasable floor area of 8,000m2 or more</li> <li>(f) industry with a gross floor area of 20,000m2 or more</li> <li>(g) educational facilities with a capacity of 250 students or more.</li> </ul>
<p>PO 1.3</p> <p>Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network.</p>	<p>DTS/DPF 1.3</p> <p>Access is obtained directly from a State Maintained Road where it involves any of the following types of development:</p> <ul style="list-style-type: none"> <li>(a) building, or buildings, containing in excess of 50 dwellings</li> <li>(b) land division creating 50 or more additional allotments</li> <li>(c) commercial development with a gross floor area of 10,000m2 or more</li> <li>(d) retail development with a gross floor area of 2,000m2 or more</li> <li>(e) a warehouse or transport depot with a gross leasable floor area of 8,000m2 or more</li> <li>(f) industry with a gross floor area of 20,000m2 or more</li> <li>(g) educational facilities with a capacity of 250 students or more.</li> </ul>

### Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Except where all of the relevant deemed-to-satisfy criteria are met, any of the following classes of development that	Commissioner of Highways.	To provide expert technical assessment and direction to the	Development of a class to

are proposed within 250m of a State Maintained Road:		Relevant Authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in the Planning and Design Code.	which Schedule 9 clause 3 item 7 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
(a) except where a proposed development has previously been referred under clause (b) - a building, or buildings, containing in excess of 50 dwellings			
(b) except where a proposed development has previously been referred under clause (a) - land division creating 50 or more additional allotments			
(c) commercial development with a gross floor area of 10,000m <sup>2</sup> or more			
(d) retail development with a gross floor area of 2,000m <sup>2</sup> or more			
(e) a warehouse or transport depot with a gross leasable floor area of 8,000m <sup>2</sup> or more			
(f) industry with a gross floor area of 20,000m <sup>2</sup> or more			
(g) educational facilities with a capacity of 250 students or more.			

## Urban Transport Routes Overlay

### Assessment Provisions (AP)

#### Desired Outcome (DO)

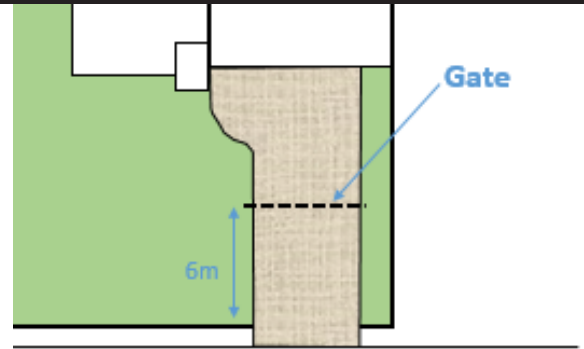
Desired Outcome	
DO 1	Safe and efficient operation of Urban Transport Routes for all road users.
DO 2	Provision of safe and efficient access to and from Urban Transport Routes.

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

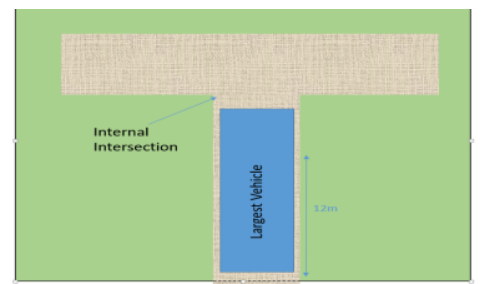
Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Access - Safe Entry and Exit (Traffic Flow)	
<p>PO 1.1</p> <p>Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State maintained roads.</p>	<p>DTS/DPF 1.1</p> <p>An access point satisfies (a), (b) or (c):</p> <p>(a) where servicing a single (1) dwelling / residential allotment:</p> <ul style="list-style-type: none"> <li>(i) it will not result in more than one access point</li> <li>(ii) vehicles can enter and exit the site in a forward direction</li> <li>(iii) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees</li> <li>(iv) passenger vehicles (with a length up to 5.2m) can enter and exit the site wholly within the kerbside lane of the road</li> <li>(v) it will have a width of between 3m and 4m (measured at the site boundary)</li> </ul> <p>(b) where the development will result in 2 and up to 6 dwellings:</p> <ul style="list-style-type: none"> <li>(i) it will not result in more than one access point servicing the development site</li> <li>(ii) vehicles can enter and exit the site in a forward direction</li> </ul>



	<ul style="list-style-type: none"> <li>(iii) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees</li> <li>(iv) passenger vehicles (with a length up to 5.2m) can enter and exit the site wholly within the kerbside lane of the road</li> <li>(v) it will have a width of between 5.8m to 6m (measured at the site boundary) and an access depth of 6m (measured from the site boundary into the site)</li> </ul> <p>(c) where the development will result in 7 or more dwellings, or is a non-residential land use:</p> <ul style="list-style-type: none"> <li>(i) it will not result in more than one access point servicing the development site</li> <li>(ii) vehicles can enter and exit the site using left turn only movements</li> <li>(iii) vehicles can enter and exit the site in a forward direction</li> <li>(iv) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees</li> <li>(v) it will have a width of between 6m and 7m (measured at the site boundary), where the development is expected to accommodate vehicles with a length of 6.4m or less</li> <li>(vi) it will have a width of between 6m and 9m (measured at the site boundary), where the development is expected to accommodate vehicles with a length from 6.4m to 8.8m</li> <li>(vii) it will have a width of between 9m and 12m (measured at the site boundary), where the development is expected to accommodate vehicles with a length from 8.8m to 12.5m</li> <li>(viii) provides for simultaneous two-way vehicle movements at the access: <ul style="list-style-type: none"> <li>A. with entry and exit movements for vehicles with a length up to 5.2m vehicles being fully within the kerbside lane of the road</li> <li>and</li> <li>B. with entry movements of 8.8m vehicles (where relevant) being fully within the kerbside lane of the road and the exit movements of 8.8m vehicles do not cross the centreline of the road.</li> </ul> </li> </ul>
Access - On-Site Queuing	
<p>PO 2.1</p> <p>Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and maintain safe vehicle movements.</p>	<p>DTS/DPF 2.1</p> <p>An access point in accordance with one of the following:</p> <ul style="list-style-type: none"> <li>(a) will not service, or is not intended to service, more than 6 dwellings and there are no internal driveways, intersections, car parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site) as shown in the following diagram:</li> </ul>



- (b) will service, or is intended to service, development that will generate less than 60 vehicle movements per day, and:
- (i) is expected to be serviced by vehicles with a length no greater than 6.4m
  - (ii) there are no internal driveways, intersections, parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site)
- (c) will service, or is intended to service, development that will generate less than 60 vehicle movements per day, and:
- (i) is expected to be serviced by vehicles with a length greater than a 6.4m small rigid vehicle
  - (ii) there are no internal driveways, intersections, parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site)
  - (iii) any termination of or change in priority of movement within the main car park aisle is located far enough into the site so that the largest vehicle expected on-site can store fully within the site before being required to stop
  - (iv) all parking or manoeuvring areas for commercial vehicles are located a minimum of 12m or the length of the longest vehicle expected on site from the access (measured from the site boundary into the site) as shown in the following diagram:



#### Access - (Location Spacing) - Existing Access Point

##### PO 3.1

Existing access points are designed to accommodate the type and volume of traffic likely to be generated by the development.

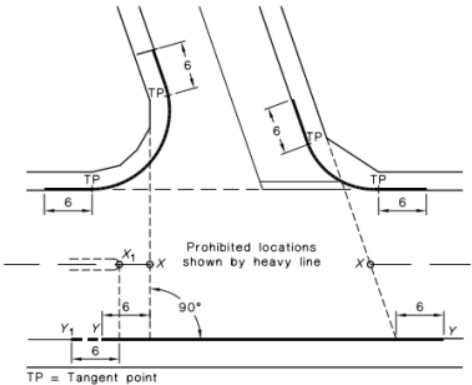
##### DTS/DPF 3.1

An existing access point satisfies (a), (b) or (c):

- (a) it will not service, or is not intended to service, more than 6 dwellings
- (b) it is not located on a Controlled Access Road and will not service development that will result in a larger class of vehicle expected to access the site using the existing access

	<div><div>(c)</div><div>is not located on a Controlled Access Road and development constitutes:</div><div><div>(i)</div><div>a change of use between an office &lt;500m<sup>2</sup> gross leasable floor area and a consulting room &lt;500m<sup>2</sup> gross leasable floor area or vice versa</div></div><div><div>(ii)</div><div>a change in use from a shop to an office, consulting room or personal or domestic services establishment</div></div><div><div>(iii)</div><div>a change of use from a consulting room or office &lt;250m<sup>2</sup> gross leasable floor area to shop &lt;250m<sup>2</sup> gross leasable floor area</div></div><div><div>(iv)</div><div>a change of use from a shop &lt;500m<sup>2</sup> gross leasable floor area to a warehouse &lt;500m<sup>2</sup> gross leasable floor area</div></div><div><div>(v)</div><div>an office or consulting room with a &lt;500m<sup>2</sup> gross leasable floor area</div></div><div><div>(vi)</div><div>a change of use from a residential dwelling to a shop, office, consulting room or personal or domestic services establishment with &lt;250m<sup>2</sup> gross leasable floor area.</div></div></div>
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Access – Location (Spacing) – New Access Points

<div>PO 4.1</div> <div>New access points are spaced apart from any existing access point or public road junction to manage impediments to traffic flow and maintain safe and efficient operating conditions on the road.</div>	<div>DTS/DPF 4.1</div> <div>A new access point satisfies (a), (b) or (c):</div> <div><div>(a)</div><div>where a development site is intended to serve between 1 and 6 dwellings, access to the site is from the local road network (not being a Controlled Access Road) and is located outside of the bold lines shown in the following diagram:</div><div></div><div>NOTE: The points marked X<sub>1</sub> and X are respectively at the median end on a divided road and at the intersection of the main road centre-line and the extensions of the side road property lines shown as dotted lines, on an undivided road. On a divided road, dimension Y-Y' extends to Point Y<sub>1</sub>.</div></div> <div><div>(b)</div><div>where the development site is intended to serve between 1 and 6 dwellings, the new access:</div><div><div>(i)</div><div>is not located on a Controlled Access Road</div></div><div><div>(ii)</div><div>is not located on a section of road affected by double barrier lines</div></div><div><div>(iii)</div><div>will be on a road with a speed environment of 70km/h or less</div></div><div><div>(iv)</div><div>is located outside of the bold lines on the diagram shown in the diagram following part (a)</div></div><div><div>(v)</div><div>is located a minimum of 6m from a median opening or pedestrian crossing</div></div></div> <div><div>(c)</div><div>where DTS/DPF 4.1 part (a) and (b) do not apply and access from an alternative local road at least 25m from the State Maintained Road is not available, and the access is not located on a Controlled Access Road, the new access is separated in accordance with the following:</div></div>
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	Speed Limit	Separation between access points	Separation from public road junctions and merging/terminating lanes
	50 km/h or less	No spacing requirement	20m
	60 km/h	5m (for development intended to serve between 1 and 6 dwellings) and 10m for all other cases	73m
	70 km/h	40m	92m
	80 km/h	50m	114m
	90 km/h	65m	139m
	100 km/h	80m	165m
	110 km/h	100m	193m

Access - Location (Sight Lines)

PO 5.1

Access points are located and designed to accommodate sight lines that enable drivers and pedestrians to navigate potential conflict points with roads in a controlled and safe manner.

DTS/DPF 5.1

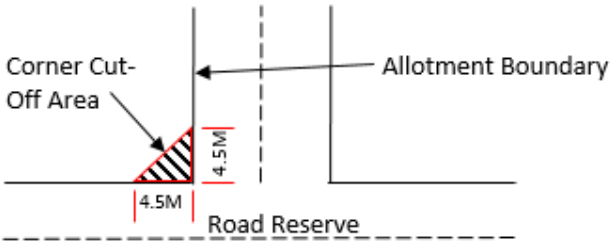
An access point satisfies (a) and (c) or (b) and (c):

- (a) the development site does or is intended to serve between 1 and 6 dwellings and utilises an existing access point or
- (b) drivers approaching or exiting an access point have an unobstructed line of sight in accordance with the following (measured at a height of 1.1m above the surface of the road):

Speed Limit	Access point serving 1-6 dwellings	Access point serving all other development
40 km/h or less	47m	73m
50 km/h	63m	97m
60 km/h	81m	123m
70 km/h	100m	151m
80 km/h	121m	181m
90 km/h	144m	226m
100 km/h	169m	262m
110km/h	195m	300m

and

(c) pedestrian sightlines in accordance with the following diagram:

Access – Mud and Debris	
PO 6.1 Access points constructed to minimise mud or other debris being carried or transferred onto the road to ensure safe road operating conditions.	DTS/DPF 6.1 Where the road has an unsealed shoulder and the road is not kerbed, the access way is sealed from the edge of seal on the road for a minimum of 10m or to the property boundary (whichever is closer).
Access - Stormwater	
PO 7.1 Access points are designed to minimise negative impact on roadside drainage of water.	DTS/DPF 7.1 Development does not:  (a) decrease the capacity of an existing drainage point (b) restrict or prevent the flow of stormwater through an existing drainage point and system (c) result in access points becoming stormwater flow paths directly onto the road.
Building on Road Reserve	
PO 8.1 Buildings or structures that encroach onto, above or below road reserves are designed and sited to minimise impact on safe movements by all road users.	DTS/DPF 8.1 Buildings or structures are not located on, above or below the road reserve.
Public Road Junctions	
PO 9.1 New junctions with a public road (including the opening of unmade public road junctions) or modifications to existing road junctions are located and designed to ensure safe operating conditions are maintained on the State Maintained Road.	DTS/DPF 9.1 Development does not comprise any of the following:  (a) creating a new junction with a public road (b) opening an unmade public road junction (c) modifying an existing public road junction.
Corner Cut-Offs	
PO 10.1 Development is located and designed to maintain sightlines for drivers turning into and out of public road junctions to contribute to driver safety.	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:  

### Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Except where all of the relevant deemed-to-satisfy criteria are met, development (including the division of	Commissioner of Highways.	To provide expert technical assessment and direction to the	Development of a class to



Policy24		P&D Code (in effect) Version 2024.17 12/9/2024	
land) that involves any of the following to/on a State Maintained Road or within 25 metres of an intersection with any such road:		Relevant Authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in the Planning and Design Code.	which Schedule 9 clause 3 item 7 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
<ul style="list-style-type: none"> <li>(a) creation of a new access or junction</li> <li>(b) alterations to an existing access or public road junction (except where deemed to be minor in the opinion of the relevant authority)</li> <li>(c) development that changes the nature of vehicular movements or increase the number or frequency of movements through an existing access (except where deemed to be minor in the opinion of the relevant authority).</li> </ul>			

## Water Resources Overlay

### Assessment Provisions (AP)

Desired Outcome (DO)

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 Watercourses, areas of remnant native vegetation, or areas prone to erosion that are capable of natural regeneration are fenced off to limit stock access.	DTS/DPF 1.4 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	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,

Policy24		P&D Code (in effect) Version 2024.17 12/9/2024
runoff to:		livestock use and revegetated with locally indigenous vegetation.
(a) reduce the impacts on native aquatic ecosystems (b) minimise soil loss eroding into the watercourse.		
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:		DTS/DPF 1.6 None are applicable.
(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.		
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)

Desired Outcome	
DO 1	Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public,

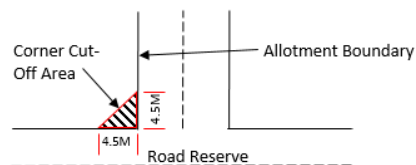
limited in number to avoid clutter, and do not create hazard.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Appearance	
<p>PO 1.1</p> <p>Advertisements are compatible and integrated with the design of the building and/or land they are located on.</p>	<p>DTS/DPF 1.1</p> <p>Advertisements attached to a building satisfy all of the following:</p> <ul style="list-style-type: none"> <li>(a) are not located in a Neighbourhood-type zone</li> <li>(b) where they are flush with a wall: <ul style="list-style-type: none"> <li>(i) if located at canopy level, are in the form of a fascia sign</li> <li>(ii) if located above canopy level: <ul style="list-style-type: none"> <li>A. do not have any part rising above parapet height</li> <li>B. are not attached to the roof of the building</li> </ul> </li> </ul> </li> <li>(c) where they are not flush with a wall: <ul style="list-style-type: none"> <li>(i) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure</li> <li>(ii) if attached to a two-storey building: <ul style="list-style-type: none"> <li>A. has no part located above the finished floor level of the second storey of the building</li> <li>B. does not protrude beyond the outer limits of any verandah structure below</li> <li>C. does not have a sign face that exceeds 1m<sup>2</sup> per side.</li> </ul> </li> </ul> </li> <li>(d) if located below canopy level, are flush with a wall</li> <li>(e) if located at canopy level, are in the form of a fascia sign</li> <li>(f) if located above a canopy: <ul style="list-style-type: none"> <li>(i) are flush with a wall</li> <li>(ii) do not have any part rising above parapet height</li> <li>(iii) are not attached to the roof of the building.</li> </ul> </li> <li>(g) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure</li> <li>(h) if attached to a two-storey building, have no part located above the finished floor level of the second storey of the building</li> <li>(i) where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building facade to which they are attached.</li> </ul>
<p>PO 1.2</p> <p>Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.</p>	<p>DTS/DPF 1.2</p> <p>Where development comprises an advertising hoarding, the supporting structure is:</p> <ul style="list-style-type: none"> <li>(a) concealed by the associated advertisement and decorative detailing or</li> <li>(b) not visible from an adjacent public street or thoroughfare, other than a support structure in the form of a single or dual post design.</li> </ul>
<p>PO 1.3</p> <p>Advertising does not encroach on public land or the land of an adjacent allotment.</p>	<p>DTS/DPF 1.3</p> <p>Advertisements and/or advertising hoardings are contained within the boundaries of the site.</p>

Policy24		P&D Code (in effect) Version 2024.17 12/9/2024	
PO 1.4	Where possible, advertisements on public land are integrated with existing structures and infrastructure.	DTS/DPF 1.4	Advertisements on public land that meet at least one of the following:  (a) achieves Advertisements DTS/DPF 1.1 (b) are integrated with a bus shelter.
PO 1.5	Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.	DTS/DPF 1.5	None are applicable.
Proliferation of Advertisements			
PO 2.1	Proliferation of advertisements is minimised to avoid visual clutter and untidiness.	DTS/DPF 2.1	No more than one freestanding advertisement is displayed per occupancy.
PO 2.2	Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.	DTS/DPF 2.2	Advertising of a multiple business or activity complex is located on a single advertisement fixture or structure.
PO 2.3	Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.	DTS/DPF 2.3	Advertisements satisfy all of the following:  (a) are attached to a building (b) other than in a Neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building facade to which they are attached (c) do not result in more than one sign per occupancy that is not flush with a wall.
Advertising Content			
PO 3.1	Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.	DTS/DPF 3.1	Advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement.
Amenity Impacts			
PO 4.1	Light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers.	DTS/DPF 4.1	Advertisements do not incorporate any illumination.
Safety			
PO 5.1	Advertisements and/or advertising hoardings erected on a verandah or projecting from a building wall are designed and located to allow for safe and convenient pedestrian access.	DTS/DPF 5.1	Advertisements have a minimum clearance of 2.5m between the top of the footpath and base of the underside of the sign.
PO 5.2	Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination.	DTS/DPF 5.2	No advertisement illumination is proposed.
PO 5.3	Advertisements and/or advertising hoardings do not create a hazard to	DTS/DPF 5.3	Advertisements satisfy all of the following:

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drivers by:		<p>(a) being liable to interpretation by drivers as an official traffic sign or signal</p> <p>(b) obscuring or impairing drivers' view of official traffic signs or signals</p> <p>(c) obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings.</p>	
<p>PO 5.4</p> <p>Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.</p>		<p>DTS/DPF 5.4</p> <p>Advertisements and/or advertising hoardings are not located along or adjacent to a road having a speed limit of 80km/h or more.</p>	
<p>PO 5.5</p> <p>Advertisements and/or advertising hoardings provide sufficient clearance from the road carriageway to allow for safe and convenient movement by all road users.</p>		<p>DTS/DPF 5.5</p> <p>Where the advertisement or advertising hoarding is:</p> <p>(a) on a kerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 0.6m from the roadside edge of the kerb</p> <p>(b) on an unkerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 5.5m from the edge of the seal</p> <p>(c) on any other kerbed or unkerbed road, the advertisement or advertising hoarding is located a minimum of the following distance from the roadside edge of the kerb or the seal:</p> <p>(a) 110 km/h road - 14m</p> <p>(b) 100 km/h road - 13m</p> <p>(c) 90 km/h road - 10m</p> <p>(d) 70 or 80 km/h road - 8.5m.</p>	
<p>PO 5.6</p> <p>Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.</p>		<p>DTS/DPF 5.6</p> <p>Advertising:</p> <p>(a) is not illuminated</p> <p>(b) does not incorporate a moving or changing display or message</p> <p>(c) does not incorporate a flashing light(s).</p>	



## Animal Keeping and Horse Keeping

### Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
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Siting and Design	
PO 1.1 Animal keeping, horse keeping and associated activities do not create adverse impacts on the environment or the amenity of the locality.	DTS/DPF 1.1 None are applicable.
PO 1.2 Animal keeping and horse keeping is located and managed to minimise the potential transmission of disease to other operations where animals are kept.	DTS/DPF 1.2 None are applicable.
Horse Keeping	
PO 2.1 Water from stable wash-down areas is directed to appropriate absorption areas and/or drainage pits to minimise pollution of land and water.	DTS/DPF 2.1 None are applicable.
PO 2.2 Stables, horse shelters or associated yards are sited appropriate distances away from sensitive receivers and/or allotments in other ownership to avoid adverse impacts from dust, erosion and odour.	DTS/DPF 2.2 Stables, horse shelters and associated yards are sited in accordance with all of the following:  (a) 30m or more from any sensitive receivers (existing or approved) on land in other ownership (b) where an adjacent allotment is vacant and in other ownership, 30m or more from the boundary of that allotment.
PO 2.3 All areas accessible to horses are separated from septic tank effluent disposal areas to protect the integrity of that system. Stable flooring is constructed with an impervious material to facilitate regular cleaning.	DTS/DPF 2.3 Septic tank effluent disposal areas are enclosed with a horse-proof barrier such as a fence to exclude horses from this area.
PO 2.4 To minimise environmental harm and adverse impacts on water resources, stables, horse shelters and associated yards are appropriately set back from a watercourse.	DTS/DPF 2.4 Stables, horse shelters and associated yards are set back 50m or more from a watercourse.
PO 2.5 Stables, horse shelters and associated yards are located on slopes that are stable to minimise the risk of soil erosion and water runoff.	DTS/DPF 2.5 Stables, horse shelters and associated yards are not located on land with a slope greater than 10% (1-in-10).
Kennels	
PO 3.1 Kennel flooring is constructed with an impervious material to facilitate regular cleaning.	DTS/DPF 3.1 The floors of kennels satisfy all of the following:  (a) are constructed of impervious concrete (b) are designed to be self-draining when washed down.
PO 3.2 Kennels and exercise yards are designed and sited to minimise noise nuisance to neighbours through measures such as:  (a) adopting appropriate separation distances (b) orientating openings away from sensitive receivers.	DTS/DPF 3.2 Kennels are sited 500m or more from the nearest sensitive receiver on land in other ownership.
PO 3.3 Dogs are regularly observed and managed to minimise nuisance impact on adjoining sensitive receivers from animal behaviour.	DTS/DPF 3.3 Kennels are sited in association with a permanent dwelling on the land.
Wastes	
PO 4.1 Storage of manure, used litter and other wastes (other than wastewater lagoons) is designed, constructed and managed to	DTS/DPF 4.1 None are applicable.

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minimise attracting and harbouring vermin.			
PO 4.2	Facilities for the storage of manure, used litter and other wastes (other than wastewater lagoons) are located to minimise the potential for polluting water resources.	DTS/DPF 4.2	Waste storage facilities (other than wastewater lagoons) are located outside the 1% AEP flood event areas.

## Aquaculture

### Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome		Deemed-to-Satisfy Criteria / Designated Performance Feature	
Land-based Aquaculture			
PO 1.1	Land-based aquaculture and associated components are sited and designed to mitigate adverse impacts on nearby sensitive receivers.	DTS/DPF 1.1	Land-based aquaculture and associated components are located to satisfy all of the following:  (a) 200m or more from a sensitive receiver in other ownership (b) 500m or more from the boundary of a zone primarily intended to accommodate sensitive receivers  or  The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
PO 1.2	Land-based aquaculture and associated components are sited and designed to prevent surface flows from entering ponds in a 1% AEP sea flood level event.	DTS/DPF 1.2	None are applicable.
PO 1.3	Land-based aquaculture and associated components are sited and designed to prevent pond leakage that would pollute groundwater.	DTS/DPF 1.3	The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
PO 1.4	Land-based aquaculture and associated components are sited and designed to prevent farmed species escaping and entering into any waters.	DTS/DPF 1.4	The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
PO 1.5	Land-based aquaculture and associated components, including intake and discharge pipes, are designed to minimise the need to traverse sensitive areas to minimise impact on the natural environment.	DTS/DPF 1.5	None are applicable.
PO 1.6		DTS/DPF 1.6	

Pipe inlets and outlets associated with land-based aquaculture are sited and designed to minimise the risk of disease transmission.	The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
PO 1.7 Storage areas associated with aquaculture activity are integrated with the use of the land and sited and designed to minimise their visual impact on the surrounding environment.	DTS/DPF 1.7 None are applicable.
Marine Based Aquaculture	
PO 2.1 Marine aquaculture is sited and designed to minimise its adverse impacts on sensitive ecological areas including: <ul style="list-style-type: none"> <li>(a) creeks and estuaries</li> <li>(b) wetlands</li> <li>(c) significant seagrass and mangrove communities</li> <li>(d) marine habitats and ecosystems.</li> </ul>	DTS/DPF 2.1 None are applicable.
PO 2.2 Marine aquaculture is sited in areas with adequate water current to disperse sediments and dissolve particulate wastes to prevent the build-up of waste that may cause environmental harm.	DTS/DPF 2.2 The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
PO 2.3 Marine aquaculture is designed to not involve discharge of human waste on the site, on any adjacent land or into nearby waters.	DTS/DPF 2.3 The development does not include toilet facilities located over water.
PO 2.4 Marine aquaculture (other than inter-tidal aquaculture) is located an appropriate distance seaward of the high water mark.	DTS/DPF 2.4 Marine aquaculture development is located 100m or more seaward of the high water mark  or  The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
PO 2.5 Marine aquaculture is sited and designed to not obstruct or interfere with: <ul style="list-style-type: none"> <li>(a) areas of high public use</li> <li>(b) areas, including beaches, used for recreational activities such as swimming, fishing, skiing, sailing and other water sports</li> <li>(c) areas of outstanding visual or environmental value</li> <li>(d) areas of high tourism value</li> <li>(e) areas of important regional or state economic activity, including commercial ports, wharfs and jetties</li> <li>(f) the operation of infrastructure facilities including inlet and outlet pipes associated with the desalination of sea water.</li> </ul>	DTS/DPF 2.5 None are applicable.
PO 2.6 Marine aquaculture is sited and designed to minimise interference and obstruction to the natural processes of the coastal and marine environment.	DTS/DPF 2.6 None are applicable.
PO 2.7 Marine aquaculture is designed to be as unobtrusive as practicable by incorporating measures such as: <ul style="list-style-type: none"> <li>(a) using feed hoppers painted in subdued colours and suspending them as close as possible to the surface of the water</li> <li>(b) positioning structures to protrude the minimum distance practicable above the surface of the water</li> </ul>	DTS/DPF 2.7 None are applicable.

<p>(c) avoiding the use of shelters and structures above cages and platforms unless necessary to exclude predators and protected species from interacting with the farming structures and/or stock inside the cages, or for safety reasons</p> <p>(d) positioning racks, floats and other farm structures in unobtrusive locations landward from the shoreline.</p>	
<p>PO 2.8</p> <p>Access, launching and maintenance facilities utilise existing established roads, tracks, ramps and paths to or from the sea where possible to minimise environmental and amenity impacts.</p>	<p>DTS/DPF 2.8</p> <p>The development utilises existing established roads, tracks, ramps and/or paths (as applicable) to access the sea.</p>
<p>PO 2.9</p> <p>Access, launching and maintenance facilities are developed as common user facilities and are co-located where practicable to mitigate adverse impacts on coastal areas.</p>	<p>DTS/DPF 2.9</p> <p>The development utilises existing established roads, tracks, ramps and/or paths (as applicable) to access the sea.</p>
<p>PO 2.10</p> <p>Marine aquaculture is sited to minimise potential impacts on, and to protect the integrity of, reserves under the <i>National Parks and Wildlife Act 1972</i>.</p>	<p>DTS/DPF 2.10</p> <p>Marine aquaculture is located 1000m or more seaward of the boundary of any reserve under the <i>National Parks and Wildlife Act 1972</i>.</p>
<p>PO 2.11</p> <p>Onshore storage, cooling and processing facilities do not impair the coastline and its visual amenity by:</p> <p>(a) being sited, designed, landscaped and of a scale to reduce the overall bulk and appearance of buildings and complement the coastal landscape</p> <p>(b) making provision for appropriately sited and designed vehicular access arrangements, including using existing vehicular access arrangements as far as practicable</p> <p>(c) incorporating appropriate waste treatment and disposal.</p>	<p>DTS/DPF 2.11</p> <p>The development does not include any onshore facilities in conjunction with a proposal for marine aquaculture.</p>
Navigation and Safety	
<p>PO 3.1</p> <p>Marine aquaculture sites are suitably marked to maintain navigational safety.</p>	<p>DTS/DPF 3.1</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
<p>PO 3.2</p> <p>Marine aquaculture is sited to provide adequate separation between farms for safe navigation.</p>	<p>DTS/DPF 3.2</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
Environmental Management	
<p>PO 4.1</p> <p>Marine aquaculture is maintained to prevent hazards to people and wildlife, including breeding grounds and habitats of native marine mammals and terrestrial fauna, especially migratory species.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Marine aquaculture is designed to facilitate the relocation or removal of structures in the case of emergency such as oil spills, algal blooms and altered water flows.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>Marine aquaculture provides for progressive or future reclamation of disturbed areas ahead of, or upon, decommissioning.</p>	<p>DTS/DPF 4.3</p> <p>None are applicable.</p>
<p>PO 4.4</p> <p>Aquaculture operations incorporate measures for the removal and disposal of litter, disused material, shells, debris, detritus, dead animals and animal waste to prevent pollution of waters, wetlands, or the</p>	<p>DTS/DPF 4.4</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>

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nearby coastline.	

Beverage Production in Rural Areas

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Odour and Noise	
PO 1.1 Beverage production activities are designed and sited to minimise odour impacts on rural amenity.	DTS/DPF 1.1 None are applicable.
PO 1.2 Beverage production activities are designed and sited to minimise noise impacts on sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.3 Fermentation, distillation, manufacturing, storage, packaging and bottling activities occur within enclosed buildings to improve the visual appearance within a locality and manage noise associated with these activities.	DTS/DPF 1.3 None are applicable.
PO 1.4 Breweries are designed to minimise odours emitted during boiling and fermentation stages of production.	DTS/DPF 1.4 Brew kettles are fitted with a vapour condenser.
PO 1.5 Beverage production solid wastes are stored in a manner that minimises odour impacts on sensitive receivers in other ownership.	DTS/DPF 1.5 Solid waste from beverage production is collected and stored in sealed containers and removed from the site within 48 hours.
Water Quality	
PO 2.1 Beverage production wastewater management systems (including wastewater irrigation) are set back from watercourses to minimise adverse impacts on water resources.	DTS/DPF 2.1 Wastewater management systems are set back 50m or more from the banks of watercourses and bores.
PO 2.2 The storage or disposal of chemicals or hazardous substances is undertaken in a manner to prevent pollution of water resources.	DTS/DPF 2.2 None are applicable.
PO 2.3 Stormwater runoff from areas that may cause contamination due to beverage production activities (including vehicle movements and machinery operations) is drained to an onsite stormwater treatment	DTS/DPF 2.3 None are applicable.



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system to manage potential environmental impacts.			
PO 2.4	Stormwater runoff from areas unlikely to cause contamination by beverage production and associated activities (such as roof catchments and clean hard-paved surfaces) is diverted away from beverage production areas and wastewater management systems.	DTS/DPF 2.4	None are applicable.
Wastewater Irrigation			
PO 3.1	Beverage production wastewater irrigation systems are designed and located to not contaminate soil and surface and ground water resources or damage crops.	DTS/DPF 3.1	None are applicable.
PO 3.2	Beverage production wastewater irrigation systems are designed and located to minimise impact on amenity and avoid spray drift onto adjoining land.	DTS/DPF 3.2	Beverage production wastewater is not irrigated within 50m of any dwelling in other ownership.
PO 3.3	Beverage production wastewater is not irrigated onto areas that pose an undue risk to the environment or amenity such as: <ul style="list-style-type: none"> <li>(a) waterlogged areas</li> <li>(b) land within 50m of a creek, swamp or domestic or stock water bore</li> <li>(c) land subject to flooding</li> <li>(d) steeply sloping land</li> <li>(e) rocky or highly permeable soil overlaying an unconfined aquifer.</li> </ul>	DTS/DPF 3.3	None are applicable.

## Bulk Handling and Storage Facilities

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Facilities for the bulk handling and storage of agricultural, mineral, petroleum, rock, ore or other similar commodities are designed to minimise adverse impacts on transport networks, the landscape and surrounding land uses.

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	DTS/DPF 1.1
Bulk handling and storage facilities are sited and designed to minimise risks of adverse air quality and noise impacts on sensitive receivers.	Facilities for the handling, storage and dispatch of commodities in bulk (excluding processing) meet the following minimum separation distances from sensitive receivers:

	<p>(a) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility (including sea-port grain terminals), where the handling of these materials into or from vessels does not exceed 100 tonnes per day: 300m or more from residential premises not associated with the facility</p> <p>(b) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility: 300m or more from residential premises not associated with the facility</p> <p>(c) bulk petroleum storage involving individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1,000 cubic metres: 500m or more</p> <p>(d) coal handling with:</p> <p>a. capacity up to 1 tonne per day or a storage capacity up to 50 tonnes: 500m or more</p> <p>b. capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes: 1000m or more.</p>
Buffers and Landscaping	
PO 2.1 Bulk handling and storage facilities incorporate a buffer area for the establishment of dense landscaping adjacent road frontages to enhance the appearance of land and buildings from public thoroughfares.	DTS/DPF 2.1 None are applicable.
PO 2.2 Bulk handling and storage facilities incorporate landscaping to assist with screening and dust filtration.	DTS/DPF 2.2 None are applicable.
Access and Parking	
PO 3.1 Roadways and vehicle parking areas associated with bulk handling and storage facilities are designed and surfaced to control dust emissions and prevent drag out of material from the site.	DTS/DPF 3.1 Roadways and vehicle parking areas are sealed with an all-weather surface.
Slipways, Wharves and Pontoons	
PO 4.1 Slipways, wharves and pontoons used for the handling of bulk materials (such as fuel, oil, catch, bait and the like) incorporate catchment devices to avoid the release of materials into adjacent waters.	DTS/DPF 4.1 None are applicable.

## Clearance from Overhead Powerlines

### Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1	DTS/DPF 1.1

Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	One of the following is satisfied: <div> <div>(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></div> <div>(b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.</div> </div>
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Design

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is: <div> <div>(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</div> <div>(b) durable - fit for purpose, adaptable and long lasting</div> <div>(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</div> <div>(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.</div> </div>

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
External Appearance	
PO 1.1 Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).	DTS/DPF 1.1 None are applicable.
PO 1.2 Where zero or minor setbacks are desirable, development provides shelter over footpaths ( <u>in the form of verandahs, awnings, canopies and the like, with adequate lighting</u> ) to positively contribute to the walkability, comfort and safety of the public realm.	DTS/DPF 1.2 None are applicable.
PO 1.3 Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.	DTS/DPF 1.3 None are applicable.
PO 1.4 Plant, exhaust and intake vents and other technical equipment is integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by: <div> <div>(a) positioning plant and equipment in unobtrusive locations viewed from public roads and spaces</div> </div>	DTS/DPF 1.4 Development does not incorporate any structures that protrude beyond the roofline.

(b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.	
PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.	DTS/DPF 1.5 None are applicable.
Safety	
PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is designed to differentiate public, communal and private areas.	DTS/DPF 2.2 None are applicable.
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.
PO 2.5 Common areas and entry points of buildings (such as the foyer areas of residential buildings), and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF 2.5 None are applicable.
Landscaping	
PO 3.1 Soft landscaping and tree planting is incorporated to: <ul style="list-style-type: none"> <li>(a) minimise heat absorption and reflection</li> <li>(b) maximise shade and shelter</li> <li>(c) maximise stormwater infiltration</li> <li>(d) enhance the appearance of land and streetscapes</li> <li>(e) contribute to biodiversity.</li> </ul>	DTS/DPF 3.1 None are applicable.
PO 3.2 Soft landscaping and tree planting maximises the use of locally indigenous plant species, incorporates plant species best suited to current and future climate conditions and avoids pest plant and weed species.	DTS/DPF 3.2 None are applicable.
Environmental Performance	
PO 4.1 Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.	DTS/DPF 4.1 None are applicable.
PO 4.2 Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on	DTS/DPF 4.2 None are applicable.

mechanical systems, such as heating and cooling.	
PO 4.3 Buildings incorporate climate-responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.	DTS/DPF 4.3 None are applicable.
Water Sensitive Design	
PO 5.1 Development is sited and designed to maintain natural hydrological systems without negatively impacting:  (a) the quantity and quality of surface water and groundwater (b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs.	DTS/DPF 5.1 None are applicable.
On-site Waste Treatment Systems	
PO 6.1 Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.	DTS/DPF 6.1 Effluent disposal drainage areas do not:  (a) encroach within an area used as private open space or result in less private open space than that specified in Design Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
Carparking Appearance	
PO 7.1 Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on the streetscapes through techniques such as:  (a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure.	DTS/DPF 7.1 None are applicable.
PO 7.2 Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	DTS/DPF 7.2 None are applicable.
PO 7.3 Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	DTS/DPF 7.3 None are applicable.
PO 7.4 Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.	DTS/DPF 7.4 None are applicable.
PO 7.5 Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	DTS/DPF 7.5 None are applicable.

PO 7.6 Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	DTS/DPF 7.6 None are applicable.
PO 7.7 Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	DTS/DPF 7.7 None are applicable.
Earthworks and sloping land	
PO 8.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.	DTS/DPF 8.1 Development does not involve any of the following: <ul style="list-style-type: none"> <li>(a) excavation exceeding a vertical height of 1m</li> <li>(b) filling exceeding a vertical height of 1m</li> <li>(c) a total combined excavation and filling vertical height of 2m or more.</li> </ul>
PO 8.2 Driveways and access tracks are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).	DTS/DPF 8.2 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b): <ul style="list-style-type: none"> <li>(a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway</li> <li>(b) are constructed with an all-weather trafficable surface.</li> </ul>
PO 8.3 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8): <ul style="list-style-type: none"> <li>(a) do not contribute to the instability of embankments and cuttings</li> <li>(b) provide level transition areas for the safe movement of people and goods to and from the development</li> <li>(c) are designed to integrate with the natural topography of the land.</li> </ul>	DTS/DPF 8.3 None are applicable.
PO 8.4 Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on-site drainage systems to minimise erosion.	DTS/DPF 8.4 None are applicable.
PO 8.5 Development does not occur on land at risk of landslide nor increases the potential for landslide or land surface instability.	DTS/DPF 8.5 None are applicable.
Fences and Walls	
PO 9.1 Fences, walls and retaining walls are of sufficient height to maintain privacy and security without unreasonably impacting the visual amenity and adjoining land's access to sunlight or the amenity of public places.	DTS/DPF 9.1 None are applicable.
PO 9.2 Landscaping incorporated on the low side of retaining walls is visible from public roads and public open space to minimise visual impacts.	DTS/DPF 9.2 A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.
Overlooking / Visual Privacy (in building 3 storeys or less)	
PO 10.1 Development mitigates direct overlooking from upper level windows to	DTS/DPF 10.1 Upper level windows facing side or rear boundaries shared with a



habitable rooms and private open spaces of adjoining residential uses.	residential allotment/site satisfy one of the following: <ul style="list-style-type: none"> <li>(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</li> <li>(b) have sill heights greater than or equal to 1.5m above finished floor level</li> <li>(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.</li> </ul>
PO 10.2 Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.	DTS/DPF 10.2 One of the following is satisfied: <ul style="list-style-type: none"> <li>(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</li> <li>or</li> <li>(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"> <li>(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</li> <li>or</li> <li>(ii) 1.7m above finished floor level in all other cases</li> </ul> </li> </ul>
All Residential development	
Front elevations and passive surveillance	
PO 11.1 Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.	DTS/DPF 11.1 Each dwelling with a frontage to a public street: <ul style="list-style-type: none"> <li>(a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m</li> <li>(b) has an aggregate window area of at least 2m<sup>2</sup> facing the primary street.</li> </ul>
PO 11.2 Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.	DTS/DPF 11.2 Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.
Outlook and amenity	
PO 12.1 Living rooms have an external outlook to provide a high standard of amenity for occupants.	DTS/DPF 12.1 A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.
PO 12.2 Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.	DTS/DPF 12.2 None are applicable.
Ancillary Development	
PO 13.1 Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.	DTS/DPF 13.1 Ancillary buildings: <ul style="list-style-type: none"> <li>(a) are ancillary to a dwelling erected on the same site</li> <li>(b) have a floor area not exceeding 60m<sup>2</sup></li> <li>(c) are not constructed, added to or altered so that any part is situated:</li> </ul>

	<p>(i) in front of any part of the building line of the dwelling to which it is ancillary or</p> <p>(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</p> <p>(d) in the case of a garage or carport, the garage or carport:</p> <p>(i) is set back at least 5.5m from the boundary of the primary street</p> <p>(ii) when facing a primary street or secondary street, has a total door / opening not exceeding:</p> <p>A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser</p> <p>B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width</p> <p>(e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless:</p> <p>(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and</p> <p>(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</p> <p>(f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</p> <p>(g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</p> <p>(h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)</p> <p>(i) have a roof height where no part of the roof is more than 5m above the natural ground level</p> <p>(j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour</p> <p>(k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:</p> <p>(i) a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(ii) the amount of existing soft landscaping prior to the development occurring.</p> <p>(l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
PO 13.2	DTS/DPF 13.2										

Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision or car parking requirements and do not result in over-development of the site.	Ancillary buildings and structures do not result in: <ul style="list-style-type: none"> <li>(a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space</li> <li>(b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</li> </ul>						
PO 13.3 Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa is positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers.	DTS/DPF 13.3 The pump and/or filtration system is ancillary to a dwelling erected on the same site and is: <ul style="list-style-type: none"> <li>(a) enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room located on an adjoining allotment or</li> <li>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</li> </ul>						
PO 13.4 Buildings and structures that are ancillary to an existing non-residential use do not detract from the streetscape character, appearance of buildings on the site of the development, or the amenity of neighbouring properties.	DTS/DPF 13.4 Non-residential ancillary buildings and structures: <ul style="list-style-type: none"> <li>(a) are ancillary and subordinate to an existing non-residential use on the same site</li> <li>(b) have a floor area not exceeding the following:               <table border="1" data-bbox="906 869 1206 963"> <thead> <tr> <th>Allotment size</th><th>Floor area</th></tr> </thead> <tbody> <tr> <td>≤500m<sup>2</sup></td><td>60m<sup>2</sup></td></tr> <tr> <td>&gt;500m<sup>2</sup></td><td>80m<sup>2</sup></td></tr> </tbody> </table> </li> <li>(c) are not constructed, added to or altered so that any part is situated:               <ul style="list-style-type: none"> <li>(i) in front of any part of the building line of the main building to which it is ancillary or</li> <li>(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</li> </ul> </li> <li>(d) in the case of a garage or carport, the garage or carport:               <ul style="list-style-type: none"> <li>(i) is set back at least 5.5m from the boundary of the primary street</li> </ul> </li> <li>(e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless:               <ul style="list-style-type: none"> <li>(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary</li> <li>(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</li> </ul> </li> <li>(f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</li> <li>(g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</li> <li>(h) have a wall height (or post height) not exceeding 3m (and not including a gable end)</li> <li>(i) have a roof height where no part of the roof is more than 5m above the natural ground level</li> <li>(j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour.</li> </ul>	Allotment size	Floor area	≤500m <sup>2</sup>	60m <sup>2</sup>	>500m <sup>2</sup>	80m <sup>2</sup>
Allotment size	Floor area						
≤500m <sup>2</sup>	60m <sup>2</sup>						
>500m <sup>2</sup>	80m <sup>2</sup>						
Garage appearance							
PO 14.1	DTS/DPF 14.1						

Garaging is designed to not detract from the streetscape or appearance of a dwelling.	<p>Garages and carports facing a street:</p> <ul style="list-style-type: none"> <li>(a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling</li> <li>(b) are set back at least 5.5m from the boundary of the primary street</li> <li>(c) have a garage door / opening not exceeding 7m in width</li> <li>(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.</li> </ul>
Massing	
PO 15.1 The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.	<p>DTS/DPF 15.1</p> <p>None are applicable</p>
Dwelling additions	
PO 16.1 Dwelling additions are sited and designed to not detract from the streetscape or amenity of adjoining properties and do not impede on-site functional requirements.	<p>DTS / DPF 16.1</p> <p>Dwelling additions:</p> <ul style="list-style-type: none"> <li>(a) are not constructed, added to or altered so that any part is situated closer to a public street</li> <li>(b) do not result in: <ul style="list-style-type: none"> <li>(i) excavation exceeding a vertical height of 1m</li> <li>(ii) filling exceeding a vertical height of 1m</li> <li>(iii) a total combined excavation and filling vertical height of 2m or more</li> <li>(iv) less Private Open Space than specified in Design Table 1 - Private Open Space</li> <li>(v) less on-site parking than specified in Transport Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas</li> <li>(vi) upper level windows facing side or rear boundaries unless: <ul style="list-style-type: none"> <li>A. they are permanently obscured to a height of 1.5m above finished floor level that is fixed or not capable of being opened more than 200mm</li> <li>or</li> <li>B. have sill heights greater than or equal to 1.5m above finished floor level</li> <li>or</li> <li>C. incorporate screening to a height of 1.5m above finished floor level</li> </ul> </li> <li>(vii) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> <li>A. 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land</li> <li>B. 1.7m above finished floor level in all other cases.</li> </ul> </li> </ul> </li> </ul>
Private Open Space	
PO 17.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	<p>DTS/DPF 17.1</p> <p>Private open space is provided in accordance with Design Table 1 - Private Open Space.</p>
Water Sensitive Design	

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

	<ul style="list-style-type: none"> <li>(i) is set back 6m or more from the tangent point of an intersection of 2 or more roads</li> <li>(ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing</li> <li>(iii) does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.</li> </ul>
<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"> <li>(a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping</li> <li>(b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:</li> </ul> <div style="text-align: center;"> <p style="text-align: center;">CENTRE LINE OF DRIVEWAY TO BE BETWEEN 70° TO 110° OFF THE STREET BOUNDARY</p> <p style="text-align: center;">70°                      110°</p> <p style="text-align: center;">0°</p> <p style="text-align: center;">STREET BOUNDARY</p> <p style="text-align: center;">ROAD</p> </div> <ul style="list-style-type: none"> <li>(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</li> </ul>
<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"> <li>(a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)</li> <li>(b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly</li> <li>(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.</li> </ul>
Waste storage	
PO 20.1	DTS/DPF 20.1



Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.	None are applicable.										
Design of Transportable Dwellings											
PO 21.1 The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.	DTS/DPF 21.1 Buildings satisfy (a) or (b):  (a) are not transportable or (b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.										
Group dwelling, residential flat buildings and battle-axe development											
Amenity											
PO 22.1 Dwellings are of a suitable size to accommodate a layout that is well organised and provides a high standard of amenity for occupants.	DTS/DPF 22.1 Dwellings have a minimum internal floor area in accordance with the following table: <table border="1"> <thead> <tr> <th>Number of bedrooms</th><th>Minimum internal floor area</th></tr> </thead> <tbody> <tr> <td>Studio</td><td>35m<sup>2</sup></td></tr> <tr> <td>1 bedroom</td><td>50m<sup>2</sup></td></tr> <tr> <td>2 bedroom</td><td>65m<sup>2</sup></td></tr> <tr> <td>3+ bedrooms</td><td>80m<sup>2</sup> and any dwelling over 3 bedrooms provides an additional 15m<sup>2</sup> for every additional bedroom</td></tr> </tbody> </table>	Number of bedrooms	Minimum internal floor area	Studio	35m <sup>2</sup>	1 bedroom	50m <sup>2</sup>	2 bedroom	65m <sup>2</sup>	3+ bedrooms	80m <sup>2</sup> and any dwelling over 3 bedrooms provides an additional 15m <sup>2</sup> for every additional bedroom
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3+ bedrooms	80m <sup>2</sup> and any dwelling over 3 bedrooms provides an additional 15m <sup>2</sup> for every additional bedroom										
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.										
Communal Open Space											
PO 23.1 Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.	DTS/DPF 23.1 None are applicable.										
PO 23.2 Communal open space is of sufficient size and dimensions to cater for group recreation.	DTS/DPF 23.2 Communal open space incorporates a minimum dimension of 5 metres.										
PO 23.3 Communal open space is designed and sited to:  (a) be conveniently accessed by the dwellings which it services (b) have regard to acoustic, safety, security and wind effects.	DTS/DPF 23.3 None are applicable.										

PO 23.4 Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.	DTS/DPF 23.4 None are applicable.
PO 23.5 Communal open space is designed and sited to: <div>             (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings             (b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.           </div>	DTS/DPF 23.5 None are applicable.
Carparking, access and manoeuvrability	
PO 24.1 Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.	DTS/DPF 24.1 Where on-street parking is available directly adjacent the site, on-street parking is retained adjacent the subject site in accordance with the following requirements: <div>             (a) minimum 0.33 on-street car parks per proposed dwellings (rounded up to the nearest whole number)             (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly             (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.           </div>
PO 24.2 The number of vehicular access points onto public roads is minimised to reduce interruption of the footpath and positively contribute to public safety and walkability.	DTS/DPF 24.2 Access to group dwellings or dwellings within a residential flat building is provided via a single common driveway.
PO 24.3 Residential driveways that service more than one dwelling are designed to allow safe and convenient movement.	DTS/DPF 24.3 Driveways that service more than 1 dwelling or a dwelling on a battle-axe site: <div>             (a) have a minimum width of 3m             (b) for driveways servicing more than 3 dwellings:             <div>               (i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street               (ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.             </div> </div>
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.
PO 24.5 Residential driveways that service more than one dwelling are designed to allow passenger vehicles to enter and exit the site and manoeuvre within the site in a safe and convenient manner.	DTS/DPF 24.5 Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre.
PO 24.6 Dwellings are adequately separated from common driveways and manoeuvring areas.	DTS/DPF 24.6 Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.
Soft Landscaping	
PO 25.1 Soft landscaping is provided between dwellings and common driveways to improve the outlook for occupants and appearance of common	DTS/DPF 25.1 Other than where located directly in front of a garage or a building entry, soft landscaping with a minimum dimension of 1m is provided

areas.	between a dwelling and common driveway.
PO 25.2 Soft landscaping is provided that improves the appearance of common driveways.	DTS/DPF 25.2 Where a common driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).
Site Facilities / Waste Storage	
PO 26.1 Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.	DTS/DPF 26.1 None are applicable.
PO 26.2 Provision is made for suitable external clothes drying facilities.	DTS/DPF 26.2 None are applicable.
PO 26.3 Provision is made for suitable household waste and recyclable material storage facilities which are:  (a) located away, or screened, from public view, and (b) conveniently located in proximity to dwellings and the waste collection point.	DTS/DPF 26.3 None are applicable.
PO 26.4 Waste and recyclable material storage areas are located away from dwellings.	DTS/DPF 26.4 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.
PO 26.5 Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.	DTS/DPF 26.5 None are applicable.
PO 26.6 Services including gas and water meters are conveniently located and screened from public view.	DTS/DPF 26.6 None are applicable.
Supported accommodation and retirement facilities	
Siting and Configuration	
PO 27.1 Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.	DTS/DPF 27.1 None are applicable.
Movement and Access	
PO 28.1 Development is designed to support safe and convenient access and movement for residents by providing:  (a) ground-level access or lifted access to all units (b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places (c) car parks with gradients no steeper than 1-in-40 and of sufficient area to provide for wheelchair manoeuvrability (d) kerb ramps at pedestrian crossing points.	DTS/DPF 28.1 None are applicable.
Communal Open Space	
PO 29.1	DTS/DPF 29.1

Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.	None are applicable.
PO 29.2 Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.	DTS/DPF 29.2 None are applicable.
PO 29.3 Communal open space is of sufficient size and dimensions to cater for group recreation.	DTS/DPF 29.3 Communal open space incorporates a minimum dimension of 5 metres.
PO 29.4 Communal open space is designed and sited to: <div>             (a) be conveniently accessed by the dwellings which it services             (b) have regard to acoustic, safety, security and wind effects.           </div>	DTS/DPF 29.4 None are applicable.
PO 29.5 Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.	DTS/DPF 29.5 None are applicable.
PO 29.6 Communal open space is designed and sited to: <div>             (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings             (b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.           </div>	DTS/DPF 29.6 None are applicable.
Site Facilities / Waste Storage	
PO 30.1 Development is designed to provide storage areas for personal items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric powered vehicles.	DTS/DPF 30.1 None are applicable.
PO 30.2 Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.	DTS/DPF 30.2 None are applicable.
PO 30.3 Provision is made for suitable external clothes drying facilities.	DTS/DPF 30.3 None are applicable.
PO 30.4 Provision is made for suitable household waste and recyclable material storage facilities conveniently located and screened from public view.	DTS/DPF 30.4 None are applicable.
PO 30.5 Waste and recyclable material storage areas are located away from dwellings.	DTS/DPF 30.5 Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.
PO 30.6 Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time.	DTS/DPF 30.6 None are applicable.
PO 30.7 Services including gas and water meters are conveniently located and screened from public view.	DTS/DPF 30.7 None are applicable.

All non-residential development			
Water Sensitive Design			
<p>PO 31.1</p> <p>Development likely to result in significant risk of export of litter, oil or grease includes stormwater management systems designed to minimise pollutants entering stormwater.</p>	<p>DTS/DPF 31.1</p> <p>None are applicable.</p>		
<p>PO 31.2</p> <p>Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.</p>	<p>DTS/DPF 31.2</p> <p>None are applicable.</p>		
Wash-down and Waste Loading and Unloading			
<p>PO 32.1</p> <p>Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, vessels, plant or equipment are:</p> <ul style="list-style-type: none"> <li>(a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off</li> <li>(b) paved with an impervious material to facilitate wastewater collection</li> <li>(c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area</li> <li>(d) designed to drain wastewater to either: <ul style="list-style-type: none"> <li>(i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or</li> <li>(ii) a holding tank and its subsequent removal off-site on a regular basis.</li> </ul> </li> </ul>	<p>DTS/DPF 32.1</p> <p>None are applicable.</p>		
Decks			
Design and Siting			
<p>PO 33.1</p> <p>Decks are designed and sited to:</p> <ul style="list-style-type: none"> <li>(a) complement the associated building form</li> <li>(b) minimise impacts on the streetscape through siting behind the building line of the principal building (unless on a significant allotment or open space)</li> <li>(c) minimise cut and fill and overall massing when viewed from adjacent land.</li> </ul>	<p>DTS/DPF 33.1</p> <p>Decks:</p> <ul style="list-style-type: none"> <li>(a) where ancillary to a dwelling: <ul style="list-style-type: none"> <li>(i) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> <li>A. in front of any part of the building line of the dwelling to which it is ancillary or</li> <li>B. within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</li> </ul> </li> <li>(ii) are set back at least 900mm from side or rear allotment boundaries</li> <li>(iii) when attached to the dwelling, has a finished floor level consistent with the finished ground floor level of the dwelling</li> <li>(iv) where associated with a residential use, retains a total area of soft landscaping for the entire development site, including any common property, with a minimum dimension of 700mm in accordance with (A) or (B), whichever is less: <ul style="list-style-type: none"> <li>A. a total area is determined by the following table:</li> </ul> </li> </ul> </li> </ul> <table border="1"> <tr> <td>Site area (or in the case of residential flat building or</td><td>Minimum percentage of</td></tr> </table>	Site area (or in the case of residential flat building or	Minimum percentage of
Site area (or in the case of residential flat building or	Minimum percentage of		

		group dwelling(s), average site area) (m <sup>2</sup> )	site
		<150	10%
		150-200	15%
		>200-450	20%
		>450	25%
	<p>B. the amount of existing soft landscaping prior to the development occurring.</p> <p>(b) where in association with a non-residential use:</p> <ul style="list-style-type: none"> <li>(i) are set back at least 2 metres from the boundary of an allotment used for residential purposes.</li> <li>(ii) are set back at least 2 metres from a public road.</li> <li>(iii) have a floor area not exceeding 25m<sup>2</sup></li> </ul> <p>(c) in all cases, has a finished floor level not exceeding 1 metre above natural ground level at any point.</p>		
PO 33.2	<p>Decks are designed and sited to minimise direct overlooking of habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones through suitable floor levels, screening and siting taking into account the slope of the subject land, existing vegetation on the subject land, and fencing.</p>		
	<p>DTS/DPF 33.2</p> <p>Decks with a finished floor level/s 500mm or more above natural ground level facing side or rear boundaries shared with a residential use in a neighbourhood-type zone incorporate screening with a maximum of 25% transparency/openings, permanently fixed to the outer edge of the deck not less than 1.5 m above the finished floor level/s.</p>		
PO 33.3	<p>Decks used for outdoor dining, entertainment or other commercial uses provide carparking in accordance with the primary use of the deck.</p>		
	<p>DTS/DPF 33.3</p> <p>Decks used for commercial purposes do not result in less on-site car parking for the primary use of the subject land than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</p>		

Table 1 - Private Open Space

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



## Design in Urban Areas

### Assessment Provisions (AP)

#### Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> <li>(a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality</li> <li>(b) durable - fit for purpose, adaptable and long lasting</li> <li>(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</li> <li>(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.</li> </ul>

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

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

loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.	
Safety	
PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is designed to differentiate public, communal and private areas.	DTS/DPF 2.2 None are applicable.
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.
PO 2.5 Common areas and entry points of buildings (such as the foyer areas of residential buildings) and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF 2.5 None are applicable.
Landscaping	
PO 3.1 Soft landscaping and tree planting are incorporated to:  (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes.	DTS/DPF 3.1 None are applicable.
Environmental Performance	
PO 4.1 Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.	DTS/DPF 4.1 None are applicable.
PO 4.2 Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.	DTS/DPF 4.2 None are applicable.
PO 4.3 Buildings incorporate climate responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.	DTS/DPF 4.3 None are applicable.
Water Sensitive Design	
PO 5.1 Development is sited and designed to maintain natural hydrological systems without negatively impacting:  (a) the quantity and quality of surface water and groundwater	DTS/DPF 5.1 None are applicable.

(b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs.	
On-site Waste Treatment Systems	
PO 6.1 Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.	DTS/DPF 6.1 Effluent disposal drainage areas do not: <ul style="list-style-type: none"> <li>(a) encroach within an area used as private open space or result in less private open space than that specified in Design in Urban Areas Table 1 - Private Open Space</li> <li>(b) use an area also used as a driveway</li> <li>(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.</li> </ul>
Car parking appearance	
PO 7.1 Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on streetscapes through techniques such as: <ul style="list-style-type: none"> <li>(a) limiting protrusion above finished ground level</li> <li>(b) screening through appropriate planting, fencing and mounding</li> <li>(c) limiting the width of openings and integrating them into the building structure.</li> </ul>	DTS/DPF 7.1 None are applicable.
PO 7.2 Vehicle parking areas appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	DTS/DPF 7.2 None are applicable.
PO 7.3 Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	DTS/DPF 7.3 None are applicable.
PO 7.4 Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.	DTS/DPF 7.4 Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.
PO 7.5 Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	DTS/DPF 7.5 Vehicle parking areas comprising 10 or more car parking spaces include soft landscaping with a minimum dimension of: <ul style="list-style-type: none"> <li>(a) 1m along all public road frontages and allotment boundaries</li> <li>(b) 1m between double rows of car parking spaces.</li> </ul>
PO 7.6 Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	DTS/DPF 7.6 None are applicable.
PO 7.7 Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	DTS/DPF 7.7 None are applicable.
Earthworks and sloping land	
PO 8.1	DTS/DPF 8.1

Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.	Development does not involve any of the following: <ul style="list-style-type: none"> <li>(a) excavation exceeding a vertical height of 1m</li> <li>(b) filling exceeding a vertical height of 1m</li> <li>(c) a total combined excavation and filling vertical height of 2m or more.</li> </ul>
PO 8.2 Driveways and access tracks designed and constructed to allow safe and convenient access on sloping land.	DTS/DPF 8.2 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b): <ul style="list-style-type: none"> <li>(a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway</li> <li>(b) are constructed with an all-weather trafficable surface.</li> </ul>
PO 8.3 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8): <ul style="list-style-type: none"> <li>(a) do not contribute to the instability of embankments and cuttings</li> <li>(b) provide level transition areas for the safe movement of people and goods to and from the development</li> <li>(c) are designed to integrate with the natural topography of the land.</li> </ul>	DTS/DPF 8.3 None are applicable.
PO 8.4 Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on site drainage systems to minimise erosion.	DTS/DPF 8.4 None are applicable.
PO 8.5 Development does not occur on land at risk of landslide or increase the potential for landslide or land surface instability.	DTS/DPF 8.5 None are applicable.
Fences and walls	
PO 9.1 Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.	DTS/DPF 9.1 None are applicable.
PO 9.2 Landscaping is incorporated on the low side of retaining walls that are visible from public roads and public open space to minimise visual impacts.	DTS/DPF 9.2 A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.
Overlooking / Visual Privacy (low rise buildings)	
PO 10.1 Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.	DTS/DPF 10.1 Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone: <ul style="list-style-type: none"> <li>(a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm</li> <li>(b) have sill heights greater than or equal to 1.5m above finished floor level</li> <li>(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.</li> </ul>
PO 10.2	DTS/DPF 10.2

Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.	One of the following is satisfied: <ul style="list-style-type: none"> <li>(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</li> <li>(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"> <li>(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</li> <li>(ii) 1.7m above finished floor level in all other cases</li> </ul> </li> </ul>
Site Facilities / Waste Storage (excluding low rise residential development)	
PO 11.1 Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.	DTS/DPF 11.1 None are applicable.
PO 11.2 Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.	DTS/DPF 11.2 None are applicable.
PO 11.3 Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.	DTS/DPF 11.3 None are applicable.
PO 11.4 Communal waste storage and collection areas are designed to allow waste and recycling collection vehicles to enter and leave the site without reversing.	DTS/DPF 11.4 None are applicable.
PO 11.5 For mixed use developments, non-residential waste and recycling storage areas and access provide opportunities for on-site management of food waste through composting or other waste recovery as appropriate.	DTS/DPF 11.5 None are applicable.
All Development - Medium and High Rise	
External Appearance	
PO 12.1 Buildings positively contribute to the character of the local area by responding to local context.	DTS/DPF 12.1 None are applicable.
PO 12.2 Architectural detail at street level and a mixture of materials at lower building levels near the public interface are provided to reinforce a human scale.	DTS/DPF 12.2 None are applicable.
PO 12.3 Buildings are designed to reduce visual mass by breaking up building elevations into distinct elements.	DTS/DPF 12.3 None are applicable.
PO 12.4 Boundary walls visible from public land include visually interesting treatments to break up large blank elevations.	DTS/DPF 12.4 None are applicable.
PO 12.5 External materials and finishes are durable and age well to minimise ongoing maintenance requirements.	DTS/DPF 12.5 Buildings utilise a combination of the following external materials and finishes: <ul style="list-style-type: none"> <li>(a) masonry</li> <li>(b) natural stone</li> </ul>

	(c) pre-finished materials that minimise staining, discolouring or deterioration.																						
PO 12.6 Street-facing building elevations are designed to provide attractive, high quality and pedestrian-friendly street frontages.	DTS/DPF 12.6 Building street frontages incorporate:  (a) active uses such as shops or offices (b) prominent entry areas for multi-storey buildings (where it is a common entry) (c) habitable rooms of dwellings (d) areas of communal public realm with public art or the like, where consistent with the zone and/or subzone provisions.																						
PO 12.7 Entrances to multi-storey buildings are safe, attractive, welcoming, functional and contribute to streetscape character.	DTS/DPF 12.7 Entrances to multi-storey buildings are:  (a) oriented towards the street (b) clearly visible and easily identifiable from the street and vehicle parking areas (c) designed to be prominent, accentuated and a welcoming feature if there are no active or occupied ground floor uses (d) designed to provide shelter, a sense of personal address and transitional space around the entry (e) located as close as practicable to the lift and / or lobby access to minimise the need for long access corridors (f) designed to avoid the creation of potential areas of entrapment.																						
PO 12.8 Building services, plant and mechanical equipment are screened from the public realm.	DTS/DPF 12.8 None are applicable.																						
Landscaping																							
PO 13.1 Development facing a street provides a well landscaped area that contains a deep soil space to accommodate a tree of a species and size adequate to provide shade, contribute to tree canopy targets and soften the appearance of buildings.	DTS/DPF 13.1 Buildings provide a 4m by 4m deep soil space in front of the building that accommodates a medium to large tree, except where no building setback from front property boundaries is desired.																						
PO 13.2 Deep soil zones are provided to retain existing vegetation or provide areas that can accommodate new deep root vegetation, including tall trees with large canopies to provide shade and soften the appearance of multi-storey buildings.	<div>DTS/DPF 13.2 Multi-storey development provides deep soil zones and incorporates trees at not less than the following rates, except in a location or zone where full site coverage is desired.</div> <table><tr><th>Site area</th><th>Minimum deep soil area</th><th>Minimum dimension</th><th>Tree / deep soil zones</th></tr><tr><td>&lt;300 m<sup>2</sup></td><td>10 m<sup>2</sup></td><td>1.5m</td><td>1 small tree / 10 m<sup>2</sup></td></tr><tr><td>300-1500 m<sup>2</sup></td><td>7% site area</td><td>3m</td><td>1 medium tree / 30 m<sup>2</sup></td></tr><tr><td>&gt;1500 m<sup>2</sup></td><td>7% site area</td><td>6m</td><td>1 large or medium tree / 60 m<sup>2</sup></td></tr></table> <div>Tree size and site area definitions</div> <table><tr><td>Small tree</td><td>4-6m mature height and 2-4m canopy spread</td></tr><tr><td>Medium tree</td><td>6-12m mature height and 4-8m canopy spread</td></tr><tr><td>Large tree</td><td>12m mature height and &gt;8m canopy spread</td></tr></table>	Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones	<300 m <sup>2</sup>	10 m <sup>2</sup>	1.5m	1 small tree / 10 m <sup>2</sup>	300-1500 m <sup>2</sup>	7% site area	3m	1 medium tree / 30 m <sup>2</sup>	>1500 m <sup>2</sup>	7% site area	6m	1 large or medium tree / 60 m <sup>2</sup>	Small tree	4-6m mature height and 2-4m canopy spread	Medium tree	6-12m mature height and 4-8m canopy spread	Large tree	12m mature height and >8m canopy spread
Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones																				
<300 m <sup>2</sup>	10 m <sup>2</sup>	1.5m	1 small tree / 10 m <sup>2</sup>																				
300-1500 m <sup>2</sup>	7% site area	3m	1 medium tree / 30 m <sup>2</sup>																				
>1500 m <sup>2</sup>	7% site area	6m	1 large or medium tree / 60 m <sup>2</sup>																				
Small tree	4-6m mature height and 2-4m canopy spread																						
Medium tree	6-12m mature height and 4-8m canopy spread																						
Large tree	12m mature height and >8m canopy spread																						



	Site area	The total area for development site, not average area per dwelling
PO 13.3 Deep soil zones with access to natural light are provided to assist in maintaining vegetation health.	DTS/DPF 13.3 None are applicable.	
PO 13.4 Unless separated by a public road or reserve, development sites adjacent to any zone that has a primary purpose of accommodating low-rise residential development incorporate a deep soil zone along the common boundary to enable medium to large trees to be retained or established to assist in screening new buildings of 3 or more building levels in height.	DTS/DPF 13.4 Building elements of 3 or more building levels in height are set back at least 6m from a zone boundary in which a deep soil zone area is incorporated.	
Environmental		
PO 14.1 Development minimises detrimental micro-climatic impacts on adjacent land and buildings.	DTS/DPF 14.1 None are applicable.	
PO 14.2 Development incorporates sustainable design techniques and features such as window orientation, eaves and shading structures, water harvesting and use, green walls and roof designs that enable the provision of rain water tanks (where they are not provided elsewhere on site), green roofs and photovoltaic cells.	DTS/DPF 14.2 None are applicable.	
PO 14.3 Development of 5 or more building levels, or 21m or more in height (as measured from natural ground level and excluding roof-mounted mechanical plant and equipment) is designed to minimise the impacts of wind through measures such as:  (a) a podium at the base of a tall tower and aligned with the street to deflect wind away from the street (b) substantial verandahs around a building to deflect downward travelling wind flows over pedestrian areas (c) the placement of buildings and use of setbacks to deflect the wind at ground level (d) avoiding tall shear elevations that create windy conditions at street level.	DTS/DPF 14.3 None are applicable.	
Car Parking		
PO 15.1 Multi-level vehicle parking structures are designed to contribute to active street frontages and complement neighbouring buildings.	DTS/DPF 15.1 Multi-level vehicle parking structures within buildings:  (a) provide land uses such as commercial, retail or other non-car parking uses along ground floor street frontages (b) incorporate facade treatments in building elevations facing along major street frontages that are sufficiently enclosed and detailed to complement adjacent buildings.	
PO 15.2 Multi-level vehicle parking structures within buildings complement the surrounding built form in terms of height, massing and scale.	DTS/DPF 15.2 None are applicable.	
Overlooking/Visual Privacy		
PO 16.1 Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:	DTS/DPF 16.1 None are applicable.	

<ul style="list-style-type: none"> <li>(a) appropriate site layout and building orientation</li> <li>(b) off-setting the location of balconies and windows of habitable rooms or areas with those of other buildings so that views are oblique rather than direct to avoid direct line of sight</li> <li>(c) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms</li> <li>(d) screening devices that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.</li> </ul>	
All residential development	
Front elevations and passive surveillance	
<p>PO 17.1</p> <p>Dwellings incorporate windows facing primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 17.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> <li>(a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m</li> <li>(b) has an aggregate window area of at least 2m<sup>2</sup> facing the primary street.</li> </ul>
<p>PO 17.2</p> <p>Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.</p>	<p>DTS/DPF 17.2</p> <p>Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.</p>
Outlook and Amenity	
<p>PO 18.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 18.1</p> <p>A living room of a dwelling incorporates a window with an external outlook of the street frontage, private open space, public open space, or waterfront areas.</p>
<p>PO 18.2</p> <p>Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p>	<p>DTS/DPF 18.2</p> <p>None are applicable.</p>
Ancillary Development	
<p>PO 19.1</p> <p>Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 19.1</p> <p>Ancillary buildings:</p> <ul style="list-style-type: none"> <li>(a) are ancillary to a dwelling erected on the same site</li> <li>(b) have a floor area not exceeding 60m<sup>2</sup></li> <li>(c) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> <li>(i) in front of any part of the building line of the dwelling to which it is ancillary</li> <li>or</li> <li>(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</li> </ul> </li> <li>(d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> <li>(i) is set back at least 5.5m from the boundary of the primary street</li> <li>(ii) when facing a primary street or secondary street, has a total door / opening not exceeding: <ul style="list-style-type: none"> <li>A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser</li> <li>B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width</li> </ul> </li> </ul> </li> </ul>

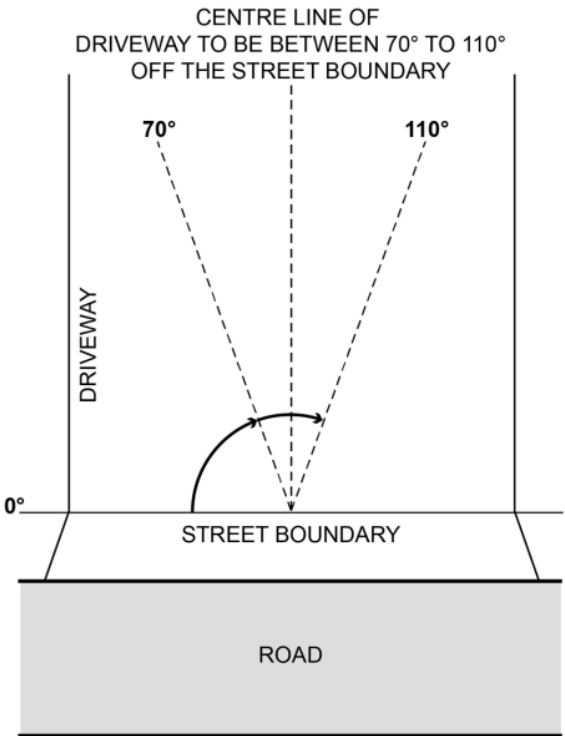
	<p>(e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless:</p> <ul style="list-style-type: none"> <li>(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and</li> <li>(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</li> </ul> <p>(f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</p> <p>(g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</p> <p>(h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end)</p> <p>(i) have a roof height where no part of the roof is more than 5m above the natural ground level</p> <p>(j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour</p> <p>(k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:</p> <ul style="list-style-type: none"> <li>(i) a total area as determined by the following table: <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> </li> <li>(ii) the amount of existing soft landscaping prior to the development occurring.</li> </ul> <p>(l) in relation to ancillary accommodation in the Rural Zone, Productive Rural Landscape Zone, or Rural Horticulture Zone, is located within 20m of an existing dwelling.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>PO 19.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements or result in over-development of the site.</p>	<p>DTS/DPF 19.2</p> <p>Ancillary buildings and structures do not result in:</p> <ul style="list-style-type: none"> <li>(a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space</li> <li>(b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</li> </ul>										
<p>PO 19.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers.</p>	<p>DTS/DPF 19.3</p> <p>The pump and/or filtration system is ancillary to a dwelling erected on the same site and is:</p> <ul style="list-style-type: none"> <li>(a) enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room located on an adjoining allotment or</li> <li>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</li> </ul>										

<p>PO 19.4</p> <p>Buildings and structures that are ancillary to an existing non-residential use do not detract from the streetscape character, appearance of buildings on the site of the development, or the amenity of neighbouring properties.</p>	<p>DTS/DPF 19.4</p> <p>Non-residential ancillary buildings and structures:</p> <ul style="list-style-type: none"> <li>(a) are ancillary and subordinate to an existing non-residential use on the same site</li> <li>(b) have a floor area not exceeding the following: <table border="1" data-bbox="906 315 1206 409"> <tr> <th>Allotment size</th><th>Floor area</th></tr> <tr> <td>≤500m<sup>2</sup></td><td>60m<sup>2</sup></td></tr> <tr> <td>&gt;500m<sup>2</sup></td><td>80m<sup>2</sup></td></tr> </table> </li> <li>(c) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> <li>(i) in front of any part of the building line of the main building to which it is ancillary or</li> <li>(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</li> </ul> </li> <li>(d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> <li>(i) is set back at least 5.5m from the boundary of the primary street</li> </ul> </li> <li>(e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless: <ul style="list-style-type: none"> <li>(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary</li> <li>(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</li> </ul> </li> <li>(f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</li> <li>(g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</li> <li>(h) have a wall height (or post height) not exceeding 3m (and not including a gable end)</li> <li>(i) have a roof height where no part of the roof is more than 5m above the natural ground level</li> <li>(j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour.</li> </ul>	Allotment size	Floor area	≤500m <sup>2</sup>	60m <sup>2</sup>	>500m <sup>2</sup>	80m <sup>2</sup>
Allotment size	Floor area						
≤500m <sup>2</sup>	60m <sup>2</sup>						
>500m <sup>2</sup>	80m <sup>2</sup>						
Residential Development - Low Rise							
External appearance							
<p>PO 20.1</p> <p>Garaging is designed to not detract from the streetscape or appearance of a dwelling.</p>	<p>DTS/DPF 20.1</p> <p>Garages and carports facing a street:</p> <ul style="list-style-type: none"> <li>(a) are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling</li> <li>(b) are set back at least 5.5m from the boundary of the primary street</li> <li>(c) have a garage door / opening width not exceeding 7m</li> <li>(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.</li> </ul>						
<p>PO 20.2</p> <p>Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and the appearance of common driveway areas.</p>	<p>DTS/DPF 20.2</p> <p>Each dwelling includes at least 3 of the following design features within the building elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:</p>						

	<ul style="list-style-type: none"> <li>(a) a minimum of 30% of the building wall is set back an additional 300mm from the building line</li> <li>(b) a porch or portico projects at least 1m from the building wall</li> <li>(c) a balcony projects from the building wall</li> <li>(d) a verandah projects at least 1m from the building wall</li> <li>(e) eaves of a minimum 400mm width extend along the width of the front elevation</li> <li>(f) a minimum 30% of the width of the upper level projects forward from the lower level primary building line by at least 300mm</li> <li>(g) a minimum of two different materials or finishes are incorporated on the walls of the front building elevation, with a maximum of 80% of the building elevation in a single material or finish.</li> </ul>										
PO 20.3 The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.	DTS/DPF 20.3 None are applicable										
Private Open Space											
PO 21.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	DTS/DPF 21.1 Private open space is provided in accordance with Design in Urban Areas Table 1 - Private Open Space.										
PO 21.2 Private open space is positioned to provide convenient access from internal living areas.	DTS/DPF 21.2 Private open space is directly accessible from a habitable room.										
Landscaping											
PO 22.1 Soft landscaping is incorporated into development to: <ul style="list-style-type: none"> <li>(a) minimise heat absorption and reflection</li> <li>(b) contribute shade and shelter</li> <li>(c) provide for stormwater infiltration and biodiversity</li> <li>(d) enhance the appearance of land and streetscapes.</li> </ul>	DTS/DPF 22.1 Residential development incorporates soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b): <ul style="list-style-type: none"> <li>(a) a total area for the entire development site, including any common property, as determined by the following table:               <table border="1"> <thead> <tr> <th>Site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>&gt;200-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> </li> <li>(b) at least 30% of any land between the primary street boundary and the primary building line.</li> </ul>	Site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	>200-450	20%	>450	25%
Site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
>200-450	20%										
>450	25%										
Car parking, access and manoeuvrability											
PO 23.1 Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.	DTS/DPF 23.1 Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):										

	<ul style="list-style-type: none"> <li>(a) single width car parking spaces: <ul style="list-style-type: none"> <li>(i) a minimum length of 5.4m per space</li> <li>(ii) a minimum width of 3.0m</li> <li>(iii) a minimum garage door width of 2.4m</li> </ul> </li> <li>(b) double width car parking spaces (side by side): <ul style="list-style-type: none"> <li>(i) a minimum length of 5.4m</li> <li>(ii) a minimum width of 5.4m</li> <li>(iii) minimum garage door width of 2.4m per space.</li> </ul> </li> </ul>
<p>PO 23.2</p> <p>Uncovered car parking space are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 23.2</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> <li>(a) a minimum length of 5.4m</li> <li>(b) a minimum width of 2.4m</li> <li>(c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m.</li> </ul>
<p>PO 23.3</p> <p>Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, pedestrian movement, domestic waste collection, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 23.3</p> <p>Driveways and access points satisfy (a) or (b):</p> <ul style="list-style-type: none"> <li>(a) sites with a frontage to a public road of 10m or less, have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site</li> <li>(b) sites with a frontage to a public road greater than 10m: <ul style="list-style-type: none"> <li>(i) have a maximum width of 5m measured at the property boundary and are the only access point provided on the site;</li> <li>(ii) have a width between 3.0 metres and 3.2 metres measured at the property boundary and no more than two access points are provided on site, separated by no less than 1m.</li> </ul> </li> </ul>
<p>PO 23.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 23.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) where newly proposed, is set back: <ul style="list-style-type: none"> <li>(i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner</li> <li>(ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance</li> <li>(iii) 6m or more from the tangent point of an intersection of 2 or more roads</li> <li>(iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.</li> </ul> </li> </ul>
<p>PO 23.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 23.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> <li>(a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping</li> </ul>



	<p>(b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:</p>  <p>(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>
<p>PO 23.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 23.6</p> <p>Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>(a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)</li> <li>(b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly</li> <li>(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.</li> </ul>
Waste storage	
<p>PO 24.1</p> <p>Provision is made for the convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 24.1</p> <p>Where dwellings abut both side boundaries a waste bin storage area is provided behind the building line of each dwelling that:</p> <ul style="list-style-type: none"> <li>(a) has a minimum area of 2m<sup>2</sup> with a minimum dimension of 900mm (separate from any designated car parking spaces or private open space); and</li> <li>(b) has a continuous unobstructed path of travel (excluding moveable objects like gates, vehicles and roller doors) with a minimum width of 800mm between the waste bin storage area and the street.</li> </ul>
Design of Transportable Buildings	
<p>PO 25.1</p> <p>The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.</p>	<p>DTS/DPF 25.1</p> <p>Buildings satisfy (a) or (b):</p> <ul style="list-style-type: none"> <li>(a) are not transportable</li> </ul>

	(b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.
Residential Development - Medium and High Rise (including serviced apartments)	
Outlook and Visual Privacy	
PO 26.1 Ground level dwellings have a satisfactory short range visual outlook to public, communal or private open space.	DTS/DPF 26.1 Buildings:  (a) provide a habitable room at ground or first level with a window facing toward the street (b) limit the height / extent of solid walls or fences facing the street to 1.2m high above the footpath level or, where higher, to 50% of the site frontage.
PO 26.2 The visual privacy of ground level dwellings within multi-level buildings is protected.	DTS/DPF 26.2 The finished floor level of ground level dwellings in multi-storey developments is raised by up to 1.2m.
Private Open Space	
PO 27.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	DTS/DPF 27.1 Private open space provided in accordance with Design in Urban Areas Table 1 - Private Open Space.
Residential amenity in multi-level buildings	
PO 28.1 Residential accommodation within multi-level buildings have habitable rooms, windows and balconies designed and positioned to be separated from those of other dwellings and accommodation to provide visual and acoustic privacy and allow for natural ventilation and the infiltration of daylight into interior and outdoor spaces.	DTS/DPF 28.1 Habitable rooms and balconies of independent dwellings and accommodation are separated by at least 6m from one another where there is a direct line of sight between them and 3m or more from a side or rear property boundary.
PO 28.2 Balconies are designed, positioned and integrated into the overall architectural form and detail of the development to:  (a) respond to daylight, wind, and acoustic conditions to maximise comfort and provide visual privacy (b) allow views and casual surveillance of the street while providing for safety and visual privacy of nearby living spaces and private outdoor areas.	DTS/DPF 28.2 Balconies utilise one or a combination of the following design elements:  (a) sun screens (b) pergolas (c) louvres (d) green facades (e) openable walls.
PO 28.3 Balconies are of sufficient size and depth to accommodate outdoor seating and promote indoor / outdoor living.	DTS/DPF 28.3 Balconies open directly from a habitable room and incorporate a minimum dimension of 2m.
PO 28.4 Dwellings are provided with sufficient space for storage to meet likely occupant needs.	DTS/DPF 28.4 Dwellings (not including student accommodation or serviced apartments) are provided with storage at the following rates with at least 50% or more of the storage volume to be provided within the dwelling:  (a) studio: not less than 6m <sup>3</sup> (b) 1 bedroom dwelling / apartment: not less than 8m <sup>3</sup> (c) 2 bedroom dwelling / apartment: not less than 10m <sup>3</sup> (d) 3+ bedroom dwelling / apartment: not less than 12m <sup>3</sup> .
PO 28.5 Dwellings that use light wells for access to daylight, outlook and ventilation for habitable rooms, are designed to ensure a reasonable living amenity is provided.	DTS/DPF 28.5 Light wells:  (a) are not used as the primary source of outlook for living rooms

	(b) up to 18m in height have a minimum horizontal dimension of 3m, or 6m if overlooked by bedrooms (c) above 18m in height have a minimum horizontal dimension of 6m, or 9m if overlooked by bedrooms.										
PO 28.6 Attached or abutting dwellings are designed to minimise the transmission of sound between dwellings and, in particular, to protect bedrooms from possible noise intrusions.	DTS/DPF 28.6 None are applicable.										
PO 28.7 Dwellings are designed so that internal structural columns correspond with the position of internal walls to ensure that the space within the dwelling/apartment is useable.	DTS/DPF 28.7 None are applicable.										
Dwelling Configuration											
PO 29.1 Buildings containing in excess of 10 dwellings provide a variety of dwelling sizes and a range in the number of bedrooms per dwelling to contribute to housing diversity.	DTS/DPF 29.1 Buildings containing in excess of 10 dwellings provide at least one of each of the following: <ul style="list-style-type: none"> <li>(a) studio (where there is no separate bedroom)</li> <li>(b) 1 bedroom dwelling / apartment with a floor area of at least 50m<sup>2</sup></li> <li>(c) 2 bedroom dwelling / apartment with a floor area of at least 65m<sup>2</sup></li> <li>(d) 3+ bedroom dwelling / apartment with a floor area of at least 80m<sup>2</sup>, and any dwelling over 3 bedrooms provides an additional 15m<sup>2</sup> for every additional bedroom.</li> </ul>										
PO 29.2 Dwellings located on the ground floor of multi-level buildings with 3 or more bedrooms have the windows of their habitable rooms overlooking internal courtyard space or other public space, where possible.	DTS/DPF 29.2 None are applicable.										
Common Areas											
PO 30.1 The size of lifts, lobbies and corridors is sufficient to accommodate movement of bicycles, strollers, mobility aids and visitor waiting areas.	DTS/DPF 30.1 Common corridor or circulation areas: <ul style="list-style-type: none"> <li>(a) have a minimum ceiling height of 2.7m</li> <li>(b) provide access to no more than 8 dwellings</li> <li>(c) incorporate a wider section at apartment entries where the corridors exceed 12m in length from a core.</li> </ul>										
Group Dwellings, Residential Flat Buildings and Battle axe Development											
Amenity											
PO 31.1 Dwellings are of a suitable size to provide a high standard of amenity for occupants.	DTS/DPF 31.1 Dwellings have a minimum internal floor area in accordance with the following table: <table border="1"> <thead> <tr> <th>Number of bedrooms</th><th>Minimum internal floor area</th></tr> </thead> <tbody> <tr> <td>Studio</td><td>35m<sup>2</sup></td></tr> <tr> <td>1 bedroom</td><td>50m<sup>2</sup></td></tr> <tr> <td>2 bedroom</td><td>65m<sup>2</sup></td></tr> <tr> <td>3+ bedrooms</td><td>80m<sup>2</sup> and any dwelling over 3 bedrooms provides an additional 15m<sup>2</sup> for every additional bedroom</td></tr> </tbody> </table>	Number of bedrooms	Minimum internal floor area	Studio	35m <sup>2</sup>	1 bedroom	50m <sup>2</sup>	2 bedroom	65m <sup>2</sup>	3+ bedrooms	80m <sup>2</sup> and any dwelling over 3 bedrooms provides an additional 15m <sup>2</sup> for every additional bedroom
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PO 31.2 The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.	DTS/DPF 31.2 None are applicable.
PO 31.3 Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.	DTS/DPF 31.3 None are applicable.
PO 31.4 Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	DTS/DPF 31.4 Dwelling sites/allotments are not in the form of a battle-axe arrangement.
Communal Open Space	
PO 32.1 Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.	DTS/DPF 32.1 None are applicable.
PO 32.2 Communal open space is of sufficient size and dimensions to cater for group recreation.	DTS/DPF 32.2 Communal open space incorporates a minimum dimension of 5 metres.
PO 32.3 Communal open space is designed and sited to:  (a) be conveniently accessed by the dwellings which it services (b) have regard to acoustic, safety, security and wind effects.	DTS/DPF 32.3 None are applicable.
PO 32.4 Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.	DTS/DPF 32.4 None are applicable.
PO 32.5 Communal open space is designed and sited to:  (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings (b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.	DTS/DPF 32.5 None are applicable.
Car parking, access and manoeuvrability	
PO 33.1 Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.	DTS/DPF 33.1 Where on-street parking is available directly adjacent the site, on-street parking is retained adjacent the subject site in accordance with the following requirements:  (a) minimum 0.33 on-street car parks per proposed dwelling (rounded up to the nearest whole number) (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.
PO 33.2 The number of vehicular access points onto public roads is minimised to reduce interruption of the footpath and positively contribute to public safety and walkability.	DTS/DPF 33.2 Access to group dwellings or dwellings within a residential flat building is provided via a single common driveway.
PO 33.3 Residential driveways that service more than one dwelling are designed to allow safe and convenient movement.	DTS/DPF 33.3 Driveways that service more than 1 dwelling or a dwelling on a battle-axe site:

	<ul style="list-style-type: none"> <li>(a) have a minimum width of 3m</li> <li>(b) for driveways servicing more than 3 dwellings: <ul style="list-style-type: none"> <li>(i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street</li> <li>(ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.</li> </ul> </li> </ul>
<p>PO 33.4</p> <p>Residential driveways that service more than one dwelling or a dwelling on a battle-axe site are designed to allow passenger vehicles to enter and exit and manoeuvre within the site in a safe and convenient manner.</p>	<p>DTS/DPF 33.4</p> <p>Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre.</p>
<p>PO 33.5</p> <p>Dwellings are adequately separated from common driveways and manoeuvring areas.</p>	<p>DTS/DPF 33.5</p> <p>Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.</p>
Soft landscaping	
<p>PO 34.1</p> <p>Soft landscaping is provided between dwellings and common driveways to improve the outlook for occupants and appearance of common areas.</p>	<p>DTS/DPF 34.1</p> <p>Other than where located directly in front of a garage or building entry, soft landscaping with a minimum dimension of 1m is provided between a dwelling and common driveway.</p>
<p>PO 34.2</p> <p>Battle-axe or common driveways incorporate landscaping and permeability to improve appearance and assist in stormwater management.</p>	<p>DTS/DPF 34.2</p> <p>Battle-axe or common driveways satisfy (a) and (b):</p> <ul style="list-style-type: none"> <li>(a) are constructed of a minimum of 50% permeable or porous material</li> <li>(b) where the driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).</li> </ul>
Site Facilities / Waste Storage	
<p>PO 35.1</p> <p>Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.</p>	<p>DTS/DPF 35.1</p> <p>None are applicable.</p>
<p>PO 35.2</p> <p>Provision is made for suitable external clothes drying facilities.</p>	<p>DTS/DPF 35.2</p> <p>None are applicable.</p>
<p>PO 35.3</p> <p>Provision is made for suitable household waste and recyclable material storage facilities which are:</p> <ul style="list-style-type: none"> <li>(a) located away, or screened, from public view, and</li> <li>(b) conveniently located in proximity to dwellings and the waste collection point.</li> </ul>	<p>DTS/DPF 35.3</p> <p>None are applicable.</p>
<p>PO 35.4</p> <p>Waste and recyclable material storage areas are located away from dwellings.</p>	<p>DTS/DPF 35.4</p> <p>Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.</p>
<p>PO 35.5</p> <p>Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.</p>	<p>DTS/DPF 35.5</p> <p>None are applicable.</p>

PO 35.6 Services including gas and water meters are conveniently located and screened from public view.	DTS/DPF 35.6 None are applicable.
Water sensitive urban design	
PO 36.1 Residential development creating a common driveway / access includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.	DTS/DPF 36.1 None are applicable.
PO 36.2 Residential development creating a common driveway / access includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	DTS/DPF 36.2 None are applicable.
Supported Accommodation and retirement facilities	
Siting, Configuration and Design	
PO 37.1 Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.	DTS/DPF 37.1 None are applicable.
PO 37.2 Universal design features are incorporated to provide options for people living with disabilities or limited mobility and / or to facilitate ageing in place.	DTS/DPF 37.2 None are applicable.
Movement and Access	
PO 38.1 Development is designed to support safe and convenient access and movement for residents by providing:  (a) ground-level access or lifted access to all units (b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places (c) car parks with gradients no steeper than 1-in-40, and of sufficient area to provide for wheelchair manoeuvrability (d) kerb ramps at pedestrian crossing points.	DTS/DPF 38.1 None are applicable.
Communal Open Space	
PO 39.1 Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.	DTS/DPF 39.1 None are applicable.
PO 39.2 Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.	DTS/DPF 39.2 None are applicable.
PO 39.3 Communal open space is of sufficient size and dimensions to cater for group recreation.	DTS/DPF 39.3 Communal open space incorporates a minimum dimension of 5 metres.
PO 39.4 Communal open space is designed and sited to:	DTS/DPF 39.4 None are applicable.



<p>(a) be conveniently accessed by the dwellings which it services</p> <p>(b) have regard to acoustic, safety, security and wind effects.</p>	
<p>PO 39.5</p> <p>Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.</p>	<p>DTS/DPF 39.5</p> <p>None are applicable.</p>
<p>PO 39.6</p> <p>Communal open space is designed and sited to:</p> <p>(a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings</p> <p>(b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.</p>	<p>DTS/DPF 39.6</p> <p>None are applicable.</p>
Site Facilities / Waste Storage	
<p>PO 40.1</p> <p>Development is designed to provide storage areas for personal items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric-powered vehicles.</p>	<p>DTS/DPF 40.1</p> <p>None are applicable.</p>
<p>PO 40.2</p> <p>Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.</p>	<p>DTS/DPF 40.2</p> <p>None are applicable.</p>
<p>PO 40.3</p> <p>Provision is made for suitable external clothes drying facilities.</p>	<p>DTS/DPF 40.3</p> <p>None are applicable.</p>
<p>PO 40.4</p> <p>Provision is made for suitable household waste and recyclable material storage facilities conveniently located away, or screened, from view.</p>	<p>DTS/DPF 40.4</p> <p>None are applicable.</p>
<p>PO 40.5</p> <p>Waste and recyclable material storage areas are located away from dwellings.</p>	<p>DTS/DPF 40.5</p> <p>Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.</p>
<p>PO 40.6</p> <p>Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time.</p>	<p>DTS/DPF 40.6</p> <p>None are applicable.</p>
<p>PO 40.7</p> <p>Services, including gas and water meters, are conveniently located and screened from public view.</p>	<p>DTS/DPF 40.7</p> <p>None are applicable.</p>
Student Accommodation	
<p>PO 41.1</p> <p>Student accommodation is designed to provide safe, secure, attractive, convenient and comfortable living conditions for residents, including an internal layout and facilities that are designed to provide sufficient space and amenity for the requirements of student life and promote social interaction.</p>	<p>DTS/DPF 41.1</p> <p>Student accommodation provides:</p> <p>(a) a range of living options to meet a variety of accommodation needs, such as one-bedroom, two-bedroom and disability access units</p> <p>(b) common or shared facilities to enable a more efficient use of space, including:</p> <p>(i) shared cooking, laundry and external drying facilities</p> <p>(ii) internal and external communal and private open space provided in accordance with Design in Urban Areas Table 1 - Private Open Space</p> <p>(iii) common storage facilities at the rate of 8m<sup>3</sup> for every 2 dwellings or students</p>

	<ul style="list-style-type: none"> <li>(iv) common on-site parking in accordance with Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas</li> <li>(v) bicycle parking at the rate of one space for every 2 students.</li> </ul>
PO 41.2 Student accommodation is designed to provide easy adaptation of the building to accommodate an alternative use of the building in the event it is no longer required for student housing.	DTS/DPF 41.2 None are applicable.
All non-residential development	
Water Sensitive Design	
PO 42.1 Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.	DTS/DPF 42.1 None are applicable.
PO 42.2 Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.	DTS/DPF 42.2 None are applicable.
PO 42.3 Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.	DTS/DPF 42.3 None are applicable.
Wash-down and Waste Loading and Unloading	
PO 43.1 Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, plant or equipment are: <ul style="list-style-type: none"> <li>(a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off</li> <li>(b) paved with an impervious material to facilitate wastewater collection</li> <li>(c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area</li> <li>(d) are designed to drain wastewater to either:               <ul style="list-style-type: none"> <li>(i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme</li> <li>or</li> <li>(ii) a holding tank and its subsequent removal off-site on a regular basis.</li> </ul> </li> </ul>	DTS/DPF 43.1 None are applicable.
Laneway Development	
Infrastructure and Access	
PO 44.1 Development with a primary street comprising a laneway, alley, lane, right of way or similar minor thoroughfare only occurs where: <ul style="list-style-type: none"> <li>(a) existing utility infrastructure and services are capable of accommodating the development</li> </ul>	DTS/DPF 44.1 Development with a primary street frontage that is not an alley, lane, right of way or similar public thoroughfare.

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

## Decks

## Design and Siting

PO 45.1

Decks are designed and sited to:

- (a) complement the associated building form
- (b) minimise impacts on the streetscape through siting behind the building line of the principal building (unless on a significant allotment or open space)
- (c) minimise cut and fill and overall massing when viewed from adjacent land.

DTS/DPF 45.1

Decks:

- (a) where ancillary to a dwelling:
  - (i) are not constructed, added to or altered so that any part is situated:
    - A. in front of any part of the building line of the dwelling to which it is ancillary or
    - B. within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)
  - (ii) are set back at least 900mm from side or rear allotment boundaries
  - (iii) when attached to the dwelling, has a finished floor level consistent with the finished ground floor level of the dwelling
  - (iv) where associated with a residential use, retains a total area of soft landscaping for the entire development site, including any common property, with a minimum dimension of 700mm in accordance with (A) or (B), whichever is less:
    - A. a total area is determined by the following table:
 

Site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site
<150	10%
150-200	15%
>200-450	20%
>450	25%
    - B. the amount of existing soft landscaping prior to the development occurring.
- (b) where in association with a non-residential use:
  - (i) are set back at least 2 metres from the boundary of an allotment used for residential purposes.
  - (ii) are set back at least 2 metres from a public road.
  - (iii) have a floor area not exceeding 25m<sup>2</sup>
- (c) in all cases, has a finished floor level not exceeding 1 metre above natural ground level at any point.

PO 45.2

Decks are designed and sited to minimise direct overlooking of

DTS/DPF 45.2

Decks with a finished floor level/s 500mm or more above natural

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habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones through suitable floor levels, screening and siting taking into account the slope of the subject land, existing vegetation on the subject land, and fencing.		ground level facing side or rear boundaries shared with a residential use in a neighbourhood-type zone incorporate screening with a maximum of 25% transparency/openings, permanently fixed to the outer edge of the deck not less than 1.5 m above the finished floor level/s.
PO 45.3 Decks used for outdoor dining, entertainment or other commercial uses provide carparking in accordance with the primary use of the deck.		DTS/DPF 45.3 Decks used for commercial purposes do not result in less on-site car parking for the primary use of the subject land than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.

**Table 1 - Private Open Space**

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

## Forestry

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Commercial forestry is designed and sited to maximise economic benefits whilst managing potential negative impacts on the environment, transport networks, surrounding land uses and landscapes.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting	
PO 1.1 Commercial forestry plantations are established where there is no detrimental effect on the physical environment or scenic quality of the rural landscape.	DTS/DPF 1.1 None are applicable.
PO 1.2 Commercial forestry plantations are established on slopes that are stable to minimise the risk of soil erosion.	DTS/DPF 1.2 Commercial forestry plantations are not located on land with a slope exceeding 20% (1-in-5).
PO 1.3 Commercial forestry plantations and operations associated with their establishment, management and harvesting are appropriately set back from any sensitive receiver to minimise fire risk and noise disturbance.	DTS/DPF 1.3 Commercial forestry plantations and operations associated with their establishment, management and harvesting are set back 50m or more from any sensitive receiver.
Water Protection	
PO 2.1 Commercial forestry plantations incorporate artificial drainage lines (i.e. culverts, runoffs and constructed drains) integrated with natural drainage lines to minimise concentrated water flows onto or from plantation areas.	DTS/DPF 2.1 None are applicable.
PO 2.2 Appropriate siting, layout and design measures are adopted to minimise the impact of commercial forestry plantations on surface water resources.	DTS/DPF 2.2 Commercial forestry plantations: <ul style="list-style-type: none"> <li>(a) do not involve cultivation (excluding spot cultivation) in drainage lines</li> <li>(b) are set back 20m or more from the banks of any major watercourse (a third order or higher watercourse), lake, reservoir, wetland or sinkhole (with direct connection to an aquifer)</li> <li>(c) are set back 10m or more from the banks of any first or second order watercourse or sinkhole (with no direct connection to an aquifer).</li> </ul>
Fire Management	
PO 3.1 Commercial forestry plantations incorporate appropriate firebreaks and fire management design elements.	DTS/DPF 3.1 Commercial forestry plantations provide: <ul style="list-style-type: none"> <li>(a) 7m or more wide external boundary firebreaks for plantations of 40ha or less</li> <li>(b) 10m or more wide external boundary firebreaks for plantations of between 40ha and 100ha</li> <li>(c) 20m or more wide external boundary firebreaks, or 10m with an additional 10m or more of fuel-reduced plantation, for plantations of 100ha or greater.</li> </ul> <p>Note: Firebreaks prescribed above (as well as access tracks) may be included within the setback buffer distances prescribed by other policies of the Code.</p>
PO 3.2 Commercial forestry plantations incorporate appropriate fire management access tracks.	DTS/DPF 3.2 Commercial forestry plantation fire management access tracks: <ul style="list-style-type: none"> <li>(a) are incorporated within all firebreaks</li> <li>(b) are 7m or more wide with a vertical clearance of 4m or more</li> </ul>

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		(c)	are aligned to provide straight through access at junctions, or if they are a no through access track are appropriately signposted and provide suitable turnaround areas for fire-fighting vehicles
		(d)	partition the plantation into units of 40ha or less in area.
Power-line Clearances			
PO 4.1 Commercial forestry plantations achieve and maintain appropriate clearances from aboveground powerlines.		DTS/DPF 4.1 Commercial forestry plantations incorporating trees with an expected mature height of greater than 6m meet the clearance requirements listed in the following table:	
		Voltage of transmission line	Tower or Pole
		Minimum horizontal clearance distance between plantings and transmission lines	
		500 kV	Tower
		275 kV	Tower
		132 kV	Tower
		132 kV	Pole
		66 kV	Pole
		Less than 66 kV	Pole

## Housing Renewal

### Assessment Provisions (AP)

The Housing Renewal General Development Policies are only applicable to dwellings 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.

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Residential development provides a range of housing choices.	DTS/DPF 1.1 Development comprises one or more of the following: <ul style="list-style-type: none"> <li>(a) detached dwellings</li> <li>(b) semi-detached dwellings</li> <li>(c) row dwellings</li> <li>(d) group dwellings</li> </ul>



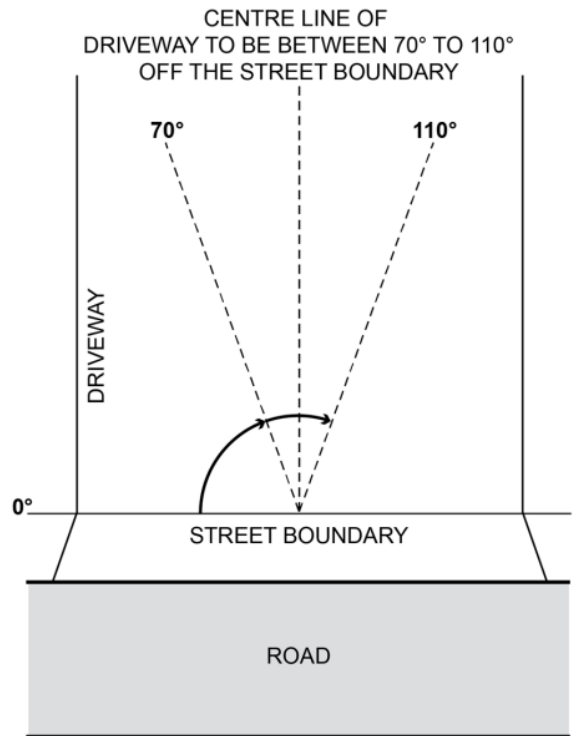
	(e) residential flat buildings.
PO 1.2 Medium-density housing options or higher are located in close proximity to public transit, open space and/or activity centres.	DTS/DPF 1.2 None are applicable.
Building Height	
PO 2.1 Buildings generally do not exceed 3 building levels unless in locations close to public transport, centres and/or open space.	DTS/DPF 2.1 Building height (excluding garages, carports and outbuildings) does not exceed 3 building levels and 12m and wall height does not exceed 9m (not including a gable end).
PO 2.2 Medium or high rise residential flat buildings located within or at the interface with zones which restrict heights to a maximum of 2 building levels transition down in scale and height towards the boundary of that zone, other than where it is a street boundary.	DTS/DPF 2.2 None are applicable.
Primary Street Setback	
PO 3.1 Buildings are set back from the primary street boundary to contribute to an attractive streetscape character.	DTS/DPF 3.1 Buildings are no closer to the primary street (excluding any balcony, verandah, porch, awning or similar structure) than 3m.
Secondary Street Setback	
PO 4.1 Buildings are set back from secondary street boundaries to maintain separation between building walls and public streets and contribute to a suburban streetscape character.	DTS/DPF 4.1 Buildings are set back at least 900mm from the boundary of the allotment with a secondary street frontage.
Boundary Walls	
PO 5.1 Boundary walls are limited in height and length to manage visual impacts and access to natural light and ventilation.	DTS/DPF 5.1 Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, dwellings with side boundary walls are sited on only one side boundary and satisfy (a) or (b):  (a) adjoin or abut a boundary wall of a building on adjoining land for the same length and height (b) do not: (i) exceed 3.2m in height from the lower of the natural or finished ground level (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, a maximum 45% of the length of the boundary (iv) encroach within 3 metres of any other existing or proposed boundary walls on the subject land.
PO 5.2 Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a suburban streetscape character.	DTS/DPF 5.2 Dwellings in a semi-detached or row arrangement are set back 900mm or more from side boundaries shared with allotments outside the development site, except for a carport or garage.
Side Boundary Setback	
PO 6.1 Buildings are set back from side boundaries to provide:	DTS/DPF 6.1 Other than walls located on a side boundary, buildings are set back

<p>(a) separation between dwellings in a way that contributes to a suburban character</p> <p>(b) access to natural light and ventilation for neighbours.</p>	<p>from side boundaries in accordance with the following:</p> <p>(a) where the wall height does not exceed 3m - at least 900mm</p> <p>(b) for a wall that is not south facing and the wall height exceeds 3m - at least 900mm from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the top of the footings</p> <p>(c) for a wall that is south facing and the wall height exceeds 3m - at least 1.9m from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the top of the footings.</p>
Rear Boundary Setback	
<p>PO 7.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <p>(a) separation between dwellings in a way that contributes to a suburban character</p> <p>(b) access to natural light and ventilation for neighbours</p> <p>(c) private open space</p> <p>(d) space for landscaping and vegetation.</p>	<p>DTS/DPF 7.1</p> <p>Dwellings are set back from the rear boundary:</p> <p>(a) 3m or more for the first building level</p> <p>(b) 5m or more for any subsequent building level.</p>
Buildings elevation design	
<p>PO 8.1</p> <p>Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and common driveway areas.</p>	<p>DTS/DPF 8.1</p> <p>Each dwelling includes at least 3 of the following design features within the building elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:</p> <p>(a) a minimum of 30% of the building elevation is set back an additional 300mm from the building line</p> <p>(b) a porch or portico projects at least 1m from the building elevation</p> <p>(c) a balcony projects from the building elevation</p> <p>(d) a verandah projects at least 1m from the building elevation</p> <p>(e) eaves of a minimum 400mm width extend along the width of the front elevation</p> <p>(f) a minimum 30% of the width of the upper level projects forward from the lower level primary building line by at least 300mm.</p> <p>(g) a minimum of two different materials or finishes are incorporated on the walls of the building elevation, with a maximum of 80% of the building elevation in a single material or finish.</p>
<p>PO 8.2</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 8.2</p> <p>Each dwelling with a frontage to a public street:</p> <p>(a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m</p> <p>(b) has an aggregate window area of at least 2m<sup>2</sup> facing the primary street</p>
<p>PO 8.3</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Built form considers local context and provides a quality design response through scale, massing, materials, colours and architectural expression.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
<p>PO 8.5</p>	<p>DTS/DPF 8.5</p>

Entrances to multi-storey buildings are:  (a) oriented towards the street (b) visible and easily identifiable from the street (c) designed to include a common mail box structure.	None are applicable.		
Outlook and amenity			
PO 9.1 Living rooms have an external outlook to provide a high standard of amenity for occupants.	DTS/DPF 9.1 A living room of a dwelling incorporates a window with an external outlook towards the street frontage or private open space.		
PO 9.2 Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.	DTS/DPF 9.2 None are applicable.		
Private Open Space			
PO 10.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	DTS/DPF 10.1 Private open space is provided in accordance with the following table:		
	Dwelling Type	Dwelling / Site Configuration	Minimum Rate
	Dwelling (at ground level)		Total area: 24m <sup>2</sup> located behind the building line  Minimum adjacent to a living room: 16m <sup>2</sup> with a minimum dimension 3m
	Dwelling (above ground level)	Studio	4m <sup>2</sup> / minimum dimension 1.8m
		One bedroom dwelling	8m <sup>2</sup> / minimum dimension 2.1m
		Two bedroom dwelling	11m <sup>2</sup> / minimum dimension 2.4m
Three + bedroom dwelling		15 m <sup>2</sup> / minimum dimension 2.6m	
PO 10.2 Private open space positioned to provide convenient access from internal living areas.	DTS/DPF 10.2 At least 50% of the required area of private open space is accessible from a habitable room.		
PO 10.3 Private open space is positioned and designed to:  (a) provide useable outdoor space that suits the needs of occupants; (b) take advantage of desirable orientation and vistas; and (c) adequately define public and private space.	DTS/DPF 10.3 None are applicable.		
Visual privacy			
PO 11.1 Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.	DTS/DPF 11.1 Upper level windows facing side or rear boundaries shared with another residential allotment/site satisfy one of the following:		

	<ul style="list-style-type: none"> <li>(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</li> <li>(b) have sill heights greater than or equal to 1.5m above finished floor level</li> <li>(c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5m above the finished floor.</li> </ul>										
<p>PO 11.2</p> <p>Development mitigates direct overlooking from upper level balconies and terraces to habitable rooms and private open space of adjoining residential uses.</p>	<p>DTS/DPF 11.2</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> <li>(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</li> <li>or</li> <li>(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"> <li>(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</li> <li>or</li> <li>(ii) 1.7m above finished floor level in all other cases</li> </ul> </li> </ul>										
Landscaping											
<p>PO 12.1</p> <p>Soft landscaping is incorporated into development to:</p> <ul style="list-style-type: none"> <li>(a) minimise heat absorption and reflection</li> <li>(b) maximise shade and shelter</li> <li>(c) maximise stormwater infiltration and biodiversity</li> <li>(d) enhance the appearance of land and streetscapes.</li> </ul>	<p>DTS/DPF 12.1</p> <p>Residential development incorporates pervious areas for soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b):</p> <ul style="list-style-type: none"> <li>(a) a total area as determined by the following table:</li> </ul> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>&lt;200</td><td>15%</td></tr> <tr> <td>200-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <ul style="list-style-type: none"> <li>(b) at least 30% of land between the road boundary and the building line.</li> </ul>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	<200	15%	200-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
<200	15%										
200-450	20%										
>450	25%										
Water Sensitive Design											
<p>PO 13.1</p> <p>Residential development is designed to capture and use stormwater to:</p> <ul style="list-style-type: none"> <li>(a) maximise efficient use of water resources</li> <li>(b) manage peak stormwater runoff flows and volume to ensure the carrying capacities of downstream systems are not overloaded</li> <li>(c) manage runoff quality to maintain, as close as practical, pre-development conditions.</li> </ul>	<p>DTS/DPF 13.1</p> <p>None are applicable.</p>										
Car Parking											
<p>PO 14.1</p> <p>On-site car parking is provided to meet the anticipated demand of residents, with less on-site parking in areas in close proximity to public transport.</p>	<p>DTS/DPF 14.1</p> <p>On-site car parking is provided at the following rates per dwelling:</p> <ul style="list-style-type: none"> <li>(a) 2 or fewer bedrooms - 1 car parking space</li> <li>(b) 3 or more bedrooms - 2 car parking spaces.</li> </ul>										
PO 14.2	DTS/DPF 14.2										

Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.	Residential parking spaces enclosed by fencing, walls or other obstructions with the following internal dimensions (separate from any waste storage area): <ul style="list-style-type: none"> <li>(a) single parking spaces:               <ul style="list-style-type: none"> <li>(i) a minimum length of 5.4m</li> <li>(ii) a minimum width of 3.0m</li> <li>(iii) a minimum garage door width of 2.4m</li> </ul> </li> <li>(b) double parking spaces (side by side):               <ul style="list-style-type: none"> <li>(i) a minimum length of 5.4m</li> <li>(ii) a minimum width of 5.5m</li> <li>(iii) minimum garage door width of 2.4m per space.</li> </ul> </li> </ul>
PO 14.3 Uncovered car parking spaces are of dimensions to be functional, accessible and convenient.	DTS/DPF 14.3 Uncovered car parking spaces have: <ul style="list-style-type: none"> <li>(a) a minimum length of 5.4m</li> <li>(b) a minimum width of 2.4m</li> <li>(c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m.</li> </ul>
PO 14.4 Residential flat buildings and group dwelling developments provide sufficient on-site visitor car parking to cater for anticipated demand.	DTS/DPF 14.4 Visitor car parking for group and residential flat buildings incorporating 4 or more dwellings is provided on-site at a minimum ratio of 0.25 car parking spaces per dwelling.
PO 14.5 Residential flat buildings provide dedicated areas for bicycle parking.	DTS/DPF 14.5 Residential flat buildings provide one bicycle parking space per dwelling.
Overshadowing	
PO 15.1 Development minimises overshadowing of the private open spaces of adjoining land by ensuring that ground level open space associated with residential buildings receive direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June.	DTS/DPF 15.1 None are applicable.
Waste	
PO 16.1 Provision is made for the convenient storage of waste bins in a location screened from public view.	DTS/DPF 16.1 A waste bin storage area is provided behind the primary building line that: <ul style="list-style-type: none"> <li>(a) has a minimum area of 2m<sup>2</sup> with a minimum dimension of 900mm (separate from any designated car parking spaces or private open space); and</li> <li>(b) has a continuous unobstructed path of travel (excluding moveable objects like gates, vehicles and roller doors) with a minimum width of 800mm between the waste bin storage area and the street.</li> </ul>
PO 16.2 Residential flat buildings provide a dedicated area for the on-site storage of waste which is: <ul style="list-style-type: none"> <li>(a) easily and safely accessible for residents and for collection vehicles</li> <li>(b) screened from adjoining land and public roads</li> <li>(c) of sufficient dimensions to be able to accommodate the waste storage needs of the development considering the intensity and nature of the development and the frequency of collection.</li> </ul>	DTS/DPF 16.2 None are applicable.

Vehicle Access	
<p>PO 17.1</p> <p>Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 17.1</p> <p>None are applicable.</p>
<p>PO 17.2</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 17.2</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> <li>(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</li> <li>(b) where newly proposed, is set back: <ul style="list-style-type: none"> <li>(i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner</li> <li>(ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance</li> <li>(iii) 6m or more from the tangent point of an intersection of 2 or more roads</li> <li>(iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.</li> </ul> </li> </ul>
<p>PO 17.3</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 17.3</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> <li>(a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping</li> <li>(b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:</li> </ul>  <p style="text-align: center;">CENTRE LINE OF DRIVEWAY TO BE BETWEEN 70° TO 110° OFF THE STREET BOUNDARY</p> <p style="text-align: center;">70°                      110°</p> <p style="text-align: center;">0°</p> <p style="text-align: center;">STREET BOUNDARY</p> <p style="text-align: center;">ROAD</p>



	(c) if located to provide access from an alley, lane or right of way - the alley, land or right of way is at least 6.2m wide along the boundary of the allotment / site.
PO 17.4 Driveways and access points are designed and distributed to optimise the provision of on-street parking.	DTS/DPF 17.4 Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements: (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.
PO 17.5 Residential driveways that service more than one dwelling of a dimension to allow safe and convenient movement.	DTS/DPF 17.5 Driveways that service more than 1 dwelling or a dwelling on a battle-axe site: (a) have a minimum width of 3m (b) for driveways servicing more than 3 dwellings: (i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street (ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.
PO 17.6 Residential driveways that service more than one dwelling are designed to allow passenger vehicles to enter and exit the site and manoeuvre within the site in a safe and convenient manner.	DTS/DPF 17.6 Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre
PO 17.7 Dwellings are adequately separated from common driveways and manoeuvring areas.	DTS/DPF 17.7 Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.
Storage	
PO 18.1 Dwellings are provided with sufficient and accessible space for storage to meet likely occupant needs.	DTS/DPF 18.1 Dwellings are provided with storage at the following rates and 50% or more of the storage volume is provided within the dwelling: (a) studio: not less than 6m <sup>3</sup> (b) 1 bedroom dwelling / apartment: not less than 8m <sup>3</sup> (c) 2 bedroom dwelling / apartment: not less than 10m <sup>3</sup> (d) 3+ bedroom dwelling / apartment: not less than 12m <sup>3</sup> .
Earthworks	
PO 19.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.	DTS/DPF 19.1 The development does not involve: (a) excavation exceeding a vertical height of 1m or (b) filling exceeding a vertical height of 1m or (c) a total combined excavation and filling vertical height exceeding 2m.
Service connections and infrastructure	
PO 20.1 Dwellings are provided with appropriate service connections and	DTS/DPF 20.1 The site and building:

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

## Infrastructure and Renewable Energy Facilities

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that

	minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
General	
PO 1.1 Development is located and designed to minimise hazard or nuisance to adjacent development and land uses.	DTS/DPF 1.1 None are applicable.
Visual Amenity	
PO 2.1 The visual impact of above-ground infrastructure networks and services (excluding high voltage transmission lines), renewable energy facilities (excluding wind farms), energy storage facilities and ancillary development is minimised from townships, scenic routes and public roads by:  (a) utilising features of the natural landscape to obscure views where practicable (b) siting development below ridgelines where practicable (c) avoiding visually sensitive and significant landscapes (d) using materials and finishes with low-reflectivity and colours that complement the surroundings (e) using existing vegetation to screen buildings (f) incorporating landscaping or landscaped mounding around the perimeter of a site and between adjacent allotments accommodating or zoned to primarily accommodate sensitive receivers.	DTS/DPF 2.1 None are applicable.
PO 2.2 Pumping stations, battery storage facilities, maintenance sheds and other ancillary structures incorporate vegetation buffers to reduce adverse visual impacts on adjacent land.	DTS/DPF 2.2 None are applicable.
PO 2.3 Surfaces exposed by earthworks associated with the installation of storage facilities, pipework, penstock, substations and other ancillary plant are reinstated and revegetated to reduce adverse visual impacts on adjacent land.	DTS/DPF 2.3 None are applicable.
Rehabilitation	
PO 3.1 Progressive rehabilitation (incorporating revegetation) of disturbed areas, ahead of or upon decommissioning of areas used for renewable energy facilities and transmission corridors.	DTS/DPF 3.1 None are applicable.
Hazard Management	
PO 4.1 Infrastructure and renewable energy facilities and ancillary development located and operated to not adversely impact maritime or air transport safety, including the operation of ports, airfields and landing strips.	DTS/DPF 4.1 None are applicable.
PO 4.2 Facilities for energy generation, power storage and transmission are separated as far as practicable from dwellings, tourist accommodation and frequently visited public places	DTS/DPF 4.2 None are applicable.

(such as viewing platforms / lookouts) to reduce risks to public safety from fire or equipment malfunction.	
PO 4.3 Bushfire hazard risk is minimised for renewable energy facilities by providing appropriate access tracks, safety equipment and water tanks and establishing cleared areas around substations, battery storage and operations compounds.	DTS/DPF 4.3 None are applicable.
Electricity Infrastructure and Battery Storage Facilities	
PO 5.1 Electricity infrastructure is located to minimise visual impacts through techniques including:  (a) siting utilities and services: (i) on areas already cleared of native vegetation (ii) where there is minimal interference or disturbance to existing native vegetation or biodiversity  (b) grouping utility buildings and structures with non-residential development, where practicable.	DTS/DPF 5.1 None are applicable.
PO 5.2 Electricity supply (excluding transmission lines) serving new development in urban areas and townships installed underground, excluding lines having a capacity exceeding or equal to 33kV.	DTS/DPF 5.2 None are applicable.
PO 5.3 Battery storage facilities are co-located with substation infrastructure where practicable to minimise the development footprint and reduce environmental impacts.	DTS/DPF 5.3 None are applicable.
Telecommunication Facilities	
PO 6.1 The proliferation of telecommunications facilities in the form of towers/monopoles in any one locality is managed, where technically feasible, by co-locating a facility with other communications facilities to mitigate impacts from clutter on visual amenity.	DTS/DPF 6.1 None are applicable.
PO 6.2 Telecommunications antennae are located as close as practicable to support structures to manage overall bulk and mitigate impacts on visual amenity.	DTS/DPF 6.2 None are applicable.
PO 6.3 Telecommunications facilities, particularly towers/monopoles, are located and sized to mitigate visual impacts by the following methods:  (a) where technically feasible, incorporating the facility within an existing structure that may serve another purpose or all of the following:  (b) using existing buildings and landscape features to obscure or interrupt views of a facility from nearby public roads, residential areas and places of high public amenity to the extent practical without unduly hindering the effective provision of telecommunications services	DTS/DPF 6.3 None are applicable.

(c) using materials and finishes that complement the environment (d) screening using landscaping and vegetation, particularly for equipment shelters and huts.	
Renewable Energy Facilities	
PO 7.1 Renewable energy facilities are located as close as practicable to existing transmission infrastructure to facilitate connections and minimise environmental impacts as a result of extending transmission infrastructure.	DTS/DPF 7.1 None are applicable.
Renewable Energy Facilities (Wind Farm)	
PO 8.1 Visual impact of wind turbine generators on the amenity of residential and tourist development is reduced through appropriate separation.	DTS/DPF 8.1 Wind turbine generators are: <ul style="list-style-type: none"> <li>(a) set back at least 2000m from the base of a turbine to any of the following zones:               <ul style="list-style-type: none"> <li>(i) Rural Settlement Zone</li> <li>(ii) Township Zone</li> <li>(iii) Rural Living Zone</li> <li>(iv) Rural Neighbourhood Zone</li> </ul> </li> <li>with an additional 10m setback per additional metre over 150m overall turbine height (measured from the base of the turbine).</li> <li>(b) set back at least 1500m from the base of the turbine to non-associated (non-stakeholder) dwellings and tourist accommodation</li> </ul>
PO 8.2 The visual impact of wind turbine generators on natural landscapes is managed by: <ul style="list-style-type: none"> <li>(a) designing wind turbine generators to be uniform in colour, size and shape</li> <li>(b) coordinating blade rotation and direction</li> <li>(c) mounting wind turbine generators on tubular towers as opposed to lattice towers.</li> </ul>	DTS/DPF 8.2 None are applicable.
PO 8.3 Wind turbine generators and ancillary development minimise potential for bird and bat strike.	DTS/DPF 8.3 None are applicable.
PO 8.4 Wind turbine generators incorporate recognition systems or physical markers to minimise the risk to aircraft operations.	DTS/DPF 8.4 No Commonwealth air safety (CASA / ASA) or Defence requirement is applicable.
PO 8.5 Meteorological masts and guidewires are identifiable to aircraft through the use of colour bands, marker balls, high visibility sleeves or flashing strobes.	DTS/DPF 8.5 None are applicable.
Renewable Energy Facilities (Solar Power)	
PO 9.1 Ground mounted solar power facilities generating 5MW or more are not located on land requiring the clearance of areas of intact native vegetation or on land of high environmental, scenic or cultural value.	DTS/DPF 9.1 None are applicable.
PO 9.2 Ground mounted solar power facilities allow for movement of wildlife by:	DTS/DPF 9.2 None are applicable.

<div>(a) incorporating wildlife corridors and habitat refuges</div> <div>(b) avoiding the use of extensive security or perimeter fencing or incorporating fencing that enables the passage of small animals without unreasonably compromising the security of the facility.</div>																																				
<div>PO 9.3</div> <div>Amenity impacts of solar power facilities are minimised through separation from conservation areas and sensitive receivers in other ownership.</div>	<div>DTS/DPF 9.3</div> <div>Ground mounted solar power facilities are set back from land boundaries, conservation areas and relevant zones in accordance with the following criteria:</div> <table><tr><th>Generation Capacity</th><th>Approximate size of array</th><th>Setback from adjoining land boundary</th><th>Setback from conservation areas</th><th>Setback from Township, Rural Settlement, Rural Neighbourhood and Rural Living Zones<sup>1</sup></th></tr><tr><td>50MW&gt;</td><td>80ha+</td><td>30m</td><td>500m</td><td>2km</td></tr><tr><td>10MW&lt;50MW</td><td>16ha-&lt;80ha</td><td>25m</td><td>500m</td><td>1.5km</td></tr><tr><td>5MW&lt;10MW</td><td>8ha to &lt;16ha</td><td>20m</td><td>500m</td><td>1km</td></tr><tr><td>1MW&lt;5MW</td><td>1.6ha to &lt;8ha</td><td>15m</td><td>500m</td><td>500m</td></tr><tr><td>100kW&lt;1MW</td><td>0.5ha&lt;1.6ha</td><td>10m</td><td>500m</td><td>100m</td></tr><tr><td>&lt;100kW</td><td>&lt;0.5ha</td><td>5m</td><td>500m</td><td>25m</td></tr></table> <div>Notes:</div> <div>1. Does not apply when the site of the proposed ground mounted solar power facility is located within one of these zones.</div>	Generation Capacity	Approximate size of array	Setback from adjoining land boundary	Setback from conservation areas	Setback from Township, Rural Settlement, Rural Neighbourhood and Rural Living Zones <sup>1</sup>	50MW>	80ha+	30m	500m	2km	10MW<50MW	16ha-<80ha	25m	500m	1.5km	5MW<10MW	8ha to <16ha	20m	500m	1km	1MW<5MW	1.6ha to <8ha	15m	500m	500m	100kW<1MW	0.5ha<1.6ha	10m	500m	100m	<100kW	<0.5ha	5m	500m	25m
Generation Capacity	Approximate size of array	Setback from adjoining land boundary	Setback from conservation areas	Setback from Township, Rural Settlement, Rural Neighbourhood and Rural Living Zones <sup>1</sup>																																
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<div>PO 9.4</div> <div>Ground mounted solar power facilities incorporate landscaping within setbacks from adjacent road frontages and boundaries of adjacent allotments accommodating non-host dwellings, where balanced with infrastructure access and bushfire safety considerations.</div>	<div>DTS/DPF 9.4</div> <div>None are applicable.</div>																																			
Hydropower / Pumped Hydropower Facilities																																				
<div>PO 10.1</div> <div>Hydropower / pumped hydropower facility storage is designed and operated to minimise the risk of storage dam failure.</div>	<div>DTS/DPF 10.1</div> <div>None are applicable.</div>																																			
<div>PO 10.2</div> <div>Hydropower / pumped hydropower facility storage is designed and operated to minimise water loss through increased evaporation or system leakage, with the incorporation of appropriate liners, dam covers, operational measures or detection systems.</div>	<div>DTS/DPF 10.2</div> <div>None are applicable.</div>																																			
<div>PO 10.3</div> <div>Hydropower / pumped hydropower facilities on existing or former mine sites minimise environmental impacts from site contamination, including from mine operations or water sources subject to such processes, now or in the future.</div>	<div>DTS/DPF 10.3</div> <div>None are applicable.</div>																																			
Water Supply																																				
<div>PO 11.1</div>	<div>DTS/DPF 11.1</div>																																			



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Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.		Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.	
PO 11.2 Dwellings are connected to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the intended use. Where this is not available an appropriate rainwater tank or storage system for domestic use is provided.	DTS/DPF 11.2 A dwelling is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the development. Where this is not available it is serviced by a rainwater tank or tanks capable of holding at least 50,000 litres of water which is:  (a) exclusively for domestic use (b) connected to the roof drainage system of the dwelling.		
Wastewater Services			
PO 12.1 Development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following:  (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.	DTS/DPF 12.1 Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development. Where this is not available it is instead capable of being serviced by an on-site waste water treatment system in accordance with the following:  (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.		
PO 12.2 Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.	DTS/DPF 12.2 Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.		
Temporary Facilities			
PO 13.1 In rural and remote locations, development that is likely to generate significant waste material during construction, including packaging waste, makes provision for a temporary on-site waste storage enclosure to minimise the incidence of wind-blown litter.	DTS/DPF 13.1 A waste collection and disposal service is used to dispose of the volume of waste at the rate it is generated.		
PO 13.2 Temporary facilities to support the establishment of renewable energy facilities (including borrow pits, concrete batching plants, laydown, storage, access roads and worker amenity areas) are sited and operated to minimise environmental impact.	DTS/DPF 13.2 None are applicable.		

## Intensive Animal Husbandry and Dairies

### Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting and Design	
PO 1.1 Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to not unreasonably impact on the environment or amenity of the locality.	DTS/DPF 1.1 None are applicable.
PO 1.2 Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to prevent the potential transmission of disease to other operations where animals are kept.	DTS/DPF 1.2 None are applicable.
PO 1.3 Intensive animal husbandry and associated activities such as wastewater lagoons and liquid/solid waste disposal areas are sited, designed, constructed and managed to not unreasonably impact on sensitive receivers in other ownership in terms of noise and air emissions.	DTS/DPF 1.3 None are applicable.
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.
PO 3.2 Intensive animal husbandry operations and dairies incorporate	DTS/DPF 3.2 None are applicable.

appropriately designed effluent and run-off facilities that:

- (a) have sufficient capacity to hold effluent and runoff from the operations on site
- (b) ensure effluent does not infiltrate and pollute groundwater, soil or other water resources.

## Interface between Land Uses

### Assessment Provisions (AP)

Desired Outcome (DO)

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											
PO 1.1 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.		DTS/DPF 1.1 None are applicable.									
PO 1.2 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.		DTS/DPF 1.2 None are applicable.									
Hours of Operation											
PO 2.1 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:  (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.		DTS/DPF 2.1 Development operating within the following hours:									
		<table><tr><th>Class of Development</th><th>Hours of operation</th></tr><tr><td>Consulting room</td><td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td></tr><tr><td>Office</td><td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td></tr><tr><td>Shop, other than any one or combination of the following: (a) restaurant</td><td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td></tr></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	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
		Class of Development	Hours of operation								
		Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
		Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any one or combination of the following: (a) restaurant	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday										

	(b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone		
Overshadowing			
PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses in:  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.	DTS/DPF 3.1 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.		
PO 3.2 Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:  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.	DTS/DPF 3.2 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:  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.		
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.	DTS/DPF 3.3 None are applicable.		
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.	DTS/DPF 3.4 None are applicable.		
Activities Generating Noise or Vibration			
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Commercial and Industrial Noise) Policy criteria.		
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	DTS/DPF 4.2 None are applicable.		

<p>(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(c) housing plant and equipment within an enclosed structure or acoustic enclosure</p> <p>(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.</p>					
<p>PO 4.3</p> <p>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</p> <p>The pump and/or filtration system ancillary to a dwelling erected on the same site is:</p> <p>(a) enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment or</p> <p>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>				
<p>PO 4.4</p> <p>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</p> <p>Adjacent land is used for residential purposes.</p>				
<p>PO 4.5</p> <p>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</p> <p>None are applicable.</p>				
<p>PO 4.6</p> <p>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</p> <p>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" data-bbox="831 1162 1490 1375"> <thead> <tr> <th>Assessment location</th><th>Music noise level</th></tr> </thead> <tbody> <tr> <td>Externally at the nearest existing or envisaged noise sensitive location</td><td>Less than 8dB above the level of background noise (L<sub>90,15min</sub>) in any octave band of the sound spectrum (LOCT<sub>10,15</sub> &lt; LOCT<sub>90,15</sub> + 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 <sub>90,15min</sub> ) in any octave band of the sound spectrum (LOCT <sub>10,15</sub> < LOCT <sub>90,15</sub> + 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 <sub>90,15min</sub> ) in any octave band of the sound spectrum (LOCT <sub>10,15</sub> < LOCT <sub>90,15</sub> + 8dB)				
Air Quality					
<p>PO 5.1</p> <p>Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>				
<p>PO 5.2</p> <p>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:</p> <p>(a) incorporating appropriate treatment technology before exhaust emissions are released</p> <p>(b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.</p>	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>				
Light Spill					
<p>PO 6.1</p>	<p>DTS/DPF 6.1</p>				

External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).	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



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		(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)

Desired Outcome	
DO 1	<p>Land division:</p> <ul style="list-style-type: none"> <li>(a) creates allotments with the appropriate dimensions and shape for their intended use</li> <li>(b) allows efficient provision of new infrastructure and the optimum use of underutilised infrastructure</li> <li>(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</li> <li>(d) facilitates solar access through allotment orientation</li> <li>(e) creates a compact urban form that supports active travel, walkability and the use of public transport</li> <li>(f) avoids areas of high natural hazard risk.</li> </ul>

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All land division	
Allotment configuration	
PO 1.1	DTS/DPF 1.1
Land division creates allotments suitable for their intended use.	Division of land satisfies (a) or (b):

	<p>(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</p> <p>(b) is proposed as part of a combined land division application with deemed-to-satisfy dwellings on the proposed allotments.</p>
<p>PO 1.2</p> <p>Land division considers the physical characteristics of the land, preservation of environmental and cultural features of value and the prevailing context of the locality.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
Design and Layout	
<p>PO 2.1</p> <p>Land division results in a pattern of development that minimises the likelihood of future earthworks and retaining walls.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Land division enables the appropriate management of interface impacts between potentially conflicting land uses and/or zones.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>Land division maximises the number of allotments that face public open space and public streets.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Land division is integrated with site features, adjacent land uses, the existing transport network and available infrastructure.</p>	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>
<p>PO 2.5</p> <p>Development and infrastructure is provided and staged in a manner that supports an orderly and economic provision of land, infrastructure and services.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
<p>PO 2.6</p> <p>Land division results in watercourses being retained within open space and development taking place on land not subject to flooding.</p>	<p>DTS/DPF 2.6</p> <p>None are applicable.</p>
<p>PO 2.7</p> <p>Land division results in legible street patterns connected to the surrounding street network.</p>	<p>DTS/DPF 2.7</p> <p>None are applicable.</p>
<p>PO 2.8</p> <p>Land division is designed to preserve existing vegetation of value including native vegetation and regulated and significant trees.</p>	<p>DTS/DPF 2.8</p> <p>None are applicable.</p>
Roads and Access	
<p>PO 3.1</p> <p>Land division provides allotments with access to an all-weather public road.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Street patterns and intersections are designed to enable the safe and efficient movement of pedestrian, cycle and vehicular traffic.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>PO 3.3</p> <p>Land division does not impede access to publicly owned open space and/or recreation facilities.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p>	<p>DTS/DPF 3.4</p>

Road reserves provide for safe and convenient movement and parking of projected volumes of vehicles and allow for the efficient movement of service and emergency vehicles.	None are applicable.
PO 3.5 Road reserves are designed to accommodate pedestrian and cycling infrastructure, street tree planting, landscaping and street furniture.	DTS/DPF 3.5 None are applicable.
PO 3.6 Road reserves accommodate stormwater drainage and public utilities.	DTS/DPF 3.6 None are applicable.
PO 3.7 Road reserves provide unobstructed vehicular access and egress to and from individual allotments and sites.	DTS/DPF 3.7 None are applicable.
PO 3.8 Roads, open space and thoroughfares provide safe and convenient linkages to the surrounding open space and transport network.	DTS/DPF 3.8 None are applicable.
PO 3.9 Public streets are designed to enable tree planting to provide shade and enhance the amenity of streetscapes.	DTS/DPF 3.9 None are applicable.
PO 3.10 Local streets are designed to create low-speed environments that are safe for cyclists and pedestrians.	DTS/DPF 3.10 None are applicable.
Infrastructure	
PO 4.1 Land division incorporates public utility services within road reserves or dedicated easements.	DTS/DPF 4.1 None are applicable.
PO 4.2 Waste water, sewage and other effluent is capable of being disposed of from each allotment without risk to public health or the environment.	DTS/DPF 4.2 Each allotment can be connected to:  (a) a waste water treatment plant that has the hydraulic volume and pollutant load treatment and disposal capacity for the maximum predicted wastewater volume generated by subsequent development of the proposed allotment or (b) a form of on-site waste water treatment and disposal that meets relevant public health and environmental standards.
PO 4.3 Septic tank effluent drainage fields and other waste water disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.	DTS/DPF 4.3 Development is not built on, or encroaches within, an area that is or will be, required for a sewerage system or waste control system.
PO 4.4 Constructed wetland systems, including associated detention and retention basins, are sited and designed to ensure public health and safety is protected, including by minimising potential public health risks arising from the breeding of mosquitoes.	DTS/DPF 4.4 None are applicable.
PO 4.5 Constructed wetland systems, including associated detention and retention basins, are sited and designed to allow sediments to settle prior to discharge into watercourses or the marine environment.	DTS/DPF 4.5 None are applicable.
PO 4.6 Constructed wetland systems, including associated detention and retention basins, are sited and designed to function as a landscape	DTS/DPF 4.6 None are applicable.

feature.	
Minor Land Division (Under 20 Allotments)	
Open Space	
PO 5.1 Land division proposing an additional allotment under 1 hectare provides or supports the provision of open space.	DTS/DPF 5.1 None are applicable.
Solar Orientation	
PO 6.1 Land division for residential purposes facilitates solar access through allotment orientation.	DTS/DPF 6.1 None are applicable.
Water Sensitive Design	
PO 7.1 Land division creating a new road or common driveway includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.	DTS/DPF 7.1 None are applicable.
PO 7.2 Land division designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	DTS/DPF 7.2 None are applicable.
Battle-Axe Development	
PO 8.1 Battle-axe development appropriately responds to the existing neighbourhood context.	DTS/DPF 8.1 Allotments are not in the form of a battle-axe arrangement.
PO 8.2 Battle-axe development designed to allow safe and convenient movement.	DTS/DPF 8.2 The handle of a battle-axe development:  (a) has a minimum width of 4m or (b) where more than 3 allotments are proposed, a minimum width of 5.5m.
PO 8.3 Battle-axe allotments and/or common land are of a suitable size and dimension to allow passenger vehicles to enter and exit and manoeuvre within the site in a safe and convenient manner.	DTS/DPF 8.3 Battle-axe development allows a B85 passenger vehicle to enter and exit parking spaces in no more than a three-point turn manoeuvre.
PO 8.4 Battle-axe or common driveways incorporate landscaping and permeability to improve appearance and assist in stormwater management.	DTS/DPF 8.4 Battle-axe or common driveways satisfy (a) and (b):  (a) are constructed of a minimum of 50% permeable or porous material (b) where the driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).
Major Land Division (20+ Allotments)	
Open Space	
PO 9.1 Land division allocates or retains evenly distributed, high quality areas of open space to improve residential amenity and provide urban heat amelioration.	DTS/DPF 9.1 None are applicable.
PO 9.2	DTS/DPF 9.2

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

## Marinas and On-Water Structures

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Marinas and on-water structures are located and designed to minimise the impairment of commercial, recreational and navigational activities and adverse impacts on the environment.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Navigation and Safety	
PO 1.1 Safe public access is provided or maintained to the waterfront, public infrastructure and recreation areas.	DTS/DPF 1.1 None are applicable.
PO 1.2 The operation of wharves is not impaired by marinas and on-water structures.	DTS/DPF 1.2 None are applicable.
PO 1.3	DTS/DPF 1.3

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

## Open Space and Recreation

### Assessment Provisions (AP)

#### Desired Outcome (DO)

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	
PO 1.1 Recreation facilities are compatible with surrounding land uses and activities.	DTS/DPF 1.1 None are applicable.
PO 1.2 Open space areas include natural or landscaped areas using locally indigenous plant species and large trees.	DTS/DPF 1.2 None are applicable.
Design and Siting	
PO 2.1 Open space and recreation facilities address adjacent public roads to optimise pedestrian access and visibility.	DTS/DPF 2.1 None are applicable.



PO 2.2 Open space and recreation facilities incorporate park furniture, shaded areas and resting places.	DTS/DPF 2.2 None are applicable.
PO 2.3 Open space and recreation facilities link habitats, wildlife corridors and existing open spaces and recreation facilities.	DTS/DPF 2.3 None are applicable.
Pedestrians and Cyclists	
PO 3.1 Open space incorporates:  (a) pedestrian and cycle linkages to other open spaces, centres, schools and public transport nodes; (b) safe crossing points where pedestrian routes intersect the road network; (c) easily identified access points.	DTS/DPF 3.1 None are applicable.
Usability	
PO 4.1 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.

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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: <ul style="list-style-type: none"> <li>(a) along cyclist and pedestrian routes;</li> <li>(b) around picnic and barbecue areas;</li> <li>(c) in car parking areas.</li> </ul>	DTS/DPF 8.2	None are applicable.
PO 8.3	Landscaping in open space facilitates habitat for local fauna and facilitates biodiversity.	DTS/DPF 8.3	None are applicable.
PO 8.4	Landscaping including trees and other vegetation passively watered with local rainfall run-off, where practicable.	DTS/DPF 8.4	None are applicable.

## Out of Activity Centre Development

### Assessment Provisions (AP)

Desired Outcome (DO)

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

Performance Outcomes and Deemed to Satisfy / Designated Performance Outcome Criteria

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

PO 1.2 Out-of-activity centre non-residential development complements Activity Centres through the provision of services and facilities:  (a) that support the needs of local residents and workers, particularly in underserved locations (b) at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre.	DTS/DPF 1.2 None are applicable.
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## Resource Extraction

### Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Resource extraction activities minimise landscape damage outside of those areas unavoidably disturbed to access and exploit a resource and provide for the progressive reclamation and betterment of disturbed areas.	DTS/DPF 1.1 None are applicable.
PO 1.2 Resource extraction activities avoid damage to cultural sites or artefacts.	DTS/DPF 1.2 None are applicable.
Water Quality	
PO 2.1 Stormwater and/or wastewater from resource extraction activities is diverted into appropriately sized treatment and retention systems to enable reuse on site.	DTS/DPF 2.1 None are applicable.
Separation Treatments, Buffers and Landscaping	
PO 3.1 Resource extraction activities minimise adverse impacts upon sensitive receivers through incorporation of separation distances and/or mounding/vegetation.	DTS/DPF 3.1 None are applicable.
PO 3.2 Resource extraction activities are screened from view from adjacent land by perimeter landscaping and/or mounding.	DTS/DPF 3.2 None are applicable.

## Site Contamination

### Assessment Provisions (AP)

Desired Outcome (DO)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more sensitive use.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <ul style="list-style-type: none"> <li>(a) does not involve a change in the use of land</li> <li>(b) involves a change in the use of land that does not constitute a change to a more sensitive use</li> <li>(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)</li> <li>(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"> <li>(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"> <li>A. site contamination does not exist (or no longer exists) at the land</li> <li>or</li> <li>B. the land is suitable for the proposed use or range of uses (without the need for any further remediation)</li> <li>or</li> <li>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)</li> </ul> </li> <li>and</li> <li>(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).</li> </ul> </li> </ul>

## Tourism Development

### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Tourism development is built in locations that cater to the needs of visitors and positively contributes to South Australia's visitor economy.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
General	
PO 1.1 Tourism development complements and contributes to local, natural, cultural or historical context where:  (a) it supports immersive natural experiences (b) it showcases South Australia's landscapes and produce (c) its events and functions are connected to local food, wine and nature.	DTS/DPF 1.1 None are applicable.
PO 1.2 Tourism development comprising multiple accommodation units (including any facilities and activities for use by guests and visitors) is clustered to minimise environmental and contextual impact.	DTS/DPF 1.2 None are applicable.
Caravan and Tourist Parks	
PO 2.1 Potential conflicts between long-term residents and short-term tourists are minimised through suitable siting and design measures.	DTS/DPF 2.1 None are applicable.
PO 2.2 Occupants are provided privacy and amenity through landscaping and fencing.	DTS/DPF 2.2 None are applicable.
PO 2.3 Communal open space and centrally located recreation facilities are provided for guests and visitors.	DTS/DPF 2.3 12.5% or more of a caravan park comprises clearly defined communal open space, landscaped areas and areas for recreation.
PO 2.4 Perimeter landscaping is used to enhance the amenity of the locality.	DTS/DPF 2.4 None are applicable.
PO 2.5 Amenity blocks (showers, toilets, laundry and kitchen facilities) are sufficient to serve the full occupancy of the development.	DTS/DPF 2.5 None are applicable.
PO 2.6 Long-term occupation does not displace tourist accommodation, particularly in important tourist destinations such as coastal and riverine locations.	DTS/DPF 2.6 None are applicable.
Tourist accommodation in areas constituted under the National Parks and Wildlife Act 1972	
PO 3.1 Tourist accommodation avoids delicate or environmentally sensitive areas such as sand dunes, cliff tops, estuaries, wetlands or substantially intact strata of native vegetation (including regenerated areas of native vegetation lost through bushfire).	DTS/DPF 3.1 None are applicable.
PO 3.2 Tourist accommodation is sited and designed in a manner that is	DTS/DPF 3.2 None are applicable.

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subservient to the natural environment and where adverse impacts on natural features, landscapes, habitats and cultural assets are avoided.			
PO 3.3	Tourist accommodation and recreational facilities, including associated access ways and ancillary structures, are located on cleared (other than where cleared as a result of bushfire) or degraded areas or where environmental improvements can be achieved.	DTS/DPF 3.3	None are applicable.
PO 3.4	<p>Tourist accommodation is designed to prevent conversion to private dwellings through:</p> <ul style="list-style-type: none"> <li>(a) comprising a minimum of 10 accommodation units</li> <li>(b) clustering separated individual accommodation units</li> <li>(c) being of a size unsuitable for a private dwelling</li> <li>(d) ensuring functional areas that are generally associated with a private dwelling such as kitchens and laundries are excluded from, or physically separated from individual accommodation units, or are of a size unsuitable for a private dwelling.</li> </ul>	DTS/DPF 3.4	None are applicable.

## Transport, Access and Parking

### Assessment Provisions (AP)

Desired Outcome (DO)

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

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

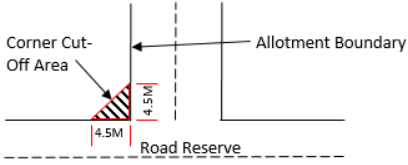
Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
PO 1.1 Development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.3 Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.	DTS/DPF 1.3 None are applicable.
PO 1.4 Development is sited and designed so that loading, unloading and	DTS/DPF 1.4 All vehicle manoeuvring occurs onsite.



turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.	
Sightlines	
PO 2.1 Sightlines at intersections, pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.	DTS/DPF 2.1 None are applicable.
PO 2.2 Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.	DTS/DPF 2.2 None are applicable.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/DPF 3.1 The access is:  (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or  (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
PO 3.2 Development incorporating vehicular access ramps ensures vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.	DTS/DPF 3.2 None are applicable.
PO 3.3 Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.	DTS/DPF 3.3 None are applicable.
PO 3.4 Access points are sited and designed to minimise any adverse impacts on neighbouring properties.	DTS/DPF 3.4 None are applicable.
PO 3.5 Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.	DTS/DPF 3.5 Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
PO 3.6 Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).	DTS/DPF 3.6 Driveways and access points:  (a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided

	(b) for sites with a frontage to a public road greater than 20m: <ul style="list-style-type: none"> <li>(i) a single access point no greater than 6m in width is provided or</li> <li>(ii) not more than two access points with a width of 3.5m each are provided.</li> </ul>
PO 3.7 Access points are appropriately separated from level crossings to avoid interference and ensure their safe ongoing operation.	DTS/DPF 3.7 Development does not involve a new or modified access or cause an increase in traffic through an existing access that is located within the following distance from a railway crossing: <ul style="list-style-type: none"> <li>(a) 80 km/h road - 110m</li> <li>(b) 70 km/h road - 90m</li> <li>(c) 60 km/h road - 70m</li> <li>(d) 50km/h or less road - 50m.</li> </ul>
PO 3.8 Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.	DTS/DPF 3.8 None are applicable.
PO 3.9 Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.	DTS/DPF 3.9 None are applicable.
Access for People with Disabilities	
PO 4.1 Development is sited and designed to provide safe, dignified and convenient access for people with a disability.	DTS/DPF 4.1 None are applicable.
Vehicle Parking Rates	
PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: <ul style="list-style-type: none"> <li>(a) availability of on-street car parking</li> <li>(b) shared use of other parking areas</li> <li>(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</li> <li>(d) the adaptive reuse of a State or Local Heritage Place.</li> </ul>	DTS/DPF 5.1 Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant: <ul style="list-style-type: none"> <li>(a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area</li> <li>(b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply</li> <li>(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.</li> </ul>
Vehicle Parking Areas	
PO 6.1 Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.	DTS/DPF 6.1 Movement between vehicle parking areas within the site can occur without the need to use a public road.
PO 6.2 Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.	DTS/DPF 6.2 None are applicable.
PO 6.3 Vehicle parking areas are designed to provide opportunity for	DTS/DPF 6.3 None are applicable.

integration and shared-use of adjacent car parking areas to reduce the total extent of vehicle parking areas and access points.	
PO 6.4 Pedestrian linkages between parking areas and the development are provided and are safe and convenient.	DTS/DPF 6.4 None are applicable.
PO 6.5 Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.	DTS/DPF 6.5 None are applicable.
PO 6.6 Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.	DTS/DPF 6.6 Loading areas and designated parking spaces are wholly located within the site.
PO 6.7 On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.	DTS/DPF 6.7 None are applicable.
Undercroft and Below Ground Garaging and Parking of Vehicles	
PO 7.1 Undercroft and below ground garaging of vehicles is designed to enable safe entry and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles.	DTS/DPF 7.1 None are applicable.
Internal Roads and Parking Areas in Residential Parks and Caravan and Tourist Parks	
PO 8.1 Internal road and vehicle parking areas are surfaced to prevent dust becoming a nuisance to park residents and occupants.	DTS/DPF 8.1 None are applicable.
PO 8.2 Traffic circulation and movement within the park is pedestrian friendly and promotes low speed vehicle movement.	DTS/DPF 8.2 None are applicable.
Bicycle Parking in Designated Areas	
PO 9.1 The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.	DTS/DPF 9.1 Areas and / or fixtures are provided for the parking and storage of bicycles at a rate not less than the amount calculated using Transport, Access and Parking Table 3 - Off Street Bicycle Parking Requirements.
PO 9.2 Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.	DTS/DPF 9.2 None are applicable.
PO 9.3 Non-residential development incorporates end-of-journey facilities for employees such as showers, changing facilities and secure lockers, and signage indicating the location of the facilities to encourage cycling as a mode of journey-to-work transport.	DTS/DPF 9.3 None are applicable.
Corner Cut-Offs	
PO 10.1 Development is located and designed to ensure drivers can safely turn into and out of public road junctions.	DTS/DPF 10.1 Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:

	 <p>The diagram illustrates a corner cut-off area. A dashed line represents the 'Allotment Boundary'. A solid line represents the 'Road Reserve'. A red hatched area indicates the 'Corner Cut-Off Area'. Two dimensions of 4.5M are shown: one for the setback from the road reserve and another for the setback from the allotment boundary.</p>
Heavy Vehicle Parking	
<p>PO 11.1</p> <p>Heavy vehicle parking and access is designed and sited so that the activity does not result in nuisance to adjoining neighbours as a result of dust, fumes, vibration, odour or potentially hazardous loads.</p>	<p>DTS/DPF 11.1</p> <p>Heavy vehicle parking occurs in accordance with the following:</p> <ul style="list-style-type: none"> <li>(a) the site is not located within a Neighbourhood-type zone (except a Rural Living Zone)</li> <li>(b) the site is a minimum of 0.4 ha</li> <li>(c) where the site is 2 ha or more, no more than 2 vehicles exceeding 3,000 kilograms each (and trailers) are to be parked on the allotment at any time</li> <li>(d) where the site is between 0.4 ha and 2 ha, only one vehicle exceeding 3,000 kilograms (and one trailer) are to be parking on the allotment at any time</li> <li>(e) the vehicle parking area achieves the following setbacks:             <ul style="list-style-type: none"> <li>(i) behind the building line or 30m, whichever is greater</li> <li>(ii) 20m from the secondary street if it is a State Maintained Road</li> <li>(iii) 10m from the secondary street if it is a local road</li> <li>(iv) 10m from side and rear boundaries</li> </ul> </li> <li>(f) parking and access areas (including internal driveways) should be sealed or have a surface that can be treated and maintained to minimise dust and mud nuisance</li> <li>(g) does not include refrigerated trailers or vehicles</li> <li>(h) vehicles only enter and exit the property in accordance with the following hours:             <ul style="list-style-type: none"> <li>(i) Monday to Saturday 6:00am and 9:30pm</li> <li>(ii) Sunday and public holidays between 9:30 am and 7:00 pm</li> </ul> </li> <li>(i) the handling or trans-shipment of freight is not carried out on the property.</li> </ul>
<p>PO 11.2</p> <p>Heavy vehicle parking ensures that vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.</p>	<p>DTS/DPF 11.2</p> <p>Heavy vehicles:</p> <ul style="list-style-type: none"> <li>(a) can enter and exit the site in a forward direction; and</li> <li>(b) operate within the statutory mass and dimension limited for General Access Vehicles (as prescribed by the National Heavy Vehicle Regulator).</li> </ul>
<p>PO 11.3</p> <p>Heavy vehicle parking is screened through siting behind buildings, screening, landscaping or the like to obscure views from adjoining properties and public roads.</p>	<p>DTS/DPF 11.3</p> <p>None are applicable.</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)
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Policy24		P&D Code (in effect) Version 2024.17 12/9/2024	
		Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.	
Residential Development			
Detached Dwelling		Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.	
Group Dwelling		Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.  0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.	
Residential Flat Building		Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.  0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.	
Row Dwelling where vehicle access is from the primary street		Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.	
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)		Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.	
Semi-Detached Dwelling		Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.	
Aged / Supported Accommodation			
Retirement facility		Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling.  0.2 spaces per dwelling for visitor parking.	
Supported accommodation		0.3 spaces per bed.	
Residential Development (Other)			
Ancillary accommodation		No additional requirements beyond those associated with the main dwelling.	
Residential park		Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.  Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling.  0.2 spaces per dwelling for visitor parking.	
Student accommodation		0.3 spaces per bed.	
Workers' accommodation		0.5 spaces per bed plus 0.2 spaces per bed for visitor parking.	
Tourist			
Caravan and tourist park		Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation.  Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation.  A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.	
Tourist accommodation other than a caravan and tourist park		1 car parking space per accommodation unit / guest room.	
Commercial Uses			

Policy24		P&D Code (in effect) Version 2024.17 12/9/2024	
Auction room/ depot		1 space per 100m2 of building floor area plus an additional 2 spaces.	
Automotive collision repair		3 spaces per service bay.	
Motor repair station		3 spaces per service bay.	
Office		For a call centre, 8 spaces per 100m2 of gross leasable floor area  In all other cases, 4 spaces per 100m2 of gross leasable floor area.	
Retail fuel outlet		3 spaces per 100m2 gross leasable floor area.	
Service trade premises		2.5 spaces per 100m2 of gross leasable floor area  1 space per 100m2 of outdoor area used for display purposes.	
Shop (no commercial kitchen)		5.5 spaces per 100m2 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 100m2 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 100m2 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 100m2 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			
Community facility		For a library, 4 spaces per 100m2 of total floor area.  For a hall/meeting hall, 0.2 spaces per seat.  In all other cases, 10 spaces per 100m2 of total floor area.	
Educational facility		For a primary school - 1.1 space per full time equivalent employee plus 0.25 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.  For a secondary school - 1.1 per full time equivalent employee plus 0.1 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.  For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any time.	
Place of worship		1 space for every 3 visitor seats.	
Child care facility		For a child care centre, 0.25 spaces per child  In all other cases, 1 per employee plus 0.25 per child (drop off/pick up bays).	
Health Related Uses			
Consulting room		4 spaces per consulting room excluding ancillary facilities.	
Hospital		4.5 spaces per bed for a public hospital.  1.5 spaces per bed for a private hospital.	
Recreational and Entertainment Uses			
Cinema complex		0.2 spaces per seat.	
Concert hall / theatre		0.2 spaces per seat.	
Hotel		1 space for every 2m2 of total floor area in a public bar plus 1 space for every 6m2 of total floor area available to the public in a lounge, beer garden plus 1 space per 2 gaming machines, plus 1 space per 3 seats in a restaurant.	
Indoor recreation facility		6.5 spaces per 100m2 of total floor area for a Fitness Centre  4.5 spaces per 100m2 of total floor area for all other Indoor recreation facilities.	



Industry/Employment Uses	
Fuel depot	1.5 spaces per 100m2 total floor area  1 spaces per 100m2 of outdoor area used for fuel depot activity purposes.
Industry	1.5 spaces per 100m2 of total floor area.
Store	0.5 spaces per 100m2 of total floor area.
Timber yard	1.5 spaces per 100m2 of total floor area  1 space per 100m2 of outdoor area used for display purposes.
Warehouse	0.5 spaces per 100m2 total floor area.
Other Uses	
Funeral Parlour	1 space per 5 seats in the chapel plus 1 space for each vehicle operated by the parlour.
Radio or Television Station	5 spaces per 100m2 of total building floor area.

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

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

Class of Development	Car Parking Rate		Designated Areas
	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.		
	Minimum number of spaces	Maximum number of spaces	
Development generally			
All classes of development	No minimum.	No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:	Capital City Zone
			City Main Street Zone
		1 space for each dwelling with a total floor area less than 75 square metres	City Riverbank Zone
		2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres	Adelaide Park Lands Zone
		3 spaces for each dwelling with a total floor area greater than 150 square metres.	Business Neighbourhood Zone (within the City of Adelaide)
		Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.	The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m2 of gross leasable floor area.	5 spaces per 100m2 of gross leasable floor area.	City Living Zone
			Urban Corridor (Boulevard) Zone
			Urban Corridor (Business) Zone
			Urban Corridor (Living) Zone
			Urban Corridor (Main Street ) Zone
	Urban Neighbourhood Zone (except for Bowden, Brompton or Hindmarsh)		
Non-residential development excluding tourist accommodation	3 spaces per 100m2 of gross leasable floor area.	6 spaces per 100m2 of gross leasable floor area.	Strategic Innovation Zone in the City of Burnside, City of Marion or City of Mitcham
			Strategic Innovation Zone outside the City of Burnside, City of Marion or City of Mitcham when the site is also in a high frequency public

			<p>transit area</p> <p>Suburban Activity Centre Zone when the site is also in a high frequency public transit area</p> <p>Suburban Business Zone when the site is also in a high frequency public transit area</p> <p>Business Neighbourhood Zone outside of the City of Adelaide when the site is also in a high frequency public transit area</p> <p>Suburban Main Street Zone when the site is also in a high frequency public transit area</p> <p>Urban Activity Centre Zone</p>
Non-residential development excluding tourist accommodation	<p>3 spaces per 100 square metres of gross leasable floor area</p> <p>1.5 spaces per 100 square metres of gross leasable floor area above ground floor level other than for a shop</p>	3 spaces per 100 square metres of gross leasable floor area	Urban Neighbourhood Zone (in Bowden, Brompton or Hindmarsh)
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	<p>City Living Zone</p> <p>Urban Activity Centre Zone when the site is also in a high frequency public transit area</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 (except for Bowden, Brompton or Hindmarsh)</p>
Residential development			
Residential component of a multi-storey 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>Strategic Innovation Zone in the City of Burnside, City of Marion or City of Mitcham</p> <p>Strategic Innovation Zone outside the City of Burnside, City of Marion or City of Mitcham when the site is also in a high frequency public transit area</p> <p>Urban Activity Centre Zone when the site is also in a high frequency public transit area</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p>

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			Urban Corridor (Living) Zone  Urban Corridor (Main Street) Zone  Urban Neighbourhood Zone (except for Bowden, Brompton or Hindmarsh)
Residential component of a multi-storey building	0.75 per dwelling	None specified	Urban Neighbourhood Zone (in Bowden, Brompton or Hindmarsh)
Residential flat building	Dwelling with no separate bedroom -0.25 spaces per dwelling  1 bedroom dwelling - 0.75 spaces per dwelling  2 bedroom dwelling - 1 space per dwelling  3 or more bedroom dwelling - 1.25 spaces per dwelling  0.25 spaces per dwelling for visitor parking.	None specified.	City Living Zone  Urban Activity Centre Zone when the site is also in a high frequency public transit area  Urban Corridor (Boulevard) Zone  Urban Corridor (Business) Zone  Urban Corridor (Living) Zone  Urban Corridor (Main Street) Zone  Urban Neighbourhood Zone (except for Bowden, Brompton or Hindmarsh)
Residential flat building	0.75 per dwelling	None specified	Urban Neighbourhood Zone (in Bowden, Brompton or Hindmarsh)
Detached dwelling	0.75 per dwelling	None specified	Urban Neighbourhood Zone (in Bowden, Brompton or Hindmarsh)
Row dwelling	0.75 per dwelling	None specified	Urban Neighbourhood Zone (in Bowden, Brompton or Hindmarsh)
Semi-detached dwelling	0.75 per dwelling	None specified	Urban Neighbourhood Zone (in Bowden, Brompton or Hindmarsh)

**Table 3 - Off-Street Bicycle Parking Requirements**

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

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

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	For tertiary education - 1 space per 20 employees plus 1 space per 10 full time students.		
Hospital	1 space per 15 beds plus 1 space per 30 beds for visitors.		
Indoor recreation facility	1 space per 4 employees plus 1 space per 200m2 of gross leasable floor area for visitors.		
Licensed Premises	1 per 20 employees, plus 1 per 60 square metres total floor area, plus 1 per 40 square metres of bar floor area, plus 1 per 120 square metres lounge and beer garden floor area, plus 1 per 60 square metres dining floor area, plus 1 per 40 square metres gaming room floor area.		
Office	1 space for every 200m2 of gross leasable floor area plus 2 spaces plus 1 space per 1000m2 of gross leasable floor area for visitors.		
Child care facility	1 space per 20 full time employees plus 1 space per 40 full time children.		
Recreation area	1 per 1500 spectator seats for employees plus 1 per 250 visitor and customers.		
Residential flat building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 for every 10 dwellings for visitors.		
Residential component of a multi-storey building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 space for every 10 dwellings for visitors.		
Shop	1 space for every 300m2 of gross leasable floor area plus 1 space for every 600m2 of gross leasable floor area for customers.		
Tourist accommodation	1 space for every 20 employees plus 2 for the first 40 rooms and 1 for every additional 40 rooms for visitors.		
Schedule to Table 3	Designated Area	Relevant part of the State	
		The bicycle parking rate applies to a designated area located in a relevant part of the State described below.	
	All zones	City of Adelaide	
	Business Neighbourhood Zone	Metropolitan Adelaide	
	Strategic Innovation Zone		
	Suburban Activity Centre Zone		
	Suburban Business Zone		
	Suburban Main Street Zone		
	Urban Activity Centre Zone		
	Urban Corridor (Boulevard) Zone		
	Urban Corridor (Business) Zone		
	Urban Corridor (Living) Zone		
	Urban Corridor (Main Street ) Zone		
	Urban Neighbourhood Zone		

## Waste Treatment and Management Facilities

### Assessment Provisions (AP)

Desired Outcome (DO)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting	
PO 1.1 Waste treatment and management facilities incorporate separation distances and attenuation measures within the site between waste operations areas (including all closed, operating and future cells) and sensitive receivers and sensitive environmental features to mitigate off-site impacts from noise, air and dust emissions.	DTS/DPF 1.1 None are applicable.
Soil and Water Protection	
PO 2.1 Soil, groundwater and surface water are protected from contamination from waste treatment and management facilities through measures such as: <ul style="list-style-type: none"> <li>(a) containing potential groundwater and surface water contaminants within waste operations areas</li> <li>(b) diverting clean stormwater away from waste operations areas and potentially contaminated areas</li> <li>(c) providing a leachate barrier between waste operations areas and underlying soil and groundwater.</li> </ul>	DTS/DPF 2.1 None are applicable.
PO 2.2 Wastewater lagoons are set back from watercourses to minimise environmental harm and adverse effects on water resources.	DTS/DPF 2.2 Wastewater lagoons are set back 50m or more from watercourse banks.
PO 2.3 Wastewater lagoons are designed and sited to: <ul style="list-style-type: none"> <li>(a) avoid intersecting underground waters;</li> <li>(b) avoid inundation by flood waters;</li> <li>(c) ensure lagoon contents do not overflow;</li> <li>(d) include a liner designed to prevent leakage.</li> </ul>	DTS/DPF 2.3 None are applicable.
PO 2.4 Waste operations areas of landfills and organic waste processing facilities are set back from watercourses to minimise adverse impacts on water resources.	DTS/DPF 2.4 Waste operations areas are set back 100m or more from watercourse banks.
Amenity	
PO 3.1 Waste treatment and management facilities are screened, located and designed to minimise adverse visual impacts on amenity.	DTS/DPF 3.1 None are applicable.
PO 3.2 Access routes to waste treatment and management facilities via residential streets is avoided.	DTS/DPF 3.2 None are applicable.
PO 3.3 Litter control measures minimise the incidence of windblown litter.	DTS/DPF 3.3 None are applicable.
PO 3.4 Waste treatment and management facilities are designed to minimise adverse impacts on both the site and surrounding areas from weed and vermin infestation.	DTS/DPF 3.4 None are applicable.
Access	

<p>PO 4.1</p> <p>Traffic circulation movements within any waste treatment or management site are designed to enable vehicles to enter and exit the site in a forward direction.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Suitable access for emergency vehicles is provided to and within waste treatment or management sites.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
Fencing and Security	
<p>PO 5.1</p> <p>Security fencing provided around waste treatment and management facilities prevents unauthorised access to operations and potential hazard to the public.</p>	<p>DTS/DPF 5.1</p> <p>Chain wire mesh or pre-coated painted metal fencing 2m or more in height is erected along the perimeter of the waste treatment or waste management facility site.</p>
Landfill	
<p>PO 6.1</p> <p>Landfill gas emissions are managed in an environmentally acceptable manner.</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>
<p>PO 6.2</p> <p>Landfill facilities are separated from areas of environmental significance and land used for public recreation and enjoyment.</p>	<p>DTS/DPF 6.2</p> <p>Landfill facilities are set back 250m or more from a public open space reserve, forest reserve, national park or Conservation Zone.</p>
<p>PO 6.3</p> <p>Landfill facilities are located on land that is not subject to land slip.</p>	<p>DTS/DPF 6.3</p> <p>None are applicable.</p>
<p>PO 6.4</p> <p>Landfill facilities are separated from areas subject to flooding.</p>	<p>DTS/DPF 6.4</p> <p>Landfill facilities are set back 500m or more from land inundated in a 1% AEP flood event.</p>
Organic Waste Processing Facilities	
<p>PO 7.1</p> <p>Organic waste processing facilities are separated from the coast to avoid potential environment harm.</p>	<p>DTS/DPF 7.1</p> <p>Organic waste processing facilities are set back 500m or more from the coastal high water mark.</p>
<p>PO 7.2</p> <p>Organic waste processing facilities are located on land where the engineered liner and underlying seasonal water table cannot intersect.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Organic waste processing facilities are sited away from areas of environmental significance and land used for public recreation and enjoyment.</p>	<p>DTS/DPF 7.3</p> <p>Organic waste processing facilities are set back 250m or more from a public open space reserve, forest reserve, national park or a Conservation Zone.</p>
<p>PO 7.4</p> <p>Organic waste processing facilities are located on land that is not subject to land slip.</p>	<p>DTS/DPF 7.4</p> <p>None are applicable.</p>
<p>PO 7.5</p> <p>Organic waste processing facilities separated from areas subject to flooding.</p>	<p>DTS/DPF 7.5</p> <p>Organic waste processing facilities are set back 500m or more from land inundated in a 1% AEP flood event.</p>
Major Wastewater Treatment Facilities	
<p>PO 8.1</p> <p>Major wastewater treatment and disposal systems, including lagoons, are designed to minimise potential adverse odour impacts on sensitive receivers, minimise public and environmental health risks and protect water quality.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>
<p>PO 8.2</p>	<p>DTS/DPF 8.2</p>



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Artificial wetland systems for the storage of treated wastewater are designed and sited to minimise potential public health risks arising from the breeding of mosquitoes.	None are applicable.

## Workers' accommodation and Settlements

### Assessment Provisions (AP)

Desired Outcome (DO)

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

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

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

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