

FOR CONSULTATION

Port Bonython Code Amendment

Chief Executive, Attorney-General's Department

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HAVE YOUR SAY

This Code Amendment is on consultation from Monday 6 September 2021 to Friday 1 October 2021.

During this time you are welcome to lodge a written submission about any of the changes proposed in this Code Amendment.

Submissions can be lodged:

- Online: [via the online submission form](#)
- Email: plansasubmissions@sa.gov.au (subject: Submission – Port Bonython Code Amendment)
- Post:
Code Amendment Team, Planning and Land Use Services
Attorney-General's Department
GPO Box 1815, Adelaide SA 5001
Attention: Port Bonython Code Amendment Submissions

The proposed Code Amendment and supporting information can be viewed on the PlanSA website at: plan.sa.gov.au/en/codeamendments.



Use your smart phone to scan this code

Hard copies of the proposed Code Amendment will be available for viewing during standard opening hours at:

- Planning & Land Use Services, Level 5, 50 Flinders Street, Adelaide
- City of Whyalla Council office, 129 McBryde Terrace, Whyalla
- Whyalla Civic Building, 15 Darling Terrace, Whyalla
- Whyalla Library, 7-9 Ekblom Street, Whyalla

Further information on the Code Amendment or consultation process is available on the Plan SA website www.plan.sa.gov.au. Enquiries can be directed to the Code Amendment Team on 1800 752 664 or email plansa@sa.gov.au

1. WHAT IS THE PLANNING AND DESIGN CODE?

The Planning and Design Code (the Code) sets out the rules that determine what landowners can do on their land.

For instance, if you want to build a house, the Code rules will tell you how high you can build and how far back from the front of your land your house will need to be positioned. The Code will also tell you if any additional rules apply to the area where your land is located. For example, you might be in a high bushfire risk area or an area with specific rules about protecting native vegetation.

1.1. Planning and Design Code Framework

The Code is based on a framework that contains various elements called overlays, zones, sub zones and general development policies. Together these elements provide all the rules that apply to a particular parcel of land. An outline of the Code Framework is available on the PlanSA website.

1.2. Overlays

Overlays contain policies and maps that show the location and extent of special land features or sensitivities, such as heritage places or areas of high bushfire risk.

They may apply across one or more zones. Overlays are intended to be applied in conjunction with the relevant zone. However, where policy in a zone conflicts with the policy in an overlay, the overlay policy trumps the zone policy.

1.3. Zones

Zones are areas that share common land uses and in which specific types of development are permitted. Zones are the main element of the Code and will be applied consistently across the state.

For example, a township zone for Andamooka can be expected to apply to similar townships like Carrieton. Each zone includes information (called classification tables) that describes the types of development that are permitted in that zone and how they will be assessed.

1.4. Subzones

Subzones enable variation to policy within a zone, which may reflect local characteristics. An example is Port Adelaide centre, which has many different characteristics to typical shopping centres due to its maritime activities and uses.

1.5. General Development Policies

General development policies outline functional requirements for development, such as the need for car parking or wastewater management. While zones determine what development can occur in an area, general development policies provide guidance on how development should occur.

1.6. Amending the Planning and Design Code

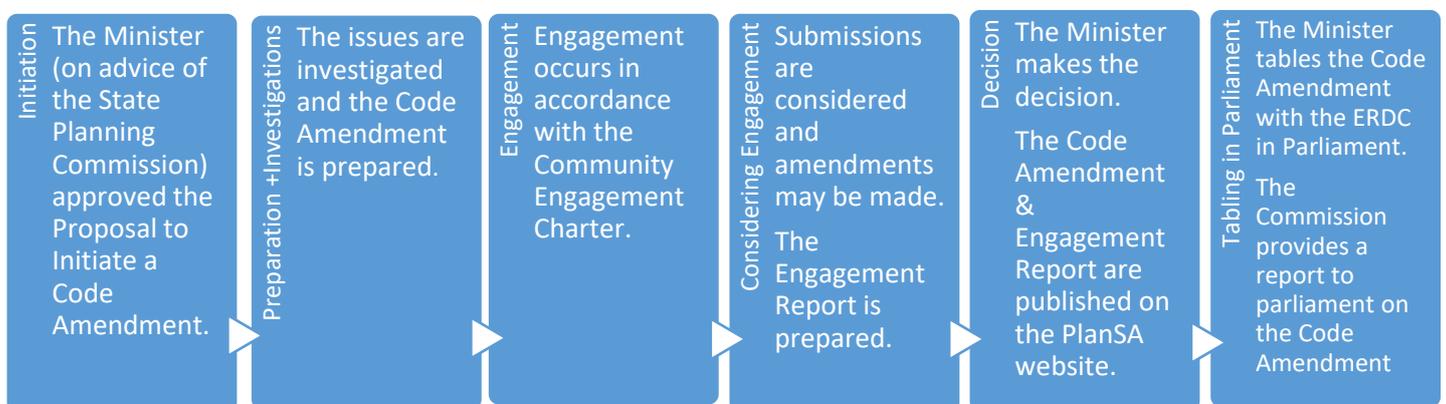
The Planning, Development and Infrastructure Act 2016 (the Act) provides the legislative framework for undertaking amendments to the Code. With approval of the Minister for Planning and Local Government (the Minister) a Council, Joint Planning Board, Government Agency or private proponent may initiate an amendment to the Code and undertake a Code Amendment process.

An approved Proposal to Initiate will define the scope of the Amendment and prescribe the investigations which must occur to enable an assessment of whether the Code Amendment should take place and in what form.

The State Planning Commission (the Commission) is responsible under the Act for ensuring the Code is maintained, reflects contemporary values relevant to planning, and readily responds to emerging trends and issues.

The Commission provided independent advice to the Minister on the Proposal to initiate this Code Amendment. The Commission will also provide a report on the Code Amendment (including compliance with the Community Engagement Charter) at the final stage of the Code Amendment process.

2. WHAT IS PROPOSED IN THIS CODE AMENDMENT?



2.1. Need for the amendment

The Government of South Australia is positioning Port Bonython as one of South Australia's most prospective hydrogen export hubs.

The state-owned site is over 2,000 hectares with access to an existing deepwater port comprising a 2.4 km long jetty.

Port Bonython, due to its location and infrastructure, is recognised for its high strategic value and potential to support development of a range of industries and uses. These include, but are not limited to:

- hydrogen and renewable energy projects;
- additional or expanded oil and gas projects;
- mineral export; and

- desalination plant infrastructure.

Port Bonython is also amongst a few select locations nationally which has the potential to be transformed into a hub for either “Green Hydrogen” or “Blue Hydrogen” production and export.

The broader Port Bonython precinct is primarily used for industrial purposes, namely fractional distillation and distribution by Santos of hydrocarbons that have been extracted from the Cooper Basin and sent via pipeline to Port Bonython. There is also an established fuel storage and distribution facility in the precinct which imports fuels to the site using the existing jetty infrastructure.

Under the Code, the affected area is zoned Deferred Urban, which primarily focuses on safeguarding land for future urban growth. In this circumstance the land has been safeguarded for the expansion of the adjoining industrial area when demand requires it. Under the Whyalla Development Plan, the Deferred Industry Zone applied and included specific local policy to facilitate industrial development in the area, where it was associated with hydrocarbons activities in the adjoining former Special Industry (Hydrocarbons) Zone.

This Code Amendment therefore proposes to apply the existing Strategic Employment Zone and Significant Industry Subzone to unlock the economic and employment potential of the land as a multi-user, export-focused precinct to leverage the state’s advantage in renewable energy, fuels and minerals.

The proposed zoning framework reflects that which currently applies to the existing industrial area located directly to the south.

2.2. Affected Area

The affected area comprises approximately 1,020 hectares of land at Port Bonython. The land is largely owned by the Minister for Infrastructure and Transport.

The areas affected by the proposed amendment are adjacent to Port Lowly Road and are described as follows:

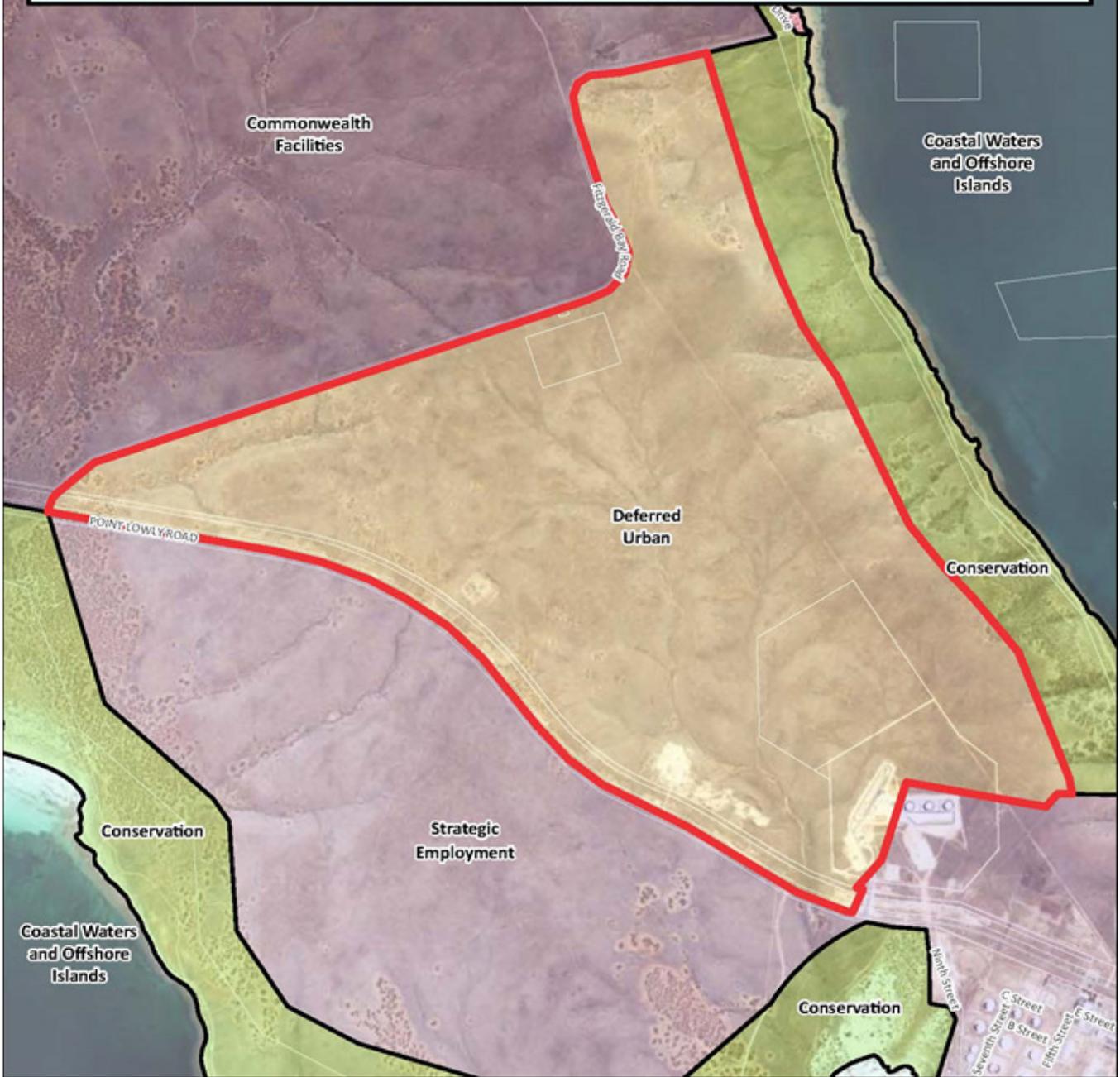
- Deposited Plan 112514 QP211, QP212, QP214 - Certificate of Title 6181/389
- Deposited Plan 112514 AL210 – Certificate of Title 6181/394
- Deposited Plan 94465 AL128 – Certificate of Title 6144/399
- (portion) Deposited Plan 94465 AL120 – Certificate of Title 6207/741
- Hundred Plan 560300 S254 – Certificate of Title 5463/441

