

Guide to the Phase Two (Rural Areas) Planning and Design Code

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PlanSA



STATE
PLANNING
COMMISSION



Government of South Australia

Department of Planning,
Transport and Infrastructure

Contents

About This Guide

This guide provides a summary of how the Planning and Design Code (the Code) works, as it applies to the Phase Two (Rural Areas) Code Amendment for commencement in July 2020.

The four chapters provide an overview of the different zones, subzones, overlays and general development policies that form the 'Code Library':

1. People and Neighbourhoods
2. Productive Economy
3. Natural Resources and Environment
4. Infrastructure and Movement Systems

For further information visit
www.saplanningportal.sa.gov.au

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Introduction

Introducing the Planning and Design Code

The *Planning, Development and Infrastructure Act 2016* (the Act) requires the State Planning Commission (the Commission) to prepare and maintain the Planning and Design Code (the Code).

The Code sets out a comprehensive set of policies, rules and classifications which, when combined with mapping, apply in the various parts of the State for the purposes of development assessment.

The Code will replace council Development Plans to become the 'Planning Rules' against which new development is assessed in South Australia.

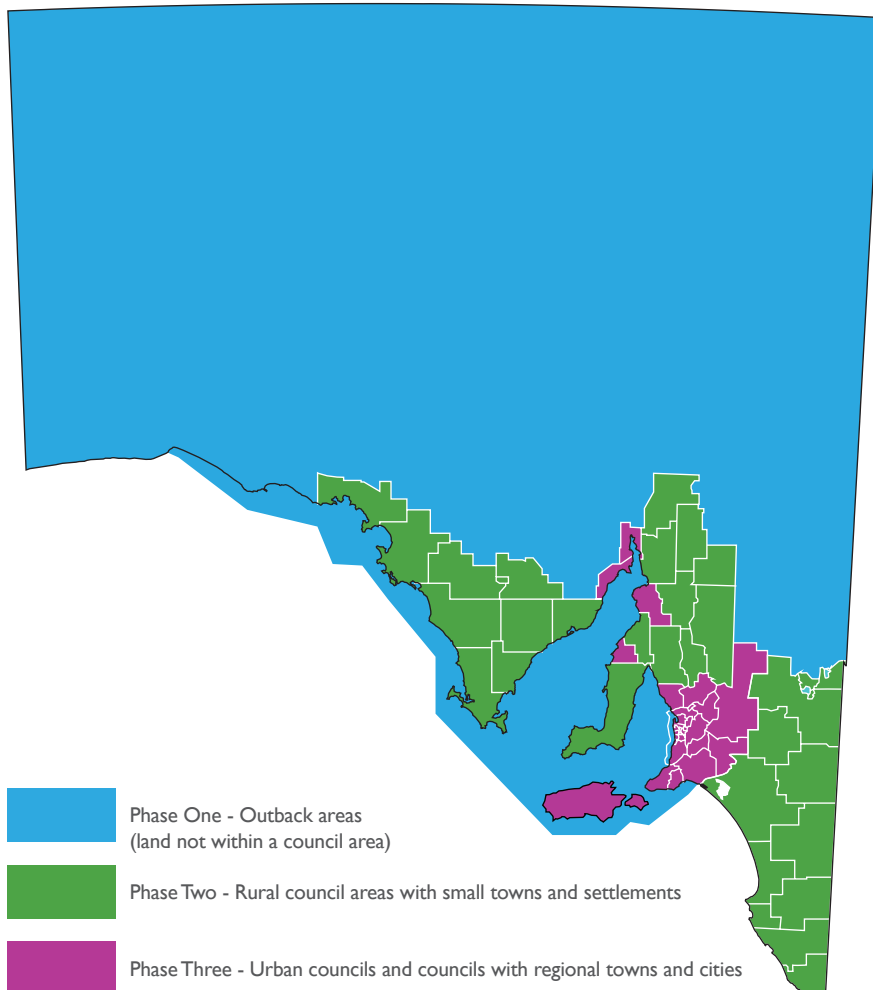
Phased Implementation

The Planning and Design Code is being introduced in three stages:

1. Phase One (implemented on 1 July 2019): Code introduced to the outback
2. Phase Two (July 2020): Code will apply to rural councils with small towns and settlements
3. Phase Three (late 2020): Code will apply to urban councils and councils with regional towns and cities.

On 28 June 2019, the Minister for Planning, on advice of the Commission, adopted the Phase One Planning and Design Code (land not within a council area).

On 16 August 2019 the Commission subsequently initiated two separate Code amendments under section 73 of the Act, which expand the application of the Phase One Code, forming the 'Phase Two' and 'Phase Three' Code Amendments.



Benefits of the Code

- **A single reference point will be provided for state planning and design rules**

The Code will consolidate South Australia's 72 development plans into one clear planning rulebook for the state.

- **Consistent planning rules will improve certainty in decision making**

The Code will enable improved consistency of all development assessment and decisions.

- **Standardised interpretation of legislation will improve assessment and reduce delays**

The Code will streamline zones and policy to drive a faster and more efficient development assessment process.

- **Online delivery of the Code will provide assessment authorities with only the rules they need**

The online Code will automatically determine which planning rules apply to most types of development, saving the assessment authority time and improving consistency.

- **There will be flexibility to deal with local issues, while ensuring consistency for other issues**

Performance-based planning will support consistent policy while allowing decision makers to respond to local context.

- **Paperwork will reduce significantly**

The online application of the Code will significantly shift our planning system toward paperless operation, reducing the time-consuming flow of physical information.

- **Costs and delays in updating development plans will be reduced**

The Code will be administered centrally and electronically, with amendments implemented efficiently and consistently.

The ePlanning Solution

The Code is one part of the overall ePlanning Solution, which includes the SA Planning Portal, South Australian Planning and Property Atlas (maps) and Development Assessment Processing System.

The Code will enable SA to establish a user-friendly online ePlanning system which will dramatically alter the way planning rules are stored, retrieved and maintained, and improve how data regarding development and assessment is collected. Further, the digital storage of the Code's policies and rules in a central online database means:

- All rules and maps are held in the ePlanning portal, and can be easily accessed
- The Code can be readily maintained and updated.

The ePlanning system will deliver the applicable rules and procedures transparently, consistently and instantly. While the Code will exist in a digital format, the full Code or parts thereof, can still be downloaded and printed as a hard copy. For example:

- Councils can retrieve and print all parts of the Code that apply to their area
- Developers can retrieve and print the content of particular zones
- Home owners considering undertaking some kind of development (e.g. building a new shed or a dwelling addition) can print the rules that are applicable to their proposed development.

Code Structure

The Code includes a set of policies, rules and classifications which may be applied in various parts of the state for the purposes of development assessment.

The Code applies zones, subzones and overlays (which form spatial layers across South Australia), to specify policies and rules that govern the use and development of particular areas.

General Development Policies can also apply, but are linked to the type of development proposed rather than its location.

The Code includes definitions of land uses and establishes land use classes, as well as administrative definitions.

In certain circumstances, the Code allows for the adaptation of rules that apply to a zone, subzone or overlay to provide for local variations. This is done through Technical and Numeric Variations (TNV).

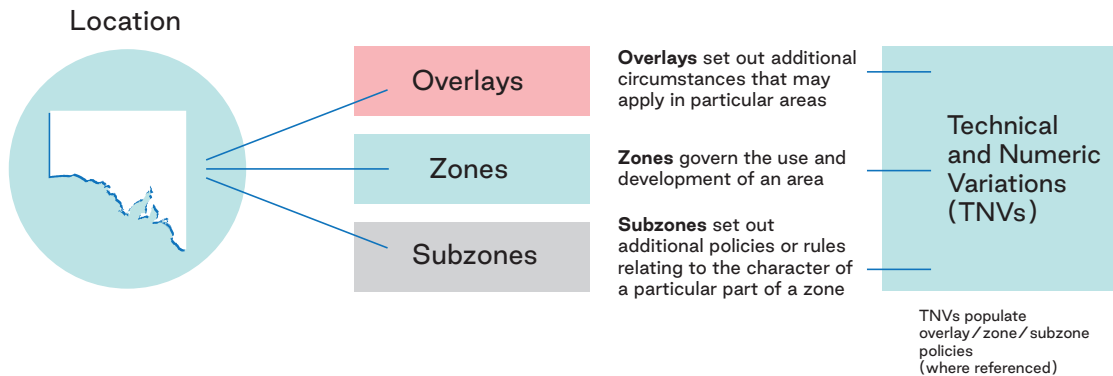
Zones

Zones are the primary organising spatial layer in the Code, and provide guidance on what can happen in an area by setting out the policies and rules for particular classes of development.

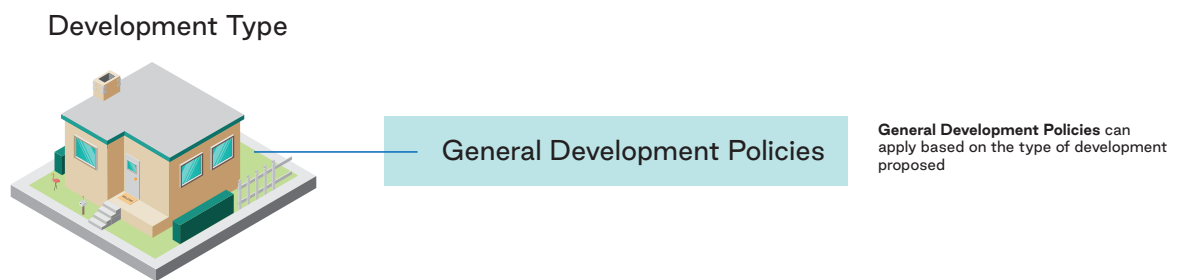
Zones include the following components:

ZONE COMPONENTS	WHAT IT DOES
Table 1 – Accepted Development Classification	Categorises classes of development as ‘Accepted’ that do not require planning consent. The relevant criteria are also set out in Table 1.
Table 2 – Deemed-to-satisfy Development Classification	Classifies classes of development as ‘Deemed-to-satisfy’, which must be granted planning consent. Table 2 includes references to the applicable deemed-to-satisfy criteria in other parts of the Code.
Table 3 – Applicable Policies for Performance Assessed Development	<p>Sets out the applicable policies for the listed classes of performance assessed development.</p> <p>Performance assessed development is assessed on its merits against the relevant policies in the Code.</p> <p>Performance assessed development requires public notification unless excluded in Table 5.</p> <p>Note: Table 3 does not ‘classify’ or ‘categorise’ development as performance assessed; a development will ‘default’ to performance assessed if it is not categorised as Accepted or Impact Assessed (including Restricted), and is not classified as Deemed-to-satisfy.</p>
Table 4 – Restricted Development Classification	<p>Classifies classes of development as ‘Restricted’. The State Planning Commission is the relevant authority for restricted development.</p> <p>Note: The Commission will determine the relevant policies when assessing restricted development against the Code, but is not bound by those provisions.</p>
Assessment Provisions	These form the policies against which development is assessed, including Desired Outcomes, Performance Outcomes, Designated Performance Features and Deemed-to-satisfy criteria
Table 5 – Procedural Matters	<p>Sets out the classes of performance assessed development that are excluded from notification in the zone.</p> <p>Also confirms whether a notice is required to be placed on the development site when notification is required (does not apply in certain rural/remote zones).</p>

Spatial policies and rules



Non Spatial policies and rules



Tables 1-4 in each zone form the 'Classification Tables' which assign development to different assessment pathways, and assign the applicable policies/criteria from the Code Library to those pathways. It's important to note that while the Code has thousands of pages when viewed in its entirety, the majority of this content comprises classification tables which form the "engine room" of the Code's mechanics. These mechanics will not be visible when enquiring through the Online Code, but must exist in 'hard copy' to allow the Code to pull up relevant policies efficiently and consistently.

The actual policy of the Code is in the Assessment Provisions in each module (see more information on Assessment Provisions).

Notes on Categorisation/Classification:

A development application can be made up of different elements (which form separate component parts of a development application, like a house and a swimming pool). These separate elements must be assessed separately. For example, if a performance assessed development incorporates a 'Deemed-to-satisfy' element, those elements will be taken to have been granted consent, and cannot be considered in the performance assessment.

Other times, a development may include different classes of development that are referenced in a Classification Table (for example, a mixed use building with offices on the ground floor and dwelling above). While these are not separate elements, provisions for 'office' and 'residential flat building/dwelling' that are identified in the classification table will both be relevant to the assessment.

The Assessment Provisions in zones generally focus on:

- Land use suitability – what sorts of activities are envisaged in a zone, articulated through the Assessment Provisions in the zone
- Land use intensity – based on land use suitability, land use intensity typically relates to specifics around density, land division requirements (site area, allotment frontage) and floor areas
- Built form – describes built form outcomes such as building envelopes (setbacks and height), external appearance and the like.

Policies in a zone will apply consistently wherever a zone applies and are only able to be varied through a subzone, overlay or technical and numeric variation.

Subzones

Policy in a subzone may vary or build upon policy in the ‘parent’ zone. Policies (Assessment Provisions) in subzones apply to unique variations in the character of a particular part of a zone. Subzones cannot apply in more than one zone.

Subzones do not contain classification tables or procedural matters tables, but classification tables in the parent zone will specify the policies and rules that apply in the subzone.

Overlays

Overlays are the primary mechanism to spatially express State Planning Policies (SPPs), as they pick up location-specific planning issues of state interest. Overlays can span multiple zones and subzones and more than one overlay can apply to the same area. Overlay policies take precedence over other Code policies.

Overlay policies are only relevant as set out in the zone classification tables. Overlays contain Assessment Provisions and a Procedural Matters table that sets out statutory referrals that apply in the Overlay area.

General Development Policies

While zones outline what can occur in an area, General Development Policies broadly relate to how a development should occur. These policies address the functional requirements for a development type or class, such as minimisation of overshadowing for a multi-storey building.

General Development Policies contain only Assessment Provisions, but will be linked to specific development types as listed in a zone’s Classification Table.

Assessment Provisions

Each of the Code modules – zones, subzones, overlays and general development policies – contain four different types of Assessment Provisions:

ASSESSMENT PROVISIONS	
Desired Outcome (DO)	<p>Desired outcomes set the overarching vision/objectives for a particular policy module.</p> <p>Desired outcomes can aid in the interpretation of performance outcomes by setting a general policy agenda for a zone, subzone, overlay or general development policies.</p> <p>Where a relevant authority is uncertain as to whether or how a performance outcome applies to a development, desired outcomes may inform its consideration or may assist in assessing the merits of the development against the applicable performance outcomes collectively.</p>
Performance outcome (PO)	<p>Performance outcomes are policies designed to facilitate assessment according to specified factors, including land use, site dimensions and land division, built form and character, and hazard risk minimisation.</p>
Designated performance feature (DPF)	<p>To assist a relevant authority to interpret the performance outcomes, in some cases there may be a corresponding Designated Performance Feature (DPF), which provides a quantifiable solution that will generally meet the corresponding performance outcome.</p> <p>DPFs guide relevant authorities about what is generally considered to satisfy the corresponding performance outcomes but does not derogate from their discretion to determine that the outcome is met in another way.</p>
Deemed-to-satisfy (DTS) criteria	<p>DPFs often serve a dual purpose as a deemed-to-satisfy criteria.</p> <p>Deemed-to-satisfy criteria are the only type of assessment provisions that are used in a deemed-to-satisfy assessment pathway, and are not used in any other pathway.</p> <p>If a development fails to satisfy one or more deemed-to-satisfy criteria, it may still be classified as ‘deemed-to-satisfy’ if the relevant authority is satisfied that these form minor variations.</p>

Case study on the use of Designated Performance Features:

Designated Performance Features (DPFs) could be used in different ways depending on the nature of the particular development. For example:

1. On-balance assessment

A proposed three storey dwelling may be listed in Table 2 – Deemed-to-Satisfy Classification and meet the relevant deemed-to-satisfy (DTS) criteria except for building height, which should be a maximum of two building levels. This will mean the development is performance assessed (because such a variation from DTS criteria would not be minor in nature), and the house would meet all relevant DPFs except for building height. The height may be considered appropriate in a performance assessment of the proposal's merits, for example, if a three-storey house of a similar scale is located next door, and the nature of the development is consistent with the corresponding Performance Outcome and Desired Outcomes for the zone. In such an assessment, the authority may request that other setbacks be increased (even if meeting the relevant DPF) in order to appropriately minimise visual massing and overshadowing impacts on other properties.

2. Discrete departures

A proposed two storey dwelling may be listed in Table 2 – Deemed-to-Satisfy Classification and meet all relevant deemed-to-satisfy criteria except for a 1m shortfall in front setback. If the authority does not deem such a departure as minor in nature, the development will become performance assessed, but the house would meet all relevant DPFs except for front setback. If the front setback is considered appropriate in its own right (for example, due to satisfaction of the corresponding Performance Outcome given there are similar setbacks in the street), then the authority need only assess that one particular aspect and does not need to re-interrogate other unrelated aspects of the proposal that meet the relevant DTS/DPF criteria.

Technical and Numeric Variations

Different Technical and Numeric Variations apply spatially across various areas of the state. The data in these layers populate policies within a zone, subzone, overlay or general development policies.

While a technical and numeric variation may spatially apply at a particular location, it has no work to do unless it is specifically referenced in the relevant Code policies.

Procedural Matters – Notification

Performance assessed development requires public notification unless the type of development is excluded from notification through the Code.

The 'procedural matters' table (generally located at the end of each zone) sets out the types of performance assessed development that are excluded from public notification.

Procedural Matters – Referrals

Certain classes of development require referral to prescribed bodies (e.g. state agencies) under the Act, providing them with powers of direction in relation to certain kinds of development. These referrals can be either spatially-based or activity-based, and in each case will be located in different parts of the Code:

- Referrals that are spatially-based in specific locations are listed in the 'Procedural matters' table within overlays
- Referrals that are activity-based are listed in Part 8 of the Code – Referrals to other Authorities or Agencies.

In both cases, these referrals link to the prescribed bodies set out in Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

FLOW CHART

How referrals fit within various instruments in the new planning system

PDI ACT

Sets out that agency referrals on development applications are a part of the planning system

STATE PLANNING POLICY

Defines the state's interests and provides the policy framework for other planning instruments such as the Planning and Design Code.

Indicates an agency's referral role by setting out state interests up front.

PDI REGULATIONS

Provides the overarching 'framework' for referrals such as:

- Listing the prescribed bodies (agencies) who are to receive referrals
- The timeframe to provide a response on a referral
- The powers to direct, concur or provide advice to the decision authorities

PLANNING AND DESIGN CODE

Completes the 'referrals picture' by setting out:

- The specific details of what types of developments require referral, and where (eg via Overlays or statewide)
- The purpose of the referral (which guides what the agency should consider in its assessment)
- May also set out criteria in which all being met, exempts the need for a referral

Definitions

Land use and administrative definitions are situated in Part 7 and Part 8 of the Code, respectively, and provide clarity on the terms used in the Code.

Not all forms of development and terms are defined; definitions should only be provided where the ordinary meaning of a term is not sufficient to guide the desired policy/regulatory outcome.

Some definitions are also located in the Act and its associated regulations.

The Phase Two Code Framework

The zones established in the Code are illustrated in the following tables. Further information on each zone can be found in the relevant chapter of this guide.

Intensity	ZONES/SUBZONES			
	People & Neighbourhoods	Productive Economy	National Resources & Environment	Infrastructure & Movement Systems
Suburban Areas and Townships	Golf Course Estate Zone Greenfield Neighbourhood Zone Neighbourhood Zone <i>American River Subzone</i> <i>Roxby Downs Subzone</i> <i>Underground Subzone</i> <i>Wallaroo Landmark Subzone</i> <i>Waterfront Subzone</i> Residential Park Zone Rural Neighbourhood Zone <i>Bookmark Creek Subzone</i> Township Zone Workers' Settlement Zone	Business Neighbourhood Zone Caravan and Tourist Park Zone Commercial and Business Zone Employment Zone Employment (Bulk Handling) Zone Employment (Enterprise) Zone <i>Light Industry Subzone</i> Home Industry Zone Motorsport Park Zone Suburban Activity Centre Zone Suburban Business and Innovation Zone Suburban Main Street Zone Township Activity Centre Zone Township Main Street Zone	Open Space Zone Recreation Zone	Commonwealth Facility Zone Community Facilities Zone Deferred Urban Zone Infrastructure Zone Infrastructure (Airfield) Zone Infrastructure (Ferry and Marina Facilities) Zone <i>Wallaroo Marina Subzone</i>
Rural Areas	Rural Living Zone <i>Animal Husbandry Subzone</i> Rural Settlement Zone <i>Fisherman Bay Subzone</i> Rural Shack Settlement Zone	Resource Extraction Zone Rural Zone <i>Kangaroo Island Subzone</i> Rural Horticulture Zone Rural Intensive Enterprise Zone Rural Aquaculture Zone Tourism Development Zone		
Natural Areas	Coastal Waters and Offshore Islands Zone Conservation Zone <i>Aquaculture and Recreation Subzone</i> <i>Dwelling Subzone</i> <i>Shack Relocation Subzone</i> <i>Small Scale Settlement Subzone</i> <i>Visitor Experience Subzone</i> Remote Areas Zone			

OVERLAYS			
People & Neighbourhoods	Productive Economy	Natural Resources & Environment	Infrastructure & Movement Systems
Affordable Housing	Dwelling Excision	Coastal Areas	Advertising near Signalised Intersections
Character Area	Gateway	Hazards (Acid Sulfate Soils)	Airport Building Heights (Aircraft Landing Area)
Heritage Adjacency	Limited Dwelling	Hazards (Bushfire - General Risk)	Airport Building Heights (Regulated)
Historic Area	Limited Land Division	Hazards (Bushfire - Medium Risk)	Aircraft Noise Exposure
Local Heritage Place	Resource Extraction Protection Area	Hazards (Bushfire - High Risk)	Building Near Airfields
Noise and Air Emissions	Significant Industry Interface	Hazards (Bushfire - Outback)	Defence Aviation Area
State Heritage Area		Hazards (Bushfire - Regional)	Strategic Infrastructure Gas Pipelines
State Heritage Place		Hazards (Bushfire - Urban Interface)	Key Railway Crossings
		Hazards (Flooding)	Key Outback and Rural Routes
		Historic Shipwrecks	Urban Transport Routes
		Marine Parks (Managed Use)	
		Marine Parks (Restricted Use)	
		Murray-Darling Basin	
		Native Vegetation	
		State Significant Native Vegetation	
		Prescribed Surface Water Areas	
		Prescribed Watercourses	
		Prescribed Water Resources Area	
		Prescribed Wells Area	
		Ramsar Wetlands	
		River Murray Flood Plain Protection Area	
		River Murray Tributaries Protection Area	
		Significant Landscape Protection	
		Water Protection Area	
		Water Resources	

GENERAL DEVELOPMENT POLICIES			
People & Neighbourhoods	Productive Economy	Natural Resources & Environment	Infrastructure and Movement Systems
Design	Advertisements	Open Space and Recreation	Clearance from Overhead Power Lines
Design in Urban Areas	Animal Keeping and Horse Keeping	Site Contamination	Marinas and On-Water Structures
Housing Renewal	Aquaculture		Infrastructure and Renewable Energy Facilities
Land Division	Beverage Production in Rural Areas		Transport, Access and Parking
Workers' Accommodation and Settlements	Bulk Handling and Storage Facilities		Waste Treatment and Management Facilities
	Forestry		
	Interface Between Land Uses		
	Intensive Animal Husbandry and Dairies		
	Resource Extraction		
	Tourism Development		

Technical and Numeric Variations:

Minimum Site Area

Minimum Frontage

Maximum Building Height (Metres)

Maximum Building Height (Levels)

Minimum Building Height (Levels)

Minimum Dwelling Allotment Size

Finished Ground and Floor Level

Concept Plan

Chapter 1: People and Neighbourhoods

People and Neighbourhoods Zones and Subzones

Golf Course Estate Zone

This zone envisages a golf course and associated club facilities as well as housing and tourism development sensitively integrated with natural features such as topography, vegetation and watercourses. Services and facilities support recreation and tourism.

Where it applies: Residential estates surrounding golf courses

Greenfield Neighbourhood Zone

This zone primarily supports low-rise greenfield development in areas that will not include an activity centre. The zone seeks to address the majority of planning, design and infrastructure matters through the land division stage, with a more flexible deemed-to-satisfy pathway applied for dwellings at the individual allotment scale.

Where it applies: Areas where new broad-hectare development is occurring or anticipated

Neighbourhood Zone

This zone encourages housing that supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

Where it applies: Residential areas near rural townships

American River Subzone

Applies in Kangaroo Island, envisaging a mix of residential and holiday homes including small, compact shack development, low density residential and elevated homes set within a bush setting containing critical habitat for the Glossy Black Cockatoo.

Roxby Downs Subzone

Applies in Roxby Downs to support residential neighbourhood that includes workers accommodation to meet the housing needs of workers associated with key local industries.

Underground Subzone

Applies to the residential area within Coober Pedy to support housing that contributes to the existing local context and development pattern primarily in the form of underground dwellings.

Wallaroo Landmark Subzone

Envisages high quality medium density residential development presenting an attractive built form overlooking the Wallaroo Marina.

Waterfront Subzone

Seeks residential development located with a coastal frontage or within a marina that provides opportunities for water-based recreation. Development is sited and designed to complement a waterfront environment.

Residential Park Zone

This zone envisages accommodation predominantly in the form of caravan and camping sites, cabins and transportable dwellings, with associated small-scale services and facilities.

Where it applies: Areas subject to the Residential Parks Act 2007, such as caravan parks

Rural Neighbourhood Zone

This zone provides for housing on large allotments in a spacious rural setting, often together with large outbuildings. Provides easy access and parking for cars, considerable space for trees and other vegetation around buildings, as well as on-site wastewater treatment where necessary. Limited goods, services and facilities that enhance rather than compromise rural residential amenity.

Where it applies: Residential land in regional areas with a rural character, with typically larger blocks than the Neighbourhood Zone, but smaller than the Rural Living Zone

Bookmark Creek Subzone

Applies to land around Bookmark Creek and the River Murray to ensure development does not compromise the quality of groundwater

Township Zone

This zone provides for a range of residential, community, retail, business, commercial and light industry uses and facilities to serve the local community, businesses and visitors. Development will contribute to and enhance existing streetscapes and settlement patterns found in the township.

Where it applies: Country townships

Workers' Settlement Zone

This zone seeks appropriately designed and located accommodation for seasonal and short-term workers in rural areas that minimises environmental and social impacts.

Where it applies: Areas suitable for workers' accommodation in rural areas

Rural Living Zone

This zone envisages a spacious, secluded and peaceful residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low-intensity rural activities and home-based business activities that complement that lifestyle choice. Ancillary land uses, such as small-scale animal keeping, will be of a scale and type that will not interfere with the residential function of the land or adjoining land, or the semi-rural character desired for the zone. Allotments will be of a size capable of supporting hobby rural activities such as horse keeping, small-scale horticulture and small-scale businesses.

Where it applies: Rural areas where dwellings are anticipated along with farming

Animal Husbandry Subzone

Applies to locations where large-scale horse keeping and dog kennelling occur in association with residential development.

Rural Settlement Zone

This zone provides for small mixed-use settlement supporting a limited range of residential development, tourist, recreation and community facilities grouped together to serve the local community and visitors. Development will contribute to and enhance the local context and development pattern of the settlement.

Where it applies: Rural settlements, of a smaller scale than townships

Fisherman Bay Subzone

Applies to Fisherman Bay to ensure residential allotments are created once appropriate coastal protection measures are established.

Rural Shack Settlement Zone

This zone seeks limited development within an environment where natural processes such as flooding, sea-level rise, sand drift and erosion occur. The natural environment is protected from inappropriate development and existing development is upgraded to incorporate environmental improvements.

Where it applies: Existing Coastal Settlement, Shack Settlement Zones or similar zones/policy areas in development plans which are generally in the nature of residential/holiday home areas; typically, in coastal, river locations (as opposed to other types of settlements in which there are a mix of uses such as shops and other services etc.).

People and Neighbourhoods Overlays

Affordable Housing Overlay

This overlay promotes affordable housing that is integrated with residential and mixed use development, catering for a variety of household structures. It contains policies allowing dispensations for typical planning requirements such as minimum site areas, car parking or building heights where affordable housing is being included.

Where it applies: Areas of the state where 15% affordable housing must be provided as a part of development applications for 20 or more dwellings or residential allotments

Referrals: Development for the purposes of the provision of affordable housing will be referred to the Minister responsible for administering the *South Australian Housing Trust Act 1995*

Character Area Overlay

The overlay seeks to reinforce valued streetscape characteristics through contextually responsive development, design and adaptive reuse that respects the attributes expressed in the relevant Character Area Statement.

Where it applies: Development Plan zones, policy areas and precincts with the words 'character' or 'streetscape' in their title

Referrals: None

Heritage Adjacency Overlay

This overlay seeks for development adjacent to State and Local Heritage Places to maintain the heritage and cultural values of those Places.

Where it applies:

Within urban areas, applies to:

- Any directly abutting allotment, to a maximum distance of 60 metres, plus
- Any property within 6 metres of the allotment on which the heritage place is located, to a maximum distance of 60 metres, except where separated by a road/reserve greater than 6 metres wide
- Any land that falls within 30 metres of a place where the place is located within a road reserve.

Within rural areas, applies to:

- Any land that falls within 500 metres of a heritage place and that is on a separate allotment to the heritage place.

Referrals: Development that may materially affect the context of a State Heritage Place

Historic Area Overlay

This overlay seeks to reinforce historic themes and characteristics through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns in streetscapes and built form. The overlay policies link to Historic Area Statements that have regard to the local attributes of particular historic areas.

Where it applies: Over existing Historic Conservation Zones / Areas / Policy Areas and Precincts

Referrals: None

Local Heritage Place Overlay

This overlay ensures development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

Where it applies: Existing Local Heritage Places to ensure their ongoing protection and conservation

Referrals: None

Noise and Air Emissions Overlay

This overlay provides policy guidance to protect sensitive development from noise and air emissions generated from major transport corridors (road and rail) and mixed land use.

The overlay is also used as the trigger for application of *Ministerial Building Standard 010 - Construction requirements for the control of external sound*

Referrals: None

State Heritage Area Overlay

This overlay seeks to maintain the heritage and cultural values of State Heritage Areas through conservation, ongoing use and adaptive reuse.

Where it applies: *State Heritage Areas under the Heritage Places Act 1993*

Referrals: Specified development requires referral to the Minister administering the *Heritage Places Act 1993*, except where it is minor in nature or in accordance with a Heritage Agreement under the *Heritage Places Act 1993*

State Heritage Place Overlay

This overlay seeks to maintain the heritage and cultural values of State Heritage Places through conservation, ongoing use and adaptive reuse.

Where it applies: Places entered in the State Heritage Register

Referrals: Specified development requires referral to the Minister administering the *Heritage Places Act 1993*, except where it is minor in nature or in accordance with a Heritage Agreement under the *Heritage Places Act 1993*



Image: Peter Barnes 2020

People and Neighbourhoods General Development Policies

Design

These general policies reflect the principles of good design and may apply across a large number of development scenarios (not just residential).

These design-related policies focus on the design of buildings, structures and spaces for aesthetic and/or sustainable purposes. They also provide guidance for residential development with regard to amenity, private and communal open space, and dwelling additions.

This module doesn't include policy for ancillary buildings because most rural zones have specific policy regarding the size and design of ancillary buildings.

When it applies: Most applications for new buildings in rural areas

Design in Urban Areas

These general policies build upon those in the 'Design' General Development Policies, but with a focus on urban areas. It includes policy for buildings with 4 or more building levels, and standard criteria for the size and design of ancillary buildings.

When it applies: Development in an urban setting, or to guide ancillary structures where such policy doesn't exist in the relevant zone

Housing Renewal

This module contains policies and rules that will be applied to dwellings developed by the South Australian Housing Trust or registered Community Housing providers. These policies are generally reflective of the current checklists used by the State Coordinator-General in the assessment of community/public housing undertaken through the Renewing Our Streets and Suburbs (ROSAS) Stimulus Program.

When it applies: Applications for new dwellings by the South Australian Housing Trust or endorsed Community Housing providers

Land Division

These policies encourage land division which:

- Creates allotments with the appropriate dimensions and shape for their intended use
- Allows efficient provision of new infrastructure and the optimum use of underutilised infrastructure
- 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
- Facilitates solar access through allotment orientation
- Creates a compact urban form that supports active travel, walkability and the use of public transport
- Avoids areas of high natural hazard risk.

When it applies: Applications to subdivide one or more allotments, or boundary realignments

Workers' Accommodation and Settlements

These policies seek appropriately designed and located accommodation for seasonal and short-term workers in rural areas that minimises environmental and social impacts.

When it applies: Where workers' accommodation is proposed, commonly in areas to support mining operations

Chapter 2: Productive Economy

Productive Economy Zones and Subzones

Business Neighbourhood Zone

This zone envisages a mixed use environment of a lower scale and more residential-focused than the Suburban Business and Innovation Zone. Only low impact, non-residential uses are envisaged in the form of small-scale shops, offices and consulting rooms.

Where it applies: Areas with a mixture of small-scale businesses, interspersed with dwellings

Caravan and Tourist Park Zone

This zone supports caravan and camping sites, cabins, transportable dwellings and their associated services and facilities. It primarily caters for short-term residents and visitors.

Where it applies: Caravan parks

Commercial and Business Zone

This zone supports a diverse range of low-impact, light industrial, commercial (including bulky goods) and business activities that complement the role of other zones with significant industrial, shopping and business activities.

Where it applies: Existing areas with a mix of industrial and commercial land uses, including large-format retail showrooms

Employment Zone

This zone anticipates a comprehensive range of industrial, logistical, warehousing, storage, research and training land uses together with compatible business activities generating wealth and employment for the state.

Where it applies: Industrial areas

Employment (Bulk Handling) Zone

In this zone, agricultural and other commodities are received, stored and dispatched in bulk to generate wealth and employment for the state.

Where it applies: Areas used for bulk handling activities

Employment (Enterprise) Zone

This zone anticipates a range of industrial, warehousing, storage, and service activities with compatible business activities generating wealth and employment for the state.

Where it applies: Industrial areas in Roxby Downs

Light Industry Subzone

Envisages a range of light industrial and other business activities that complement the role of other zones that provide a focus for shopping, administrative, civic and community activities.

Home Industry Zone

This zone accommodates small-scale and low-impact business enterprises in conjunction with a dwelling to provides opportunities to work from home and contribute to employment diversity.

Where it applies: Areas with home-based industries

Motorsport Park Zone

This zone accommodates a motorsport facility comprising sealed and non-sealed racing and other motor vehicle-related circuits/strips, spectator facilities and services. A range of development types can be accommodated including associated industries, commercial uses, a retail service precinct, small-scale shops and tourist accommodation and facilities.

Where it applies: The Bend Motorsport Park in Taillem Bend

Suburban Activity Centre Zone

This zone encourages active retail precincts that includes neighbourhood-scale shopping, business, entertainment and recreation facilities. It is a focus for business and community life and provides for most daily and weekly shopping needs of the community.

Building heights up to 3 storeys may be appropriate subject to appropriate interface with adjoining zones.

Where it applies: Existing Neighbourhood and Local Centres, including shopping centres and shopping strips

Suburban Business and Innovation Zone

This zone provides for a mixture of commercial, light industrial, shop and residential land uses. Development will be designed and sited to minimise impacts on adjoining land uses.

Where it applies: Areas with a mixture of light industrial land uses, interspersed with dwellings

Suburban Main Street Zone

This zone envisages a mix of land uses including retail, office, commercial, community, civic and medium density residential development that supports the local area. It encourages a high degree of pedestrian activity and main street activity with well-lit and visually engaging shop fronts and business displays including alfresco seating and dining facilities.

Building heights up to 4 storeys are anticipated where the building reinforces the main street edge. Buildings will decrease in height to provide an appropriate interface with adjoining low- to medium- density residential development.

Where it applies: Existing suburban activity centres where a main street character is desired

Township Activity Centre Zone

This zone encourages a cohesive, active, accessible and welcoming centre for local residents and visitors to shop, work, meet, entertain and relax in an attractive and safe environment. The range of land uses that occur in the centre provide important services to town residents, rural hinterland and the broader region.

Building heights up to 3 storeys may be appropriate, subject to appropriate interface with adjoining zones.

Where it applies: Existing regional Town Centres that are not focused along a main street (where the Township Main Street Zone may apply instead)

Township Main Street Zone

This zone provides a focus for regional main streets that service the local community and visitors. Development will primarily comprise retail, office, entertainment and recreational land uses and activities.

Housing may be accommodated in conjunction with non-residential uses, ideally sited above or behind non-residential uses to ensure shopfronts on the main street are preserved.

Buildings up to 4 storeys in height and designed to complement the traditional low-scale main street character with ground floor uses that contribute to an active and vibrant street may be appropriate.

Where it applies: Town centres that are focussed around a traditional main street

Resource Extraction Zone

This zone supports the provision and protection of land for the extraction, production and/or processing of a mineral, extractive or petroleum resource and ensures that development does not inhibit the future extraction of such resources.

Where it applies: Mining sites

Rural Zone

This zone covers the majority of the incorporated areas of the state. It supports a wide range of primary production activities and provides opportunities for value-adding and the use of renewable energy sources, including updated windfarm/solar farm provisions.

Where it applies: Vast areas of land between rural towns

Kangaroo Island Subzone

Seeks primary production and associated uses that support and conserve the Island's economically, scenically and culturally important natural and rural landscapes.

Rural Horticulture Zone

This zone provides for intensive agriculture in the form of growing and processing of produce while supporting a wide range of low-impact rural activities. Value-adding opportunities are envisaged and less emphasis is given to tourist accommodation.

Where it applies: Areas used for horticulture, such as the Riverland

Rural Intensive Enterprise Zone

This zone provides for the large-scale commercial production of animals and animal products (intensive animal keeping, broiler sheds, feedlots and piggeries), and their associated processing facilities and industries. The zone generally contains larger allotment sizes to deal with significant external impacts (noise, odour, waste) and large buffers.

Where it applies: Food industries

Rural Aquaculture Zone

This zone supports marine- and land- based aquaculture including facilities, infrastructure, ancillary development and value-adding opportunities.

Where it applies: Areas used for land-based aquaculture (Note: water-based aquaculture will be zoned Coastal Waters and Offshore Islands Zone)

Tourism Development Zone

This zone provides for a range of tourist accommodation and associated services and facilities that enhance visitor experiences and enjoyment.

Where it applies: Areas near key tourism attractions that accommodate hotels, restaurants, etc

Productive Economy Overlays

Dwelling Excision Overlay

This overlay seeks to allow dwellings located on large rural allotments to be excised into a smaller allotment, leaving the balance of the land for primary production uses.

Where it applies: Areas where development plans currently anticipate land division that excises existing dwellings onto smaller allotments

Referrals: None

Gateway Overlay

This overlay seeks to maintain and improve the visual amenity and streetscape appeal along prominent entrances into towns, tourist and historic precincts, activity centres and main streets through the careful siting of buildings and other activities in a well landscaped setting.

Where it applies: Along prominent entrances to towns

Referrals: None

Limited Dwelling Overlay

This overlay seeks to prevent new dwellings being constructed in rural areas where such development may restrict primary production activities. This is evident in various 'paper towns' throughout the state (or adjoining key regional towns/cities) where there is pressure for rural living on existing smaller allotments and a desire to retain productive primary production lands.

Where it applies: Rural areas where development plans currently discourage dwellings in favour of primary production

Referrals: None

Limited Land Division Overlay

This overlay seeks to protect land from ongoing fragmentation by limiting land divisions.

Where it applies: Key rural areas of South Australia where there is a desire to retain larger allotment sizes and minimise the potential for small allotments and the associated risks of rural living. This overlay can also apply to townships and settlements where further land division is not encouraged and may result in the existing character being impacted upon or where infrastructure constraints limit growth opportunities

Referrals: None

Resource Extraction Protection Area Overlay

This overlay seeks to protect the current and future extraction of key mineral and other resources by ensuring development has regard to potential environmental and amenity impacts generated by the operation of strategic mines or quarries.

Where it applies: Mining areas

Referrals: To the Minister responsible for administering the Mining Acts, for certain forms of sensitive development

Significant Industry Interface Overlay

This overlay seeks to protect the operations of significant industries by ensuring further sensitive development is precluded due to their potential environmental and/or amenity impacts. It does this by ensuring that land division creating one or more additional allotments for residential purposes is a restricted form of development, and includes policies to guide other sensitive forms of development.

Where it applies: This overlay is initially intended to transition policy from the following existing zones/policy areas which have similar policy regimes

Referrals: None

Key Productive Economy General Development Policies

Advertisements

These policies seek to ensure advertisements are appropriate to their context, efficient and effective in communicating, limited in number to avoid clutter, and do not create hazard.

When it applies: When a new advertising sign is proposed

Animal Keeping and Horse Keeping

These policies seek to ensure that animals kept at a density 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.

Note: Policy relating to more intensive animal keeping, including dairies and aquaculture, are placed in another General Development Policy: See Intensive Animal Husbandry and Dairies.

When it applies: Where an applicant proposes to use land for horse keeping or dog kennels

Aquaculture

These policies encourage development of aquaculture facilities 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.

When it applies: Where an applicant proposes to use water for seafood farming

Beverage Production in Rural Areas

These policies seek to mitigate the potential amenity and environmental impacts of value-adding beverage production facilities such as wineries, distilleries, cideries and breweries.

The policies are based on existing development plan policies associated with wineries.

When it applies: An application for a new craft brewery or winery

Bulk Handling and Storage Facilities

These policies encourage facilities for the bulk handling and storage of agricultural, mineral, petroleum, rock, ore or other similar commodities to be designed to minimise adverse impacts on transport networks, the landscape and surrounding land uses.

It includes minimum separation buffers from sensitive land uses through deemed-to-satisfy requirements for specific bulk handling and storage facilities, such as coal or bulk petroleum storage.

When it applies: Where large storage facility is proposed (e.g. petroleum storage)



Image: Paul White 2020

Forestry

These policies ensure 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.

When it applies: Where commercial forestry is proposed

Intensive Animal Husbandry and Dairies

These policies encourages 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.

When it applies: Where a new piggery or dairy is proposed

Interface Between Land Uses

These policies ensure development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses. It seeks to reduce conflict and protect health by addressing interface issues such as land use separation, overshadowing, noise and vibration, and air quality.

When it applies: A range of new developments where impact on adjoining neighbours needs to be considered (e.g. where a commercial or industrial land use is proposed adjacent to residential areas)

Resource Extraction

These policies ensure resource extraction activities are developed in a manner that minimises human and environmental impacts.

Note: Current development plan policy that is regulated under the *Mining Act 1971* has been removed to avoid duplication.

When it applies: Where new or increased mining activities are proposed

Tourism Development

These policies seek tourism development built in locations that cater to the needs of visitors and positively contribute the South Australia's visitor economy.

When it applies: Where an application proposes tourist accommodation

Chapter 3: Natural Resources and Environment

Natural Resources and Environment Zones and Subzones

Coastal Water and Offshore Islands Zone

The zone seeks to protect the state's coastal waters, including marine parks and off-shore islands, and recognises the importance of these areas for commercial, tourism, recreation and navigation activities.

*Note the Coastal Areas Overlay will apply to those areas where coastal processes occur (see overlay description).

Where it applies: Waters adjacent the coast and small islands

Conservation Zone

This zone seeks the conservation and enhancement of the natural environment and natural ecological processes for their historic, scientific, landscape, faunal habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development. It provides for a limited mix of development/land uses, including signage related to conservation and tourist information, small-scale recreational facilities/amenities, campgrounds and structures for conservation purposes.

Where it applies: Conservation parks and reserves under state and federal government ownership, and privately owned land where coastal or riverine processes occur. Areas of protected scrub, lakes, etc

Aquaculture and Recreation Subzone

Envisages aquaculture, tourism, boating, fishing, recreation and associated facilities located, sited and designed to minimise detrimental impacts on the natural environment including offshore islands, and natural ecological processes including their historic, scientific, landscape, faunal habitat, biodiversity and cultural values.

Dwelling Subzone

Anticipates replacement dwellings and limited new dwellings located within a conservation area are designed and located to minimise detrimental impacts on the natural environment and natural ecological processes including their historic, scientific, landscape, faunal habitat, biodiversity and cultural values.

Shack Relocation Subzone

An area subject to significant coastal hazard risk that is returned to its natural state by the relocation of existing shacks to a location adjacent to the subzone.

Small Scale Settlement Subzone

Permits limited land division and dwelling opportunities within a conservation area where designed to minimise detrimental impacts on the natural environment and natural ecological processes including their historic, scientific, landscape, faunal habitat, biodiversity and cultural values.

Visitor Experience Subzone

Envisages tourist accommodation within a conservation area where it complements visitor experiences, and is located, sited and designed to minimise detrimental impacts on the natural environment and natural ecological processes including their historic, scientific, landscape, faunal habitat, biodiversity and cultural values.

Open Space Zone

This zone seeks areas of natural and landscaped open space to provide visual relief to the built environment for the enjoyment of the community.

Where it applies: Current open space zones/policy areas/precincts, which accommodate sporting ovals, parks, etc

Recreation Zone

This zone seeks provision of a range of accessible recreational facilities.

Where it applies: Current recreation zones/policy areas/precincts, which accommodate recreational facilities such as golf courses, sporting clubrooms, etc

Remote Areas Zone

This zone includes a diverse range of uses including pasture growing, grazing, farming, agricultural processing and transportation, mining and petroleum, energy generation and storage, pipeline infrastructure, aerospace and defence-related facilities, Aboriginal lands and related activities, tourist development, workers' accommodation and settlements.

Where it applies: Areas of outback SA not within townships



Image: Paul White 2020

Natural Resources and Environment Overlays

Coastal Areas Overlay

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

Where it applies: Areas where coastal processes occur including:

- All land within a Development Plan zone, policy area or precinct which currently has the word 'coast' or 'coastal' in the title
- Developed land within 100 metres of the high water mark
- Non-developed land within 500 metres of the high water mark.

Referrals: Coast Protection Board for certain types of coastal development

Hazards (Acid Sulfate Soils) Overlay

This overlay seeks to protect the environment from the release of acid water resulting from the disturbance of acid sulfate soils.

Where it applies: The mapping dataset, provided by the Department of Environment and Water (DEW), includes all areas where a proportion of the land is susceptible to acid sulfate soils, with the following profiles:

- Negligible
- 1-10%
- 10-30%
- 30-60%
- Greater than 60%.

Referrals: None

Hazards (Bushfire – General Risk) Overlay

This overlay ensures development, including land division, responds to the general level of bushfire risk by siting and designing buildings in a manner that mitigates the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change. It ensures access for emergency service vehicles is facilitated to aid the protection of lives and assets from bushfire danger.

Where it applies: General Bushfire Risk areas identified in Development Plans

Referrals: None

Hazards (Bushfire – Medium Risk) Overlay

This overlay ensures development, including land division, responds to the medium level of bushfire risk and potential for ember attack and radiant heat by siting and designing buildings in a manner that mitigates the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change. It also facilitates access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Where it applies: Medium Bushfire Risk areas identified in Development Plans

Referrals: None

Hazards (Bushfire – High Risk) Overlay

This overlay ensures 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:

- Potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change
- High levels and exposure to ember attack
- Impact from burning debris
- Radiant heat
- Likelihood and direct exposure to flames from a fire front.

It guides activities that increase the number of people living and working in the area or where evacuation would be difficult away from areas of unacceptable bushfire risk, and facilitates access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Where it applies: High Bushfire Risk areas identified in Development Plans

Referrals: South Australian Country Fire Service for certain habitable buildings, except if a relevant certificate accompanies the application

Hazards (Bushfire – Outback) Overlay

This overlay ensures development is located to minimise the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change, and facilitates access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Where it applies: Most outback areas that are not included in other bushfire overlays

Referrals: None

Hazards (Bushfire – Regional) Overlay

This overlay ensures development is located to minimise the threat and impact of bushfires on life and property taking into account the increased frequency and intensity of bushfires as a result of climate change, and facilitates access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Where it applies: Areas of regional South Australia that are not included in other bushfire overlays

Referrals: None

Hazards (Bushfire – Urban Interface) Overlay

This overlay ensures urban neighbourhoods that adjoin areas of General, Medium and High Bushfire Risk:

- Allow access through to bushfire risk areas
- Are designed to protect life and property from the threat of bushfire and the dangers posed by ember attack
- Facilitate evacuation to areas safe from bushfire danger.

Where it applies: Urban neighbourhoods within approximately 500 metres of General, Medium or High Bushfire Risk areas

Referrals: None

Hazards (Flooding) Overlay

This overlay seeks to minimise impacts on people, property, infrastructure and the environment from exposure to flood hazard risk through the limitation of development intensification.

Where it applies: Areas covered by existing flood mapping in development plans

Referrals: None

Historic Shipwrecks Overlay

This overlay maps the indicative location of historic shipwrecks to protect and conserve these important artefacts and sites.

Where it applies: The mapping creates 500 metre buffers around unlocated shipwrecks and 150 metre buffers around located historic shipwrecks or relics, as defined in the *Historic Shipwrecks Act 1981*, where:

- Such land is seaward of the limits of existing land-based settlements, zones/areas which primarily enable urban development (e.g. rural zones, conservation zones, coastal zones or other similar zones in which urban development is secondary)
- Such land is within 15 metres landward of the current banks of the River Murray.

Referrals: Two referrals could be triggered by this overlay:

1. Minister administering the *Historic Shipwrecks Act 1981*
2. Commonwealth Minister responsible for administering the *Historic Shipwrecks Act 1976* (Commonwealth).

Marine Parks (Managed Use) Overlay

This overlay seeks to protect marine habitats and biodiversity through limiting development to coastal infrastructure (jetties, marinas, pontoons), aquaculture, tourism, recreation and renewable energy facilities.

Performance-assessed development within the area of the overlay will include marinas, jetties, pontoons, break walls, outfalls and pipelines, renewable energy infrastructure, and specific-purpose development identified under the terms of the applicable marine park management plan. All other development within the overlay area will be restricted.

Where it applies: Over the 19 marine parks proclaimed in 2009 under the Marine Parks Act 2007, and marine parks currently identified in the Coastal Waters Zone

Referrals: None

Marine Parks (Restricted Use) Overlay

This overlay ensures high value marine habitats and biological diversity are protected. It provides tighter development controls than the current Marine Parks (Managed Use) Overlay.

Performance-assessed development within the area of the overlay will include specific-purpose development identified under the terms of the applicable marine park management plan and aquaculture. All other development within the overlay will be restricted.

Where it applies: Sanctuary and Restricted Access Marine Park Zones

Referrals: None

Murray-Darling Basin Overlay

The overlay seeks to protect the Murray-Darling Basin by ensuring activities involving the taking of water are undertaken in a sustainable manner.

This overlay transitions a referral trigger from Schedule 8 of the *Development Regulations 2008*, which relates to activities that may require water to be taken from the River Murray (within the meaning of the *River Murray Act 2003*) via a water licence granted under the *Natural Resources Management Act 2004*.

Where it applies: Land within the Murray-Darling Basin

Referrals: To the Minister administering the *River Murray Act 2003* for certain types of land use activities which have potential for relatively high water usage

Native Vegetation Overlay

This overlay seeks to protect, retain and restore areas of native vegetation.

To enable better alignment between the land use planning system and native vegetation clearance consent process, where an application involves native vegetation removal, it may trigger the need for expert input into the development assessment process via an accredited consultant's report and/or referral to the Native Vegetation Council.

Where it applies: Areas of the state which are subject to the *Native Vegetation Act 1991* (excluding those areas covered by the State Significant Native Vegetation Overlay)

Note: The overlay does not map the location of vegetation, rather it provides an assessment trigger

Referrals: Native Vegetation Council, subject to a report prepared by an accredited consultant, as prescribed by the *Native Vegetation Act 1991*

State Significant Native Vegetation Overlay

This overlay seeks to protect, retain and restore significant areas of native vegetation.

Where an application involves native vegetation removal it may trigger the need for expert input into the development assessment process via an accredited consultant's report and/or referral to the Native Vegetation Council.

Where it applies: Selected reserves, national parks and heritage agreements which contain significant stands of native vegetation. A 50 metre buffer area is included in the overlay to capture development in close proximity to these areas

Referrals: Native Vegetation Council, subject to a report prepared by an accredited consultant, as prescribed by the *Native Vegetation Act 1991*

Prescribed Surface Water Areas Overlay

The overlay seeks sustainable water use in prescribed surface water areas that maintains the health and natural flow paths of watercourses.

Where it applies: Prescribed surface water areas under the *Natural Resources Management Act 2004* (as replaced by the *Landscape South Australia Act 2019*)

Referrals: For certain types of land use activities which have potential for relatively high water usage, the overlay will trigger referral to the Minister or Chief Executive Officer of the department responsible for the administration of the *Landscape South Australia Act 2019*

Prescribed Watercourses Overlay

The overlay seeks to protect watercourses by ensuring activities involving the taking of water are avoided or undertaken in a sustainable manner.

Where it applies: Prescribed watercourses under the *Natural Resources Management Act 2004* (as replaced by the *Landscape South Australia Act 2019*)

Referrals: For certain types of land use activities which have potential for relatively high water usage, the overlay will trigger referral to the Minister or Chief Executive Officer of the department responsible for the administration of *Landscape South Australia Act 2019*

Prescribed Water Resources Area Overlay

The overlay seeks to protect prescribed water resources by ensuring the taking of water in such areas is avoided or undertaken in a sustainable manner.

Where it applies: Prescribed water resource areas under the *Natural Resources Management Act 2004* (as replaced by the *Landscape South Australia Act 2019*)

Referrals: For certain types of land use activities which have potential for relatively high water usage, the overlay will trigger referral to the Minister or Chief Executive Officer of the department responsible for the administration of *Landscape South Australia Act 2019*

Prescribed Wells Area Overlay

The overlay seeks to protect wells by ensuring activities involving the taking of water are avoided or undertaken in a sustainable manner.

Where it applies: Prescribed wells areas under the *Natural Resources Management Act 2004* (as replaced by the *Landscape South Australia Act 2019*)

Referrals: The overlay will trigger referral to the Chief Executive Officer of the department responsible for the administration of the *Landscape South Australia Act 2019*

Ramsar Wetlands Overlay

This overlay seeks to protect recognised Ramsar Wetlands.

Where it applies: All identified Ramsar sites

Referrals: None



River Murray Flood Plain Protection Area Overlay

This overlay seeks conservation and protection of water quality and the riverine environment, provision for environmental water flows, the protection of life and property against flood risk, and recognition of the riverine environment as an important ecological, tourist and recreational resource. It anticipates development for the purpose of recreation (e.g. landings, jetties, houseboat moorings), water extraction, wetland management and irrigation management (e.g. channel, pumping stand, flood gate).

Where it applies: The current River Murray Protection Area declared under the *River Murray Act 2003* (excluding the 'Tributaries Area'). The overlay replaces the River Murray Flood Zone and the River Murray Fringe Zone and will include other underlying zones closely matched in intent.

Referrals: The overlay will trigger referrals for various activities to either the:

- Minister administering the *River Murray Act 2003*; or
- Environment Protection Authority.

River Murray Tributaries Protection Area Overlay

This overlay seeks sustainable water use and conservation of riverine environments within the River Murray Tributaries area.

Where it applies: Tributaries of the River Murray

Referrals: For certain activities and land uses, the overlay will trigger referral to the Minister administering the *River Murray Act 2003*.

Significant Landscape Protection Overlay

The overlay seeks to protect areas identified as having significant landscape character. Wind farms and large-scale solar farms may be a restricted form of development within the area of the overlay and require a more stringent assessment of their visual impacts.

Where it applies: Most of the current Rural Landscape Protection Zones

Referrals: None

Water Protection Area Overlay

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

Where it applies: Water Protection Areas under the *Environment Protection Act 1993* (except where covered by other relevant overlays)

Referrals: Certain works (composting, wastewater treatment, feedlots, piggeries or dairies) require referral to the Environment Protection Authority

Water Resources Overlay

This overlay seeks protection of the quality of surface waters taking into account the projected reductions in rainfall and warmer air temperatures as a result of climate change. It also seeks to maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.

Where it applies: Watercourses and other water bodies (including public water supply reservoirs) that require protection through the planning system. The mapping is based on:

- Water courses – typically those identified on 1:50,000 topographic maps
- Water bodies – including wetlands, dams, lakes (intermittent / mainly dry and perennial), land subject to flooding and reservoirs.

Referrals: None

Natural Resources and Environment General Development Policies

Open Space and Recreation

These policies seek for pleasant, functional and accessible open space and recreation facilities to be provided for active and passive recreation.

When it applies: Where a new reserve or recreation facility is proposed

Site Contamination

These policies seek to ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.

When it applies: To most applications for sensitive uses (dwellings, pre-schools, etc.), to check that the previous use of the land does not pose risk of site contamination, or if it does, to require appropriate investigations and documentation to remediate any contamination



Image: Paul White 2020

Chapter 4: Infrastructure and Movement Systems

Infrastructure and Movement Systems Zones and Subzones

Commonwealth Facility Zone

This zone accommodates nationally significant aviation and defence-related activities.

Where it applies: Facilities owned by the Commonwealth, such as airports and army barracks

Community Facilities Zone

This zone provides for a range of community and institutional type developments. These include social, health, welfare, educational and recreation facilities that provide a service to the local community and larger scale community facilities that provide a service to the wider community and beyond, such as schools and hospitals.

Where it applies: Existing community zones/policy areas/precincts accommodating uses such as schools and hospitals

Deferred Urban Zone

This zone allows for a limited range of low-intensity land uses and activities needed to support the existing use of the land without impeding the ability of the land to be developed for alternative forms of urban development in the future.

Where it applies: Areas reserved for future development

Infrastructure Zone

This zone provides for the protection, provision, maintenance and expansion of infrastructure services and facilities and supports ensuring that development, vehicular movements and infrastructure services and facilities manage environmental impacts.

Where it applies: Electricity stations, water facilities, etc

Infrastructure (Airfield) Zone

This zone caters for air transport movements and associated development that will not impede aviation operations.

Where it applies: Regional airfields

Infrastructure (Ferry and Marina Facilities) Zone

This zone accommodates on-water development associated with the function of marinas and passenger ferry services together with a range of complementary waterfront-oriented recreational and tourist development activities.

Where it applies: Marinas

Wallaroo Marina Subzone

Seeks integrated waterfront-orientated commercial, residential/tourist accommodation, recreation and marina-based retail activities that serve as the focus of the marina development at Wallaroo.

Infrastructure and Movement Systems Overlays

Advertising Near Signalised Intersections Overlay

This overlay seeks provision of a safe road environment by reducing driver distraction at key points of conflict on the road.

Where it applies: Land within 100 metres from any signalised intersections or crossings which intersect state-maintained roads

Referrals: A Referral to the Commissioner for Highways will apply where development includes an advertisement or advertising hoarding that is within 100 metres of a signalised intersection/crossing and will be internally illuminated or animated

Airport Building Heights (Aircraft Landing Area) Overlay

This overlay guides the appropriate height and setback of development adjacent airports to ensure the long-term operational and safety requirements of the landing sites are not compromised.

Where it applies: Unregulated aircraft landing sites with no specific registration or CASA regulation, but which operate as an airfield

Referrals: None

Airport Building Heights (Regulated) Overlay

This overlay will ensure the appropriate height and setback of development adjacent to regulated airports to ensure their long-term operational and safety requirements are not compromised.

Where it applies: Areas surrounding commercial and military airfields, airports, airstrips and helicopter landing sites

Referrals: Development of a height which would exceed the Obstacle Limitation Surface expressed for the particular site is subject to a referral to the airport-operator company for the relevant airport (or, if there is no airport-operator company, the Secretary of the Minister responsible for the administration of the *Airports Act 1996* of the Commonwealth)

Aircraft Noise Exposure Overlay

This overlay seeks to ensure that sensitive land uses exposed to documented aircraft noise are designed and constructed appropriately.

Where it applies: Areas surrounding airports

Referrals: None

Building Near Airfields Overlay

This overlay seeks to manage non-residential lighting and wildlife attraction impacts on the operational and safety requirements of certified commercial and military airfields, airports, airstrips and helicopter landing sites.

Where it applies: Areas surrounding certified commercial and military airfields, airports, airstrips and helicopter landing sites

Referrals: None

Defence Aviation Area Overlay

The overlay is required due to the Commonwealth Defence (RAAF Base Edinburgh Defence Aviation Area) Declaration 2018 defining height restrictions for buildings surrounding the RAAF Base Edinburgh.

Where it applies: Areas surrounding the RAAF Base Edinburgh

Referrals: None

Strategic Infrastructure (Gas Pipelines) Overlay

This overlay seeks to provide guidance for the assessment of development within the measurement length of high-pressure gas pipelines to ensure that impacts relating to public safety, property and the environment can be managed in the event of an emergency.

In particular, it relates to development where the consequences of a pipeline failure are increased as it is used by sectors of the community who may be unable to protect themselves from the effects of a failure (e.g. schools, aged care facilities and hospitals), or where there is intensification of residential/industrial development.

Where it applies: Adjacent high-pressure gas pipelines

Referrals: None

Key Railway Crossings Overlay

This overlay will ensure development on key roads in close proximity to a railway crossing does not interrupt or affect the safe operation of the crossing. Policies guide the location of site access points in relation to the railway crossing.

Where it applies: Adjacent key railway crossings

Referrals: None

Key Outback and Rural Routes Overlay

This overlay seeks the safe and efficient movement of vehicle and freight traffic on key outback and rural routes, and provision of safe and efficient vehicular access to and from key outback and rural routes.

Where it applies: Freight routes, tourist routes and other key outback routes identified in the Department of Transport, Planning and Infrastructure's 'Functional Hierarchy for South Australia's Land Transport Network', including land within 25 metres of the road corridor

Referrals: A referral to the Commissioner of Highways will apply in the overlay area in circumstances where deemed-to-satisfy requirements in the overlay aren't met

Urban Transport Routes Overlay

This overlay seeks the safe and efficient operation of urban transport routes for all road users, and provision of safe and efficient access to and from urban transport routes.

Where it applies: All land abutting state-maintained roads and any intersecting local roads up to a distance of 25 metres from the state-maintained road within the Greater Adelaide Region (excluding roads already covered by the Key Outback and Rural Routes Overlay)

Referrals: A referral to the Commissioner of Highways will be required for development on an Urban Transport Route road (or within 25 metres of an intersection with such a road) that creates a new access or junction, alters an existing access or public road junction, or may change the nature of vehicular movements (except where all of the relevant deemed-to-satisfy criteria are met)

Infrastructure and Movement Systems General Development Policies

Clearance from Overhead Powerlines

This new module seeks protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

It carries forward established practices under the *Development Regulations 2008* to ensure development near overhead powerlines is suitably sited for safety reasons.

This module includes a Performance Outcome requiring development to be adequately separated from overhead powerlines and is accompanied by deemed-to-satisfy criteria seeking a declaration that either the development satisfies the requirements of Section 86 of the *Electricity Act 1996*, or is located where there are no above ground powerlines adjacent to the site.

When it applies: All applications that propose a new building or structure

Marinas and On-Water Structures

These policies seek for marinas and on-water structures to be located and designed to minimise the impairment of commercial, recreational and navigational activities and adverse impacts on the environment.

When it applies: When a new marina or jetty is proposed

Infrastructure and Renewable Energy Facilities

These policies seeks to ensure development is provided with electricity, water and gas supply, drainage, stormwater and effluent disposal systems, road and telecommunications services. The policies address:

- The rehabilitation of decommissioned infrastructure sites and corridors, hazard management and new overlay policy to enable battery storage facilities
- On-site water supply and wastewater services
- Temporary facilities such as borrow pits, concrete batching plants and worker amenity areas
- Large-scale windfarms, solar photovoltaic arrays, solar thermal plants, grid-scale batteries, biofuels facilities and pumped hydro systems
- Concerns such as dust, noise and amenity.

When it applies: Applications for windfarms or solar farms as well as large-scale development requiring the provision of new roads, electricity, water, etc

Transport, Access and Parking

These policies promote a comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.

The module incorporates rates for off-street car parking requirements.

When it applies: To most new developments, to ensure they are provided with sufficient on-site parking and vehicle access

Waste Treatment and Management Facilities

These policies seek to ensure the mitigation of potential environmental and amenity impacts of waste treatment and management facilities through considerations such as siting, soil and water protection, protection of amenity, access, fencing and security.

When it applies: Dedicated waste treatment facilities and development proposing on-site waste storage/treatment



Image: Paul White 2020

Glossary

Acronym	Term	Meaning
	The Act	Planning, Development and Infrastructure Act 2016
	The Code	The Planning and Design Code, being a statutory instrument under the Act for the purposes of development assessment and related matters within South Australia.
DPTI	The Department	The Department of Planning, Transport and Infrastructure
DPF	Designated performance feature	A 'designated performance feature' is the same policy as a 'deemed-to-satisfy' criteria, but applied in the context of a performance-assessed development application.
DTS	Deemed-to-satisfy	Refers to either: <ol style="list-style-type: none"> 1. The development classification 'deemed-to-satisfy'; or 2. The 'deemed-to-satisfy' criteria that a development application must meet in order to be classified as 'deemed to satisfy'.
	'Generation' of the Code	'Generation' refers to a specific, complete version of the Planning and Design Code applying across all of South Australia. Generation 1 is scheduled to be completed later this year. Not to be confused with 'phases' of the Code.
	'Phase' of the Code	A Code 'Phase' refers to the three-phase initial implementation approach of the Planning and Design Code from July 2019 to July 2020.
Res Code	Residential Code	The 'Residential Code' pathway for complying dwellings under the Development Act 1993.
SAPPL	South Australian Planning Policy Library	The state's current planning policies are contained in the South Australian Planning Policy Library. The library encourages best practice policy application and a consistent development plan format across the state. https://www.sa.gov.au/__data/assets/pdf_file/0014/13055/SA-Planning-Policy-Library-Version-6.pdf
TNV	Technical and Numeric Variation(s)	In certain circumstances, the Code allows for the adaption of rules that apply to a zone, subzone or overlay to provide for local variations. This is done through Technical and Numeric Variations (TNV).
WSUD	Water Sensitive Urban Design	Water sensitive urban design promotes the sustainable use, re-use and management of water in the places we live, work and play. This design approach integrates the total water cycle and water from all sources, including rainwater, storm water, groundwater, mains water and waste water, into urban development and building. WSUD can be applied to residential, commercial and industrial developments and buildings, at the scale of a single house, to a single street, to a suburb, up to a whole city for the efficient use of our scarce water resources. Techniques range from the storage, treatment and use of runoff to water-efficient landscaping.



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