Maps of the affected area is shown below and in **Attachment A**:

Rural Shack

Port Bonython

Designated Entity: Chief Executive



LGA: City of Whyalla

Affected Area (ha): 1021.8

Current Zone: Deferred Urban Zone

Proposed Zone: Strategic Employment Zone - Significant Industry Subzone



0 1,000 m



-  Affected Area
-  Code Zones
-  Parcel boundaries

Publish Date: 08/07/2021 © Government of South Australia 2021

2.3. Summary of proposed policy changes

2.3.1. Current Code Policy

The affected area is currently located in the Deferred Urban Zone in the Planning and Design Code, as shown in **Attachment B**.

The Deferred Urban Zone aims to safeguard land for future urban growth and as such, few land uses are contemplated; these being farming (broad acre cropping, grazing) and/or low-intensity animal husbandry.

The following Overlays apply to the affected area:

- **Gas and Liquid Petroleum Pipelines**
Seeks to manage the risk to public safety and the environment and secure the energy supply from the encroachment of development on gas and liquid petroleum pipelines and associated infrastructure.
- **Gas and Liquid Petroleum Pipelines (Facilities)**
Seeks to manage the risk to public safety and the environment and secure the energy supply from the encroachment of development on gas and liquid petroleum pipeline facilities.
- **Hazards (Bushfire - Regional)**
Seeks to ensure development is located to minimise the threat and impact of bushfires on life and property and facilitate access for emergency service vehicles in regional areas.
- **Hazards (Flooding - Evidence Required)**
Adopts a precautionary approach to mitigate potential impacts of potential flood risk through appropriate siting and design of development.
- **Key Outback and Rural Routes**
Aims to ensure safe and efficient vehicle movement and access is provided along key outback and rural routes.
- **Native Vegetation**
Seeks to protect, retain and restore areas of native vegetation.
- **Water Resources**
Seeks to protect the quality of surface waters in South Australia.

The majority of the affected area is currently undeveloped. To the south-east is a series of holidays homes (Point Lowly). The subject land is surrounded by largely undeveloped land in various zones, including Strategic Employment Zone, Significant Industry Subzone to the south and west, Conservation Zone, Visitor Experience Subzone to the east and Commonwealth Facilities Zone to the north.

2.3.2. Proposed Code Policy

The Code Amendment proposes the replacement of the Deferred Urban Zone with the Strategic Employment Zone and the Significant Industry Subzone. No changes are proposed to Overlays.

The Strategic Employment Zone envisages a range of industrial, logistical, warehousing, storage, research and training land uses together with compatible business activities, generating wealth and employment for the state. The zone contemplates the following types of development:

- Advertisement
- Automotive collision repair
- Electricity substation
- Energy generation facility
- Energy storage facility
- Fuel depot
- General industry
- Intermodal facility
- Light industry
- Motor repair station
- Public service depot
- Rail marshalling yard
- Renewable energy farm (other than a wind farm)
- Retail fuel outlet
- Service trade premises
- Shop
- Store
- Telecommunications facility
- Training facility
- Warehouse.

The Significant Industry Subzone envisages major special industrial activities that are of significance to the state and regional economy. In particular the subzone excludes Special Industry from the Restricted Development Classification, and would make Special Industry Performance Assessed Development in this location.

This is consistent with the zoning of land which adjoins the southern and western boundaries of the affected area.

The site has been identified for potential renewable energy and hydrogen industry development. This is the principle focus of the State's current efforts to seek to develop the site.

The proposed policy changes are shown in **Attachment C**.

3. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?

3.1. Engagement

Engagement on the Code Amendment must occur in accordance with the Community Engagement Charter principles, which required that:

- engagement is genuine
- engagement is inclusive and respectful
- engagement is fit for purpose
- engagement is informed and transparent
- engagement processes are reviewed and improved.

An Engagement Plan has been prepared for this Code Amendment to ensure that engagement will be conducted and measured against the principles of the Charter. For more information on the Community Engagement Charter go to the SA Planning Portal at (www.plan.sa.gov.au).

A summary of the engagement that is occurring for this Code Amendment is as follows:

- Publication of proposed Code Amendment and consultation materials on the PlanSA website;
- Letters will be sent to adjacent owners, affected land owners, relevant State agencies, Members of Parliament (State and Federal) and utility providers;
- The provision of a range of opportunities to submit feedback: via the PlanSA website or by letter or email to the representatives of the Designated Entity;
- The provision of advice as to who to contact for further information;
- Community information sheet.

3.2. How can I have my say on the Code Amendment?

There are several ways in which you can provide feedback on the Code Amendment. This includes:

- Completing an online submission via the PlanSA website: plan.sa.gov.au/en/codeamendments
- Providing a written submission by email to: plansasubmissions@sa.gov.au –Attention: Port Bonython Code Amendment Submissions
- Sending a written submission to: GPO Box 1815, Adelaide SA 5001 – Attention: Code Amendment Team, Planning and Land Use Services
- Telephone enquiries can be directed to PlanSA on 1800 752 664.

3.3. What changes to the Code Amendment can my feedback influence?

Aspects of the project which stakeholders and the community can influence include:

- General support or otherwise for the rezoning proposal
- Zone and Subzone selection
- Application of Overlays to the affected area
- Application of Technical and Numeric Variations to the affected area.

Aspects of the project that stakeholders and the community cannot influence are:

- Geography of the affected area
- General Development Policies in the Code (as it relates to state-wide policy)
- Standard policies and wording contained in Zones and Overlays in the Code (as it relates to state-wide policy).

3.4. What will happen with my feedback?

The Chief Executive is committed to undertaking consultation in accordance with the principles of the Community Engagement Charter and is genuinely open to considering the issues raised by people in the community.

All formal submissions will be considered by the Chief Executive when determining whether the proposed Amendment is suitable and whether any changes should be made.

Each submission will be entered into a register and you will receive an email acknowledging receipt of your submission. Your submission will be published on the PlanSA website. Personal addresses, email and phone numbers will not be published, however, company details will be.

The Chief Executive will consider the feedback received in finalising the Code Amendment and will prepare an Engagement Report which will outline what was heard during consultation and how the proposed Code Amendment was changed in response to submissions.

The Engagement Report will be forwarded to the Minister, and then published on the PlanSA website.

3.5. Decision on the Code Amendment

Once the Engagement Report is provided to the Minister, the Commission may provide further advice to the Minister if the Code Amendment is considered significant.

The Minister will then either adopt the Code Amendment (with or without changes) or determine that the Code Amendment should not proceed. The Minister's decision will then be published on the PlanSA website.

If adopted, the Code Amendment will be referred to the Environment Resources and Development Committee of Parliament (ERDC) for their review. The Commission will also provide the Committee with a report on the Code Amendment, including the engagement undertaken on the Code Amendment and its compliance with the Community Engagement Charter.

4. ANALYSIS

Further analysis undertaken in support of the Code Amendment is included in **Attachment E**.

4.1. Strategic Planning Outcomes

4.1.1. Summary of Strategic Planning Outcomes

Key Summary Points

- Port Bonython provides a unique opportunity to enable a range of future development types, such as traditional hydrocarbons operations and the establishment of hydrogen energy supply chains, including through renewable energy.
- Prior to the introduction of the Code, the subject land was zoned as Deferred Industry in the Whyalla Council Development Plan. It had been zoned this way since the original Development Plan in 1994. In the transition to the Code, the Deferred Urban Zone was applied. The Deferred Urban Zone primarily focuses on safeguarding land for future urban growth. In this circumstance the land has been safeguarded for the expansion of the adjoining industrial area, when demand requires it.
- During the transition to the Code, locally specific policy that facilitated industrial development associated with the adjoining hydrocarbons development was not transitioned as part of the Phase Three Amendment. The result is that immediate industrial development opportunities within the area are not supported under the Code.
- The Amendment will enable land to be brought to market and developed, through zoning that is conducive to the expected uses on the site.

Land use characteristics

The subject land is approximately 1,020 hectares in size and is located 35 kilometres from Whyalla. The majority of the site is currently undeveloped. To the south-east is a series of holidays homes (Point Lowly). The subject land is surrounded by largely undeveloped land in various zones, including the Strategic Employment Zone, Significant Industry Subzone to the south and west, Conservation Zone, Visitor Experience Subzone to the east and Commonwealth Facilities Zone to the north.

The primary use of surrounding land is the fractional distillation and distribution by Santos of hydrocarbons that have been extracted from the Cooper Basin and sent via pipeline to Port Bonython.

More recently the site has been identified for potential renewable energy and hydrogen industry development. This is the principle focus of the State's current efforts to seek to develop the site.

Transport, Services and Infrastructure

The area is serviced by power and water. The Stuart Highway is the major road route to the Northern Territory and the Eyre Highway connects eastern and western Australia. The Lincoln Highway connects Whyalla to the rest of the Eyre Peninsula. The subject site can be accessed via Point Lowly Road, which is a key rural route maintained by the Department of Infrastructure and Transport. There is also a rail line servicing the region which is part of the national network. Airports are located at Whyalla and Port Augusta.

In addition to this, there is an existing deep sea jetty in close proximity to the subject land.

4.1.2. Consistency with the State Planning Policies

State Planning Policies define South Australia's planning priorities, goals and interests. They are the overarching umbrella policies that define the State's interests in land use. There are 16 State Planning Policies and six special legislative State Planning Policies.

These policies are given effect through the Code, with referral powers assigned to relevant Government Agencies (for example, the Environmental Protection Agency for contaminated land). The Code (including any Code Amendments) must comply with any principle prescribed by a State Planning Policy.

This Code Amendment is considered to be consistent with the State Planning Policies as shown in **Attachment D**.

4.1.3. Consistency with the Regional Plan

The directions set out in Regional Plans provide the long term vision and set the spatial patterns for future development within a region. This can include land use integration, transport infrastructure and the public realm.

The Commission has identified that the existing volumes of the South Australian Planning Strategy, prepared under the *Development Act 1993*, will apply until such time as the new Regional Plans are prepared and adopted. Refer to the PlanSA website for more information on the Commission's program for implementing Regional Plans throughout South Australia.

Where there is conflict between a Regional Plan and the State Planning Policies, the State Planning Policies will prevail.

This Code Amendment is considered to be consistent with the Regional Plan as shown in **Attachment D**.

4.2. Infrastructure planning

The Government intends to undertake a master planning process for the land to ensure the coordinated development and delivery of infrastructure. This is a unique opportunity to provide a well serviced employment hub for the benefit of South Australia.

The following infrastructure planning is relevant to this Code Amendment:

Council Infrastructure Planning	Response/Comment
Roads	Access to the affected area is likely to be via the State maintained Point Lowly Road. It is not envisaged that any local roads will require upgrading, however, this will be considered through the master planning process.
Waste management	There are policies in the Code that ensure any development is designed to dispose of waste in an appropriate manner.
Wastewater	Wastewater services are limited in the area, and so major operations may consider on-site treatment for reuse as irrigation of landscaping. This will in part be considered in the master planning process, and be considered at the development application stage (e.g. through a specific wastewater strategy for development).
Stormwater management	A level of on-site detention and retention will be required to manage stormwater resulting from the future development of the affected area.
Government Agency Infrastructure Planning	Response/Comment
Water	Water supplies exist in the area, however, are not suitable for large scale additional development at the site. Should augmentation costs be required, a deed of agreement will be required between the landowners, SA Water and land users at pre-development stage. This will be considered as part of the master planning process for the land as the envisaged land uses are better understood.
Roads	The main road access to the site is via the Lincoln Highway and Point Lowly Roads. These roads are maintained by the State. No road upgrades are currently envisaged, however, this will be considered through the master planning process as the nature and volume of traffic is better understood. Unlike residential development, which is easier to predict, it is more difficult to estimate volumes and vehicle requirements until the detail of the land use is known.

Council Infrastructure Planning	Response/Comment
Rail	A rail line extension is envisaged in the vicinity of the Code Amendment, however, this will be subject to a master planning exercise by the State Government. Timing for the rail line extension is not known at this stage but it is not pertinent to the rezoning.
Marine	The Port Bonython jetty and associated facilities may be available for use by future occupiers of the subject land, subject to agreement from the Minister for Energy and Mining.
Other	
Electricity	South Australian Power Networks (SAPN) connections exist in the area. However, existing electricity supplies are not suitable for large scale additional development on the affected area. Should augmentation costs be required, a deed of agreement will be required between the land owners, electricity infrastructure providers and land users.
Gas	The area is serviced by gas and liquids pipelines which link Port Bonython to Moomba.
Communications	The area is serviced by the Telstra 4G network.

4.3. Investigations

4.3.1. Investigations undertaken

The extent of investigations that have been undertaken as part of the Code Amendment process have been agreed by the Minister in the Proposal to Initiate.

The following investigations have been undertaken to inform this Code Amendment:

- Analysis of the previous Development Plan zoning policies, the current zoning and proposed zoning.
- Analysis of interfaces, including:
 - air quality
 - hazards and blast risk
 - storage and transportation of hazardous materials
 - shack settlements

- aquaculture
- Upper Spencer Gulf Marine Park
- Cultana training area
- tourism activities
- State heritage
- Native Title and cultural heritage.
- Environmental impacts, including:
 - hazards management
 - landscape and scenic quality
 - fauna and flora and
 - coastal.
- Transport analysis and impacts, including:
 - marine
 - air
 - road
 - rail
 - traffic.
- Utilities infrastructure analysis, including:
 - electricity
 - water
 - gas
 - waste management
 - communications.
- Bushfire risk analysis.

Further details on investigations undertaken in support of the Code Amendment are included in **Attachment E**.

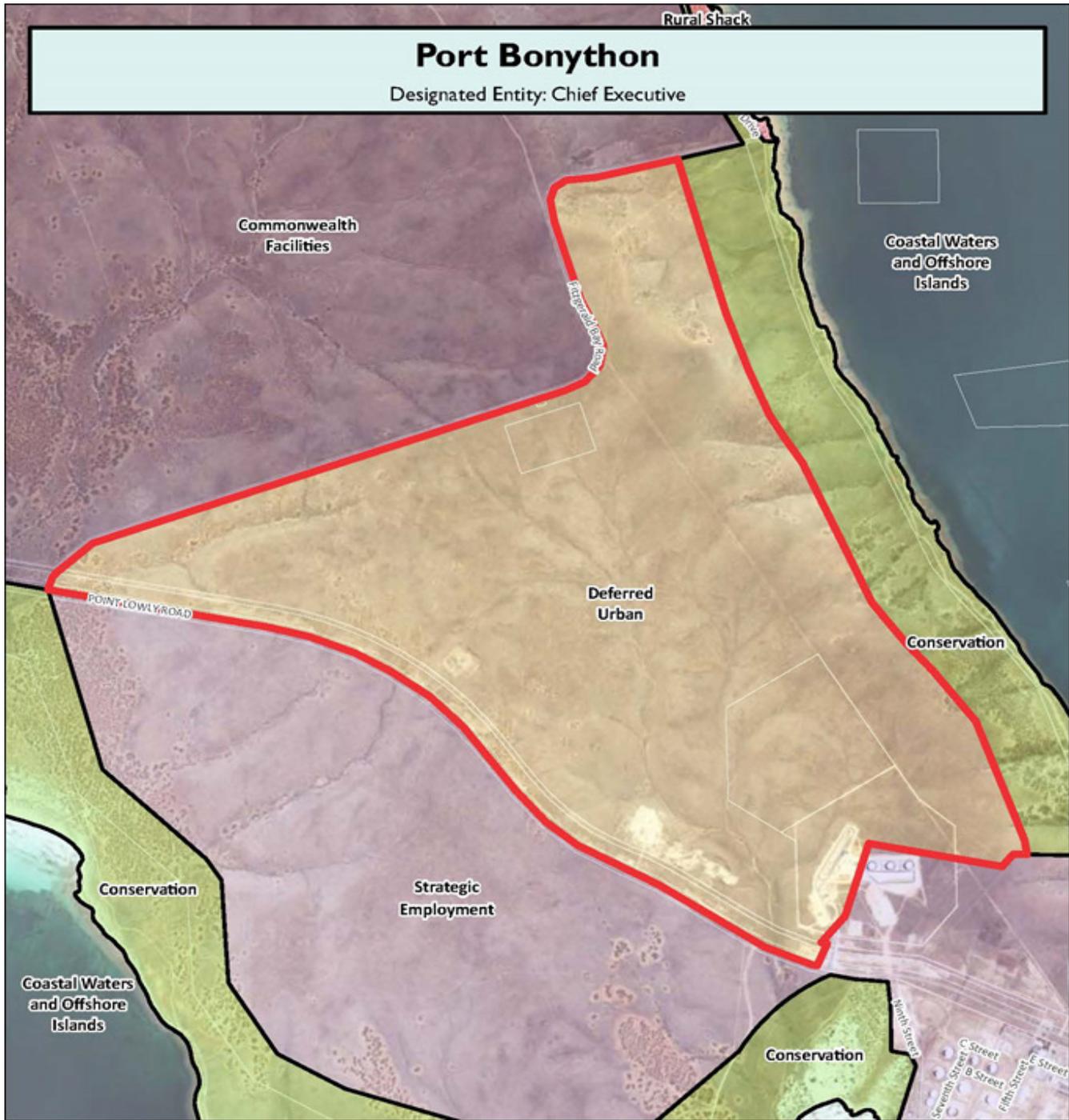
4.3.2. Recommended policy changes

The scope of the Code Amendment does not include the creation of new planning policy, and is limited to the spatial application of Zones, Subzones and Overlays or technical and numerical variations provided for under the published Code. The changes to the spatial application of Zones, Subzones and Overlays and technical and numerical variations are described in section **Attachment C** of this report.

Notwithstanding, the above investigations confirmed that the policy contained within the Code, including the existing Overlays, is adequate to guide the future development of the affected area.

ATTACHMENT A – AFFECTED AREA MAPPING

Current Zone



LGA: City of Whyalla
Affected Area (ha): 1021.8
Current Zone: Deferred Urban Zone
Proposed Zone: Strategic Employment Zone - Significant Industry Subzone



- Affected Area
- Code Zones
- Parcel boundaries

Publish Date: 09/07/2021 © Government of South Australia 2021

Proposed Zone



City of Whyalla, Port Bonython Proposed Zones

- Affected Area
- CWOI - Coastal Waters and Offshore Islands
- Con - Conservation
- CwF - Commonwealth Facilities
- RuShS - Rural Shack Settlement
- SE - Strategic Employment



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Proposed Subzone



City of Whyalla, Port Bonython
Proposed Subzones



Gas and Liquid Petroleum Pipelines Overlay



Gas and Liquid Petroleum Pipelines (Facilities) Overlay



Hazards (Bushfire – Regional) Overlay



Hazards (Flooding – Evidence Required) Overlay



Key Outback and Rural Routes Overlay



Native Vegetation Overlay



Water Resources Overlay



Coastal Areas Overlay



ATTACHMENT B – CURRENT CODE POLICY

Current Zone Policy

Zone

- Deferred Urban Zone

Overlays

- Gas and Liquid Petroleum Pipelines Overlay
- Gas and Liquid Petroleum Pipelines (Facilities) Overlay
- Hazards (Bushfire – Regional) Overlay
- Hazards (Flooding – Evidence Required) Overlay
- Key Outback and Rural Routes Overlay
- Native Vegetation Overlay
- Water Resources Overlay

Development Pathways

Deferred Urban Zone

1. Accepted Development

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

- Brush fence
- Building work on railway land
- Carport
- Farming
- Internal building work
- Outbuilding
- Partial demolition of a building or structure
- Private bushfire shelter
- Protective tree netting structure
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Swimming pool or spa pool
- Verandah
- Water tank (above ground)
- Water tank (underground).

2. Code Assessed - Deemed to Satisfy

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

- Agricultural building
- Land division
- Replacement building
- Temporary accommodation in an area affected by bushfire.

3. Code Assessed - Performance Assessed

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

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

- Advertisement
- Demolition
- Tree-damaging activity.

4. Impact Assessed - Restricted

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

Deferred Urban Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	To safeguard land for future urban growth.

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 Development that is incompatible, prejudicial or detrimental to the orderly and efficient servicing and conversion of the land for future urban growth does not occur.	DTS/DPF 1.1 Development comprising farming (broad acre cropping, grazing) and/or low-intensity animal husbandry.
Built Form and Character	
PO 2.1 Development maintains an open character.	DTS/DPF 2.1 None are applicable
PO 2.2 Buildings are limited to those that: <ul style="list-style-type: none"> (a) are ancillary to and necessary to support land use activities on the same allotment (b) are for the purposes of public infrastructure. 	DTS/DPF 2.2 None are applicable

Land Division	
<p>PO 3.1</p> <p>Land division is limited to that which:</p> <p>(a) corrects anomalies in the placement of allotment boundaries with respect to the location of existing buildings or structures or (b) enables the provision of public infrastructure.</p>	<p>DTS/DPF 3.1</p> <p>Land division for any of the following:</p> <p>(a) the alteration of allotment boundaries, where no additional allotments are created (b) the purpose of providing public infrastructure.</p>
Concept Plans	
<p>PO 4.1</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 4.1</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 4.1, in instances where:</p> <p>(a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 4.1 is met.</p>

Table 4 -Restricted Development Classification

The following table identifies Classes of Development that are classified as Restricted subject to any 'Exclusions'.

Class of Development	Exclusions
Dwelling	Detached dwelling that will not result in more than one dwelling on an allotment.
Land division	Land division that does not create additional allotments other than for the purpose of providing public infrastructure.

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

Class of Development (Column A)	Exceptions (Column B)
------------------------------------	--------------------------

<p>1. A kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	<p>None specified.</p>
<p>2. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) advertisement (b) agricultural building (c) air handling unit, air conditioning system or exhaust fan (d) building work on railway land (e) carport (f) farming (g) fence (h) internal building works (i) land division (j) outbuilding (k) private bushfire shelter (l) protective tree netting structure (m) replacement building (n) shade sail (o) solar photovoltaic panels (roof mounted) (p) swimming pool or spa pool (q) temporary accommodation in an area affected by bushfire (r) tree damaging activity (s) verandah (t) water tank. 	<p>None specified.</p>
<p>3. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Gas and Liquid Petroleum Pipelines Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Management of risk to public safety, the environment and security of energy supply from the encroachment of development on strategic gas and liquid petroleum pipelines.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>Community exposure to a potential hazard from the failure of a gas or liquid petroleum pipeline is mitigated by locating development that may accommodate or result in large congregations of people, buildings for housing and / or caring for vulnerable people and community facilities outside areas that pose an unacceptable risk to protect life.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies one of the following:</p> <p>(a) It does not comprise:</p> <ul style="list-style-type: none"> (i) caravan and tourist park (ii) educational establishment (iii) buildings comprising 3 or more building levels (iv) land division creating allotments under 1ha for residential purposes (except where the existing allotment is less than 1ha) (v) prison (vi) pre-school (vii) residential park (viii) retirement facility (ix) student accommodation (x) supported accommodation (xi) shop or shops with a gross leasable floor area of 1000m² or greater (xii) tourist accommodation (xiii) stadium <p>(b) a class of development referred to in part (a), or any combination thereof, which will occur in accordance with an agreement under section 123 of the <i>Planning, Development and Infrastructure Act, 2016</i></p>
<p>PO 1.2</p> <p>Emergency service and major community health related facilities are located outside areas where a gas or liquid petroleum pipeline failure may disrupt ongoing operations to maintain the response capacity in the event of an emergency.</p>	<p>DTS/DPF 1.2</p> <p>Development does not comprise any of the following:</p> <p>(a) emergency services facility</p> <p>(b) hospital.</p>
<p>PO 1.3</p> <p>Development involving the manufacture, collection, handling or bulk storage of flammable, explosive, or otherwise hazardous materials is located and designed to avoid escalating the potential for and effects of a gas or liquid petroleum pipeline failure.</p>	<p>DTS/DPF 1.3</p> <p>Development satisfies one of the following:</p> <p>(a) It does not comprise:</p> <ul style="list-style-type: none"> (i) general industry (ii) special industry (iii) landfill (iv) renewable energy facility (v) electricity substation (vi) fuel depot (vii) retail fuel outlet (viii) store (ix) warehouse (x) waste treatment facility <p>(b) a class of development referred to in part (a), or any combination thereof, which</p>

will occur in accordance with an agreement under section 123 of the *Planning, Development and Infrastructure Act, 2010*

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except where the development is, in the opinion of the relevant authority, minor in nature and would not warrant a referral when considering the purpose of the referral, a class of development that does not satisfy Gas and Liquid Petroleum Pipelines Overlay DTS/DPF 1.1, 1.2 and 1.3.</p>	<p>The Chief Executive of the Department of the Minister responsible for administering the <i>Petroleum and Geothermal Energy Act 2000</i>.</p>	<p>To provide expert assessment and direction to the relevant authority in relation to:</p> <ul style="list-style-type: none"> (a) potential safety issues relating to development or (b) the potential for development to adversely impact upon the lawful continued operation of strategic infrastructure (gas and liquid petroleum pipelines). 	<p>Development of a class to which Schedule 9 clause 3 item 9B of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

Gas and Liquid Petroleum Pipelines (Facilities) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Management of risk to public safety, the environment and security of energy supply from the encroachment of development on gas and liquid petroleum pipeline facilities.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Safety	
PO 1.1 Development (including land division) does not present a risk to public health and safety due to any of the following: (a) continuous noise associated with pipeline facilities used for energy transportation that exceeds the Environment Protection (Noise) Policy (b) potential for occasional noise associated with high pressure venting.	DTS/DPF 1.1 Development (including land division creating additional allotments for such purposes) comprises one or more of the following: (a) open space (b) roadways (c) a class of development that will occur in accordance with an agreement under section 123 of the <i>Planning, Development and Infrastructure Act, 2016</i> (d) a dwelling or ancillary building/structure on an allotment approved for residential purposes.

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Except where the development is, in the opinion of the relevant authority, minor in nature and would not warrant a referral when considering the purpose of the referral, a class of development that does not satisfy Overlay DTS/DPF 1.1.	The Chief Executive of the Department of the Minister responsible for administering the Petroleum and Geothermal Energy Act 2000.	To provide expert assessment and direction to the relevant authority in relation to: (a) potential safety issues relating to development or (b) the potential for development to adversely impact upon the lawful continued operation of strategic infrastructure (gas and liquid petroleum pipelines).	Development of a class to which Schedule 9 clause 3 item 9B of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Hazards (Bushfire - Regional) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

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

<p>PO 3.2</p> <p>Residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers accommodation) is sited away from vegetated areas that pose an unacceptable bushfire risk.</p>	<p>DTS/DPF 3.2</p> <p>Residential and tourist accommodation and habitable buildings for vulnerable communities are provided with asset protection zone(s) in accordance with (a) and (b):</p> <p>(a) the asset protection zone has a minimum width of at least:</p> <p>(i) 50 metres to unmanaged grasslands</p> <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 3.3</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 and accessible water supply available at all times for fire-fighting purposes.</p>	<p>DTS/DPF 3.3</p> <p>Development has a dedicated water supply available at all times for fire-fighting purposes:</p> <p>(a) comprising a minimum of 5000 litres</p> <p>(b) positioned in an accessible location and accompanied with necessary equipment to allow occupants to minimise the spread of bushfire to the habitable building(s).</p>
Land Division	
<p>PO 4.1</p> <p>Land division is designed to and incorporates measures to minimise the danger of fire hazard to residents and occupants of buildings, and to protect buildings and property from physical damage in the event of a bushfire.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Land division designed to provide a continuous street pattern to facilitate the safe movement and evacuation of emergency vehicles, residents, occupants and visitors.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>Where 10 or more new allotments are proposed, land division includes at least two separate and safe exit points to enable multiple avenues of evacuation in the event of a bushfire.</p>	<p>DTS/DPF 4.3</p> <p>None are applicable.</p>
<p>PO 4.4</p> <p>Land division incorporates perimeter roads of adequate design in conjunction with bushfire buffer zones to achieve adequate separation between residential allotments and areas of unacceptable bushfire risk and to support safe access for the purposes of fire-fighting.</p>	<p>DTS/DPF 4.4</p> <p>None are applicable.</p>
Vehicle Access -Roads and Driveways	
<p>PO 5.1</p> <p>Roads are designed and constructed to facilitate the safe and effective:</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>DTS/DPF 5.1</p> <p>Roads:</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 do not exceed 200m in length and the end of the road has either:</p> <p>(i) a turning area with a minimum formed surface radius of 12.5m (Figure 3)</p> <p>or</p>

	<ul style="list-style-type: none"> (ii) a 'T' or 'Y' shaped turning area with a minimum formed surface length of 11m and minimum internal radii of 9.5m (Figure 4) (h) Incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
<p>PO 5.2</p> <p>Access to habitable buildings is designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel (b) evacuation of residents, occupants and visitors. 	<p>DTS/DPF 5.2</p> <p>Access is in accordance with (a) or (b):</p> <ul style="list-style-type: none"> (a) a clear and unobstructed vehicle or pedestrian pathway of not greater than 60 metres in length is available between the most distant part of the habitable building and the nearest part of a formed public access road (b) driveways: <ul style="list-style-type: none"> (i) do not exceed 600m in length (ii) are constructed with a formed, all-weather surface (iii) are connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8) (iv) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway (v) have a crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway (vi) have a minimum formed width of 3m (4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (vii) Incorporate passing bays with a minimum width of 6m and length of 17m every 200m (Figure 5) (viii) provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (ix) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5m (Figure 2) (x) allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either: <ul style="list-style-type: none"> A. a loop road around the building or B. a turning area with a minimum radius of 12.5m (Figure 3) or C. a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m (Figure 4) (xi) Incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
<p>PO 5.3</p> <p>Development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.</p>	<p>DTS/DPF 5.3</p> <p>None are applicable.</p>

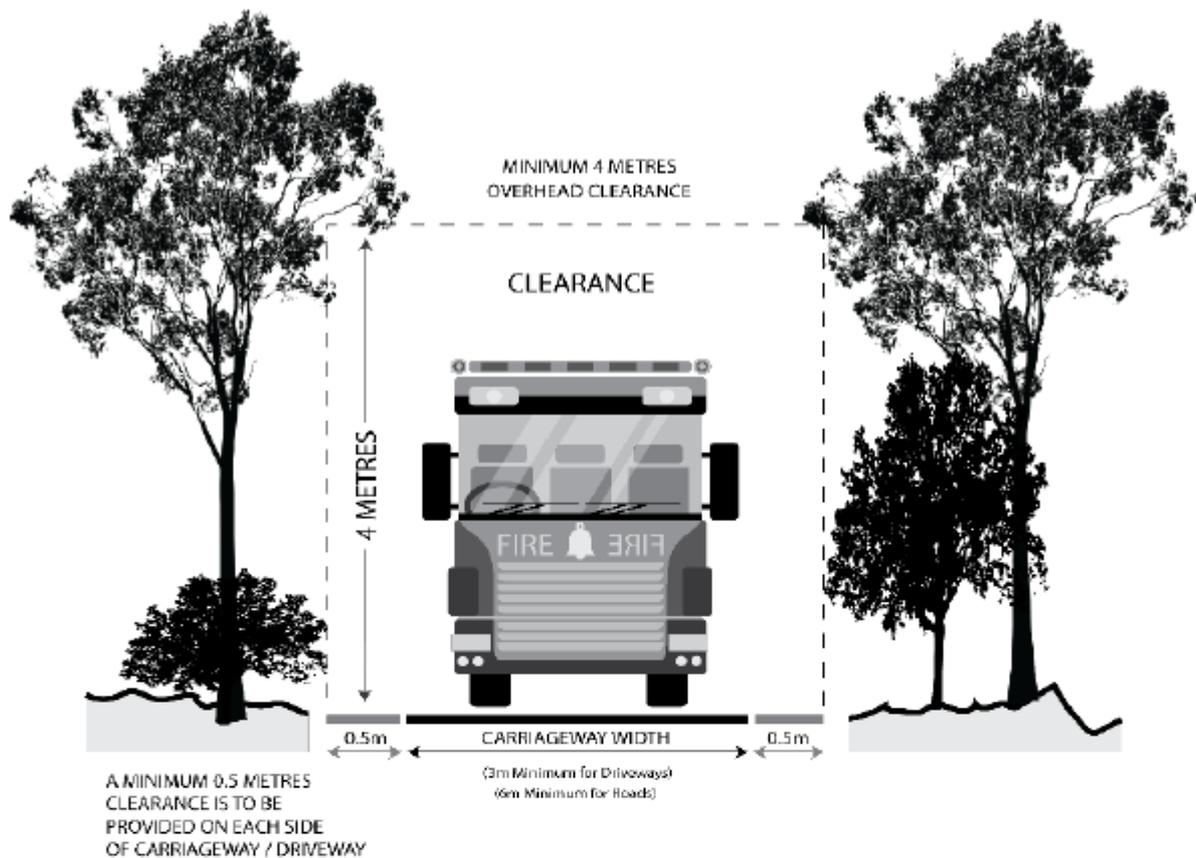
Procedural Matters (PM) - Referrals

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

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

Figures and Diagrams

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



Roads and Driveway Design

Figure 2 - Road and Driveway Curves

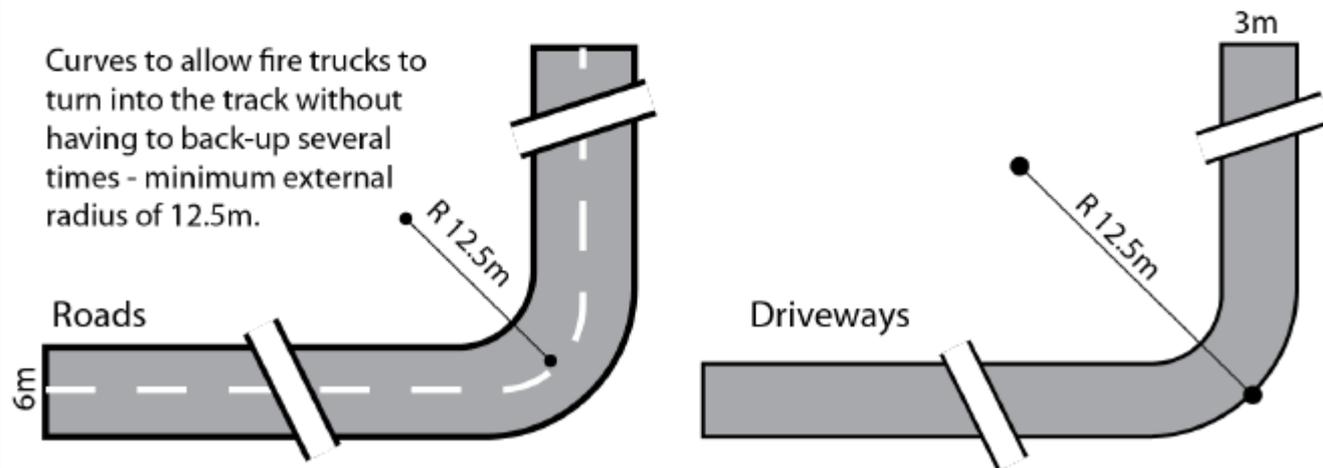


Figure 3 - Full Circle Turning Area

Fire truck turning area -
minimum radius 12.5m

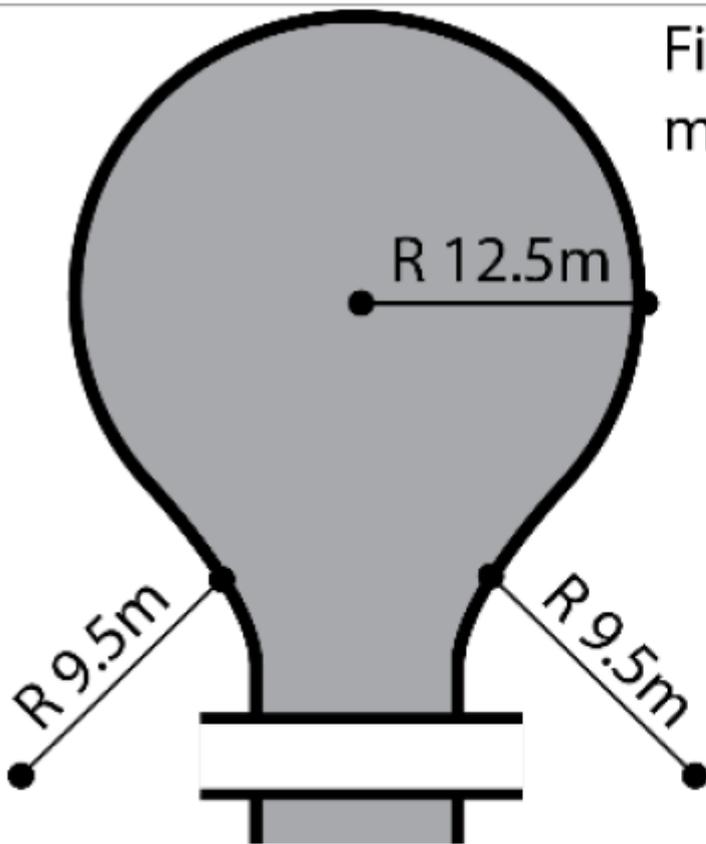
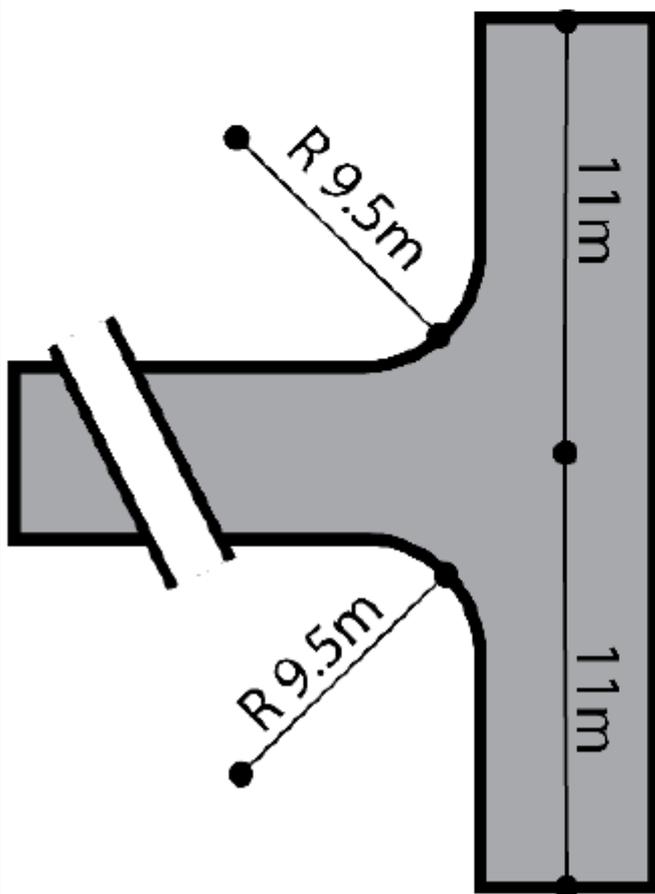


Figure 4 - 'T' or 'Y' Shaped Turning Head



"T" shaped turning area
for fire trucks to reverse
into so they can turn
around
- minimum length 11m.

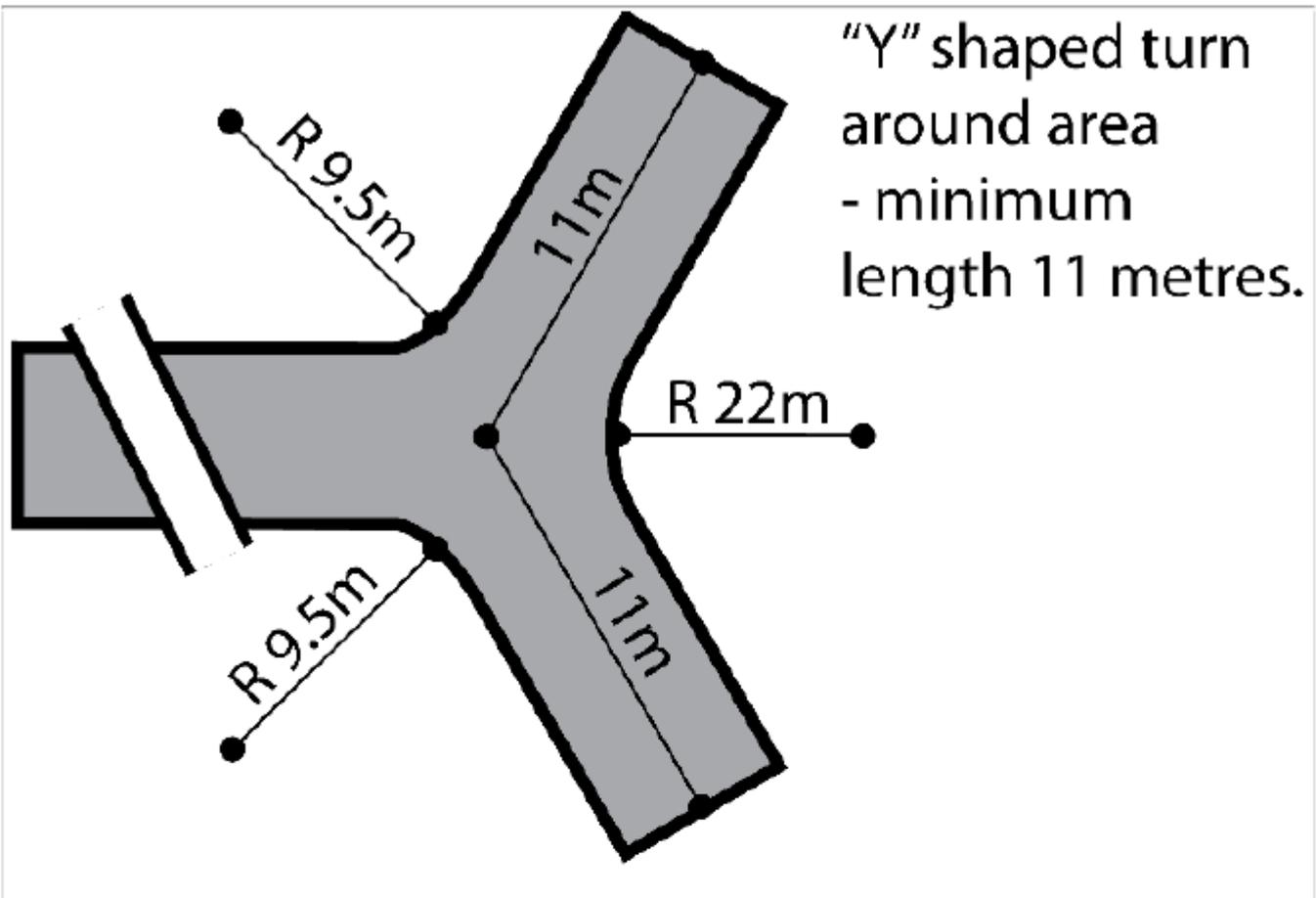
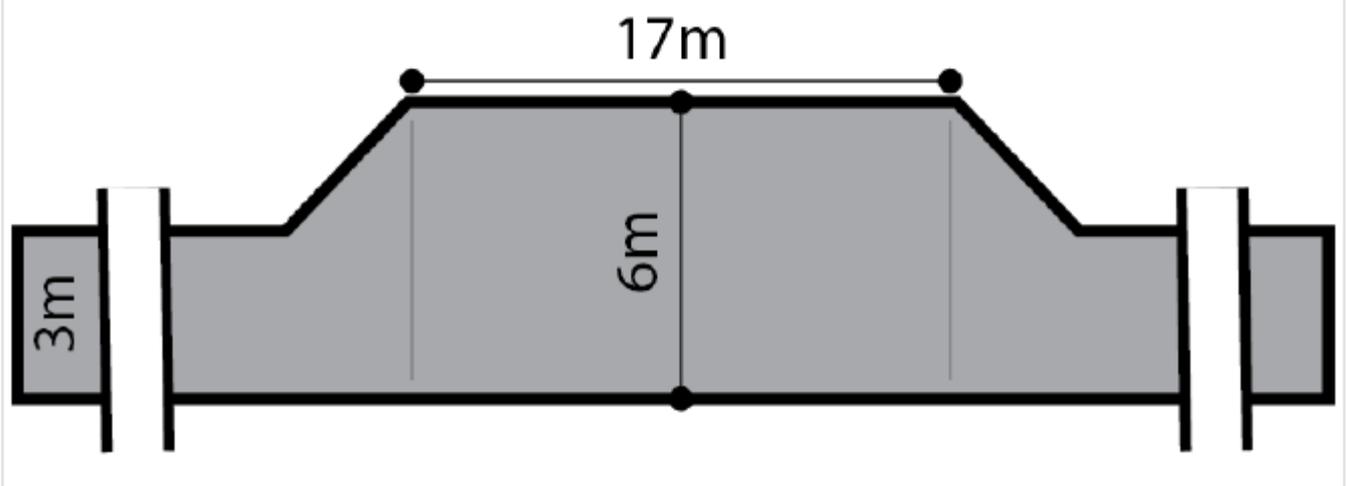


Figure 5 - Driveway Passing Bays

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	
<p>PO 1.1</p> <p>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.</p>	<p>DTS/DPF 1.1</p> <p>Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above:</p> <p>(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</p>
Environmental Protection	
<p>PO 2.1</p> <p>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.</p>	<p>DTS/DPF 2.1</p> <p>Development does not involve the storage of hazardous materials.</p>

Procedural Matters (PM) - Referrals

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

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

Key Outback and Rural Routes Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Safe and efficient movement of vehicle and freight traffic on Key Outback and Rural Routes.
DO 2	Provision of safe and efficient vehicular access to and from Key Outback and Rural 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>Access points:</p> <p>(a) are designed to accommodate the largest vehicles expected to access the site in accordance with all of the following:</p> <p>(i) the entry and exit movements:</p> <p style="margin-left: 20px;">A. are left turns only or B. will comprise no greater than 5 right turn vehicle entry movements per hour</p> <p>(ii) access to and from the site is in a forward direction, with on-site manoeuvring available through circulation around the site requiring no more than a 3-point turn</p> <p>(iii) vehicles can cross the property boundary at an angle between 70 and 90 degrees</p> <p>(iv) access to and from the site can occur wholly within the kerbside lane of the road</p> <p>(b) where the access point services or is intended to service a single dwelling, have a width of no more than 4m and no less than 3m (measured at the site boundary)</p> <p>(c) where the access point services or is intended to service development other than a single dwelling:</p> <p>(i) at least 6m (measured at the site boundary) where vehicles 12.5m or less in length are expected to access the site</p> <p>(ii) at least 8m (measured at the site boundary) where vehicles over 12.5m in length are expected to access the site</p> <p>(d) are located 10m or more from any roadside infrastructure or trees.</p>
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 are contained fully within the boundaries of the development site to minimise interruption of 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> <p>(a) It is expected to service vehicles no greater than 12.5m in length and there are no internal intersections, car parking spaces, car park isles or any internal obstructions within 20m of the access point (measured from the site boundary into the site)</p> <p>(b) It is expected to service a single dwelling and there are no internal driveway intersections, car parking spaces or gates within 6m of the access point</p>

	(measured from the site boundary into the site).
Access - Existing Access Points	
<p>PO 3.1</p> <p>Existing access points are designed to accommodate the type and volume of traffic likely to be generated by development.</p>	<p>DTS/DPF 3.1</p> <p>An existing access point satisfied (a) or (b):</p> <p>(a) It will not service, or is not intended to service, more than 6 dwellings</p> <p>(b) It will not service or is not intended to service:</p> <p>(i) an increase in traffic that is greater than 150% of the traffic volumes using the existing access prior to the development or 60 vehicles per day (whichever is the lesser)</p> <p>or</p> <p>(ii) a larger class of vehicle expected to access the site using the existing access.</p>
Access - Location (Spacing)	
<p>PO 4.1</p> <p>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.</p>	<p>DTS/DPF 4.1</p> <p>A new access point satisfies (a) or (b):</p> <p>(a) It is not located on a section of road affected by double barrier lines between either edge of the access point</p> <p>(b) It is at least the following distance from a public road junction or railway, or terminating / merging lane or another access point:</p> <p>(i) 110 km/h road - 325m</p> <p>(ii) 100 km/h road - 280m</p> <p>(iii) 90 km/h road - 240m</p> <p>(iv) 80 km/h road - 200m</p> <p>(v) 70 km/h road - 165m</p> <p>(vi) 60 km/h road - 135m</p> <p>(vii) 50km/h or less road - 105m.</p>
Access - Location (Sight Lines)	
<p>PO 5.1</p> <p>Access points are located and designed to accommodate sight lines that enable drivers to navigate potential conflict points with roads in a controlled and safe manner.</p>	<p>DTS/DPF 5.1</p> <p>Lines of sight to and from a new access point for drivers approaching and exiting the site of the development (measured at a height of 1.1m above the surface of the road) are unobstructed in accordance with the following distances:</p> <p>(a) 110 km/h road - 325m</p> <p>(b) 100 km/h road - 280m</p> <p>(c) 90 km/h road - 240m</p> <p>(d) 80 km/h road - 200m</p> <p>(e) 70 km/h road - 165m</p> <p>(f) 60 km/h road - 135m</p> <p>(g) 50km/h or less road - 105m.</p>
Access - Mud and Debris	
<p>PO 6.1</p> <p>Access points are constructed to minimise mud or other debris being carried or transferred onto roads to ensure safe road operating conditions.</p>	<p>DTS/DPF 6.1</p> <p>An access point satisfies (a), (b) or (c):</p> <p>(a) It intersects with an unsealed length of a State Maintained Road</p> <p>(b) It will service a single dwelling</p> <p>(c) It is spray sealed from the edge of the seal on the State Maintained Road for a minimum of 10m or to the property boundary (whichever is closer).</p>

Access - Stormwater	
<p>PO 7.1</p> <p>Access points are designed to minimise negative impact on roadside drainage of water.</p>	<p>DTS/DPF 7.1</p> <p>Development does not:</p> <p>(a) decrease the capacity of an existing drainage point</p> <p>(b) restrict or prevent the flow of stormwater to an existing drainage point and system.</p>
Public Road Junctions	
<p>PO 8.1</p> <p>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.</p>	<p>DTS/DPF 8.1</p> <p>Development does not comprise any of the following:</p> <p>(a) creating a new junction with a public road</p> <p>(b) opening an unmade public road junction</p> <p>(c) modifying an existing public road junction.</p>

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except where all of the relevant deemed-to-satisfy criteria are met, development (including the division of land) that involves any of the following to/on a State Maintained Road or within 25 metres of an intersection with any such road:</p> <p>(a) creation of a new access or junction</p> <p>(b) alterations to an existing access or public road junction (except where deemed to be minor in the opinion of the relevant authority)</p> <p>(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).</p>	Commissioner of Highways.	To provide expert technical assessment and direction to the 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.	Development of a class to which Schedule 9 clause 3 item 7 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
<p>PO 1.1</p> <p>Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.</p>	<p>DTS/DPF 1.1</p> <p>An application is accompanied by:</p> <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"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area <p>or</p> <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"> (a) significant wildlife habitat and movement corridors (b) rare, vulnerable or endangered plants species (c) native vegetation that is significant because it is located in an area which has been extensively cleared (d) native vegetation that is growing in, or in association with, a wetland environment. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Intensive animal husbandry and agricultural activities are sited, set back and designed to minimise impacts on native vegetation, including impacts on native vegetation in an adjacent State Significant Native Vegetation Area, from:</p>	<p>DTS/DPF 1.3</p> <p>Development within 500 metres of a boundary of a State Significant Native Vegetation Area does not involve any of the following:</p> <ul style="list-style-type: none"> (a) horticulture (b) intensive animal husbandry

<ul style="list-style-type: none"> (a) the spread of pest plants and phytophthora (b) the spread of non-indigenous plants species (c) excessive nutrient loading of the soil or loading arising from surface water runoff (d) soil compaction (e) chemical spray drift. 	<ul style="list-style-type: none"> (c) dairy (d) commercial forestry (e) aquaculture.
<p>PO 1.4</p> <p>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
Land division	
<p>PO 2.1</p> <p>Land division does not result in the fragmentation of land containing native vegetation, or necessitate the clearance of native vegetation, unless such clearance is considered minor, taking into account the location of allotment boundaries, access ways, fire breaks, boundary fencing and potential building siting or the like.</p>	<p>DTS/DPF 2.1</p> <p>Land division where:</p> <ul style="list-style-type: none"> (a) an application is accompanied by one of the following: <ul style="list-style-type: none"> (i) a declaration stating that none of the allotments in the proposed plan of division contain native vegetation under the <i>Native Vegetation Act 1991</i> (ii) a declaration stating that no native vegetation clearance under the <i>Native Vegetation Act 1991</i> will be required as a result of the division of land (iii) a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that establishes that the vegetation to be cleared is categorised as 'Level 1 clearance' or (b) an application for land division which is being considered concurrently with a proposal to develop each allotment which will satisfy, or would satisfy, the requirements of DTS/DPF 1.1, including any clearance that may occur or (c) the division is to support a Heritage Agreement under the <i>Native Vegetation Act 1991</i> or the <i>Heritage Places Act 1993</i>.

Procedural Matters (PM) - Referrals

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

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

Water 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 runoff to: (a) reduce the impacts on native aquatic ecosystems (b) minimise soil loss eroding into the watercourse.	DTS/DPF 1.5 A strip of land 20m or more wide measured from the top of existing banks on each side of the watercourse is free from development, livestock use and revegetated with locally indigenous vegetation.
PO 1.6	DTS/DPF 1.6

Development resulting in the depositing or placing of an object or solid material in a watercourse or lake occurs only where it involves any of the following: (a) the construction of an erosion control structure (b) devices or structures used to extract or regulate water flowing in a watercourse (c) devices used for scientific purposes (d) the rehabilitation of watercourses.	None are applicable.
PO 1.7 Watercourses, floodplains (1% AEP flood extent) and wetlands protected and enhanced by retaining and protecting existing native vegetation.	DTS/DPF 1.7 None are applicable.
PO 1.8 Watercourses, floodplains (1% AEP flood extent) and wetlands are protected and enhanced by stabilising watercourse banks and reducing sediments and nutrients entering the watercourse.	DTS/DPF 1.8 None are applicable.
PO 1.9 Dams, water tanks and diversion drains are located and constructed to maintain the quality and quantity of flows required to meet environmental and downstream needs.	DTS/DPF 1.9 None are applicable.

Procedural Matters (PM) - Referrals

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

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

ATTACHMENT C – PROPOSED CODE POLICY

Proposed Code Policy

Zone

- Strategic Employment Zone

Subzone

- Significant Industry Subzone

Overlays

- Gas and Liquid Petroleum Pipelines Overlay
- Gas and Liquid Petroleum Pipelines (Facilities) Overlay
- Hazards (Bushfire – Regional) Overlay
- Hazards (Flooding – Evidence Required) Overlay
- Key Outback and Rural Routes Overlay
- Native Vegetation Overlay
- Water Resources Overlay

Development Pathways

Strategic Employment Zone

1. Accepted Development

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

- Brush fence
- Building work on railway land
- Internal building work
- Partial demolition of a building or structure
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Temporary public service depot
- Water tank (above ground)
- Water tank (underground)

2. Code Assessed - Deemed to Satisfy

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

- Advertisement
- Replacement building
- Temporary accommodation in an area affected by bushfire.

3. Code Assessed - Performance Assessed

Performance Assessed development types listed below are those for which the Code identifies relevant policies. Additional development types that are not listed as Accepted, Deemed to Satisfy or Restricted default to a Performance assessed Pathway. Please contact your local council for more information.

- Advertisement

- Consulting room
- Demolition
- General industry
- Land division
- Light industry
- Office
- Outbuilding
- Retail fuel outlet
- Retaining wall
- Service trade premises
- Shop
- Store
- Telecommunications facility
- Tree-damaging activity
- Warehouse.

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.

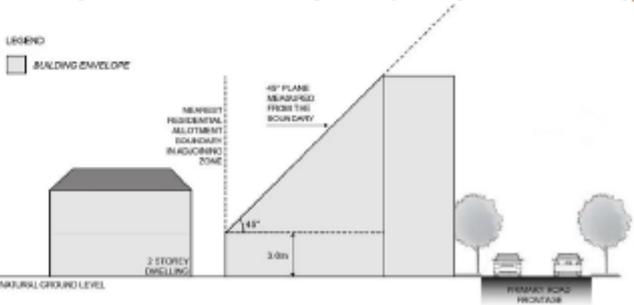
Strategic Employment Zone

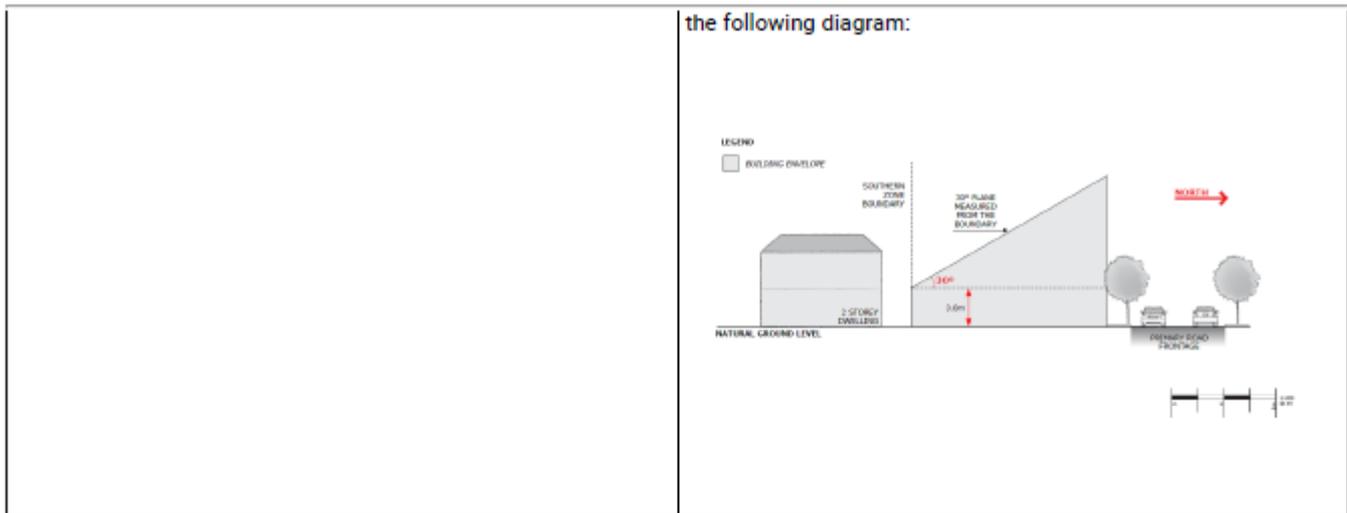
Assessment Provisions (AP)

Desired Outcome	
DO 1	A range of industrial, logistical, warehousing, storage, research and training land uses together with compatible business activities generating wealth and employment for the state.
DO 2	Employment-generating uses are arranged to: <ul style="list-style-type: none">(a) support the efficient movement of goods and materials on land in the vicinity of major transport infrastructure such as ports and intermodal freight facilities(b) maintain access to waterfront areas for uses that benefit from direct water access including harbour facilities, port related industry and warehousing, ship building and related support industries(c) create new and enhance existing business clusters(d) support opportunities for the convenient co-location of rural related industries and allied businesses that may detract from scenic rural landscapes(e) be compatible with its location and setting to manage adverse impacts on the amenity of land in adjacent zones.
DO 3	A pleasant visual amenity from adjacent arterial roads, adjoining zones and entrance ways to cities, towns and settlements.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>Development primarily for a range of higher-impacting land uses including general industry, warehouse, transport distribution and the like is supplemented by other compatible development so as not to unduly impede the use of land in other ownership in the zone for employment-generating land uses, particularly those parts of the zone unaffected by an interface with another zone that would be sensitive to impact-generating uses.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Advertisement (b) Automotive collision repair (c) Electricity substation (d) Energy generation facility (e) Energy storage facility (f) Fuel depot (g) General industry (h) Intermodal facility (i) Light Industry (j) Motor repair station (k) Public service depot (l) Rail marshalling yard (m) Renewable energy facility (other than a wind farm) (n) Retail fuel outlet (o) Service trade premises (p) Shop (q) Store (r) Telecommunications facility (s) Training facility (t) Warehouse
<p>PO 1.2</p> <p>Development on land adjacent to another zone which is used for residential purposes incorporates a range of low-impact, non-residential uses to mitigate adverse amenity and safety impacts on the adjoining zone.</p>	<p>DTS/DPF 1.2</p> <p>Development involving any of the following uses on a site adjacent land in another zone used for or expected to be primarily used for residential purposes:</p> <ul style="list-style-type: none"> (a) Bulky goods outlet (b) Consulting room (c) Indoor recreation facility (d) Light industry (e) Motor repair station (f) Office (g) Place of worship (h) Research facility
	<ul style="list-style-type: none"> (i) Service trade premises (j) Store (k) Training facility (l) Warehouse.

<p>PO 1.3</p> <p>Shops provide convenient day-to-day services and amenities to local businesses and workers, support the sale of products manufactured on-site and otherwise complement the role of Activity Centres.</p>	<p>DTS/DPF 1.3</p> <p>Shop where one of the following applies:</p> <ul style="list-style-type: none"> (a) with a gross leasable floor area up to 250m² (b) is a bulky goods outlet (c) is a restaurant (d) is ancillary to and located on the same allotment as an industry.
<p>PO 1.4</p> <p>Residential development is subordinate and necessary to support the efficient management, security and/or operational aspects of a non-residential land use.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
<p>PO 1.5</p> <p>Telecommunication facilities are located to mitigate impacts on visual amenity on residential areas.</p>	<p>DTS/DPF 1.5</p> <p>Telecommunications facility in the form of a monopole:</p> <ul style="list-style-type: none"> (a) up to a height of 30m (b) no closer than 50m to neighbourhood-type zone.
<p>PO 1.6</p> <p>Bulky good outlets and standalone shops are located to provide convenient access.</p>	<p>DTS/DPF 1.6</p> <p>Bulky goods outlets and standalone shops are located on sites with a frontage to a State Maintained Road.</p>
<p>Site Dimensions and Land Division</p>	
<p>PO 2.1</p> <p>Land division creates allotments of a size and shape suitable for a range of industrial, transport, warehouse and other similar or complementary land uses that support employment generation.</p>	<p>DTS/DPF 2.1</p> <p>Allotments:</p> <ul style="list-style-type: none"> (a) connected to an approved common waste water disposal service have and an area of 2500m² or more and a frontage width of 30m or more (b) that will require the disposal of waste water on-site have an area of 3000m² or more and a frontage width of 30m or more.
<p>Built Form and Character</p>	
<p>PO 3.1</p> <p>Development includes distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Building facades facing a boundary of a zone primarily intended to accommodate sensitive receivers, a public road, or public open space incorporate design elements to add visual interest by considering the following:</p> <ul style="list-style-type: none"> (a) using a variety of building finishes (b) avoiding elevations that consist solely of metal cladding 	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>

<p>(c) using materials with a low reflectivity</p> <p>(d) using techniques to add visual interest and reduce large expanses of blank walls including modulation and incorporation of offices and showrooms along elevations visible to a public road.</p>	
<p>PO 3.3</p> <p>Buildings are set back from the primary street boundary to contribute to a consistent streetscape.</p>	<p>DTS/DPF 3.3</p> <p>The building line of a building is no closer to the primary street frontage than:</p> <ul style="list-style-type: none"> (a) the average of existing buildings on adjoining sites with the same primary street frontage and, if there is only one such building, the setback of that building or (b) where no building exists on an adjoining site: <ul style="list-style-type: none"> (i) 8m or more for buildings up to 6m high (ii) not less than 10m for buildings greater than 6m high.
<p>PO 3.4</p> <p>Buildings are set back from secondary street boundaries to accommodate the provision of landscaping between buildings and the road to enhance the appearance of land and buildings when viewed from the street.</p>	<p>DTS/DPF 3.4</p> <p>Building walls are set back 4m or more from a secondary street boundary.</p>
<p>PO 3.5</p> <p>Buildings are sited to accommodate vehicle access to the rear of a site for deliveries, maintenance and emergency purposes.</p>	<p>DTS/DPF 3.5</p> <p>Building walls are set back 3m or more from at least one side boundary, unless an alternative means for vehicular access to the rear of the site is available.</p>
Interface Height	
<p>PO 4.1</p> <p>Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 4.1</p> <p>Buildings are constructed within a building envelope provided by a 45 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram (except where this boundary is a southern boundary or where this boundary is the primary street boundary):</p> 
<p>PO 4.2</p> <p>Buildings mitigate overshadowing of residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 4.2</p> <p>Buildings on sites with a southern boundary adjoining an allotment used for residential purposes within a neighbourhood-type zone are constructed within a building envelope provided by a 30 degree plane grading north measured from a height of 3m above natural ground level at the southern boundary, as shown in</p>



PO 4.3
Buildings on an allotment fronting a road that is not a State maintained road, and where land on the opposite side of the road is within a neighbourhood-type zone, provides an orderly transition to the built form scale envisaged in the adjacent zone to complement the streetscape character.

DTS/DPF 4.3
None are applicable.

Landscaping

PO 5.1
Landscaping is provided along public roads and thoroughfares and zone boundaries to enhance the visual appearance of development and soften the impact of large buildings when viewed from public spaces and adjacent land outside the zone.

DTS/DPF 5.1
Other than to accommodate 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, a landscaped area is provided within the development site (excluding any land required for road widening purposes):

- (a) where a building is set back less than 3m from the street boundary - within the area remaining between a relevant building and the street boundary
or
- (b) in accordance with the following:

Minimum width	Description
8m	Along any boundary with the Open Space Zone associated with the River Torrens.
5m	Along any boundary with a Highway, Freeway or Expressway.
5m	Along and boundary on the perimeter of the zone not fronting a public road or thoroughfare except where the adjacent zone is one of the following: <ul style="list-style-type: none"> (a) Employment (Bulk Handling) Zone; (b) Commercial and

		Business Zone; (c) Resource Extraction Zone.
	3m	Along the any boundary on the perimeter of the zone that fronts a public road or thoroughfare.
	3m	Along an arterial or main road frontage within the zone (and not on the perimeter of the zone).
PO 5.2 Development incorporates areas for landscaping to enhance the overall amenity of the site and locality.	DTS/DPF 5.2 Landscape areas comprise: (a) not less than 10 percent of the site (b) a dimension of at least 1.5m.	
PO 5.3 Landscape areas incorporate a range of plant species of varying heights at maturity, including tree species with a canopy above clear stems, to complement the scale of relevant buildings.	DTS/DPF 5.3 None are applicable.	
Fencing		
PO 6.1 Fencing exceeding 2.1m in height is integrated and designed to complement the appearance of land and buildings and does not form a dominant visual feature from adjacent streets to enhance the character of employment areas.	DTS/DPF 6.1 Fencing exceeding 2.1m in height is: (a) located behind a façade of an associated building located on the same site or (b) located behind a landscaped area along relevant street frontages or (c) consists of visually permeable materials with landscaping behind.	
Advertisements		
PO 7.1 Freestanding advertisements do not create a visually dominant element within the locality.	DTS/DPF 7.1 Freestanding advertisements: (a) do not exceed 6m in height (b) do not have a sign face exceeding 8m ² per side.	

Concept Plans	
<p>PO 8.1</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 8.1</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 8.1, in instances where:</p> <ul style="list-style-type: none"> (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to
	<p>determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant.</p> <ul style="list-style-type: none"> (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 8.1 is met.

Table 4 - Restricted Development Classification

The following table identifies Classes of Development that are classified as Restricted subject to any 'Exclusions'.

Class of Development	Exclusions
<u>Special industry</u>	Any of the following: (a) located in the Gillman Subzone (b) located in the National Naval Shipbuilding Subzone (c) located in the Significant <u>Industry</u> Subzone
<u>Shop</u>	Any of the following: (a) <u>shop</u> with a <u>gross leasable floor area</u> less than 1000m ² (b) <u>shop</u> that is a <u>bulky goods outlet</u> (c) <u>shop</u> that is a <u>restaurant</u> (d) <u>shop</u> that is ancillary to an <u>industry</u> on the same allotment.

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

Class of Development (Column A)	Exceptions (Column B)
1. A kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) advertisement (b) air handling unit, air conditioning system or exhaust fan (c) building work on railway land (d) carport (e) fence (f) outbuilding (g) retaining wall (h) shade sail (i) solar photovoltaic panels (roof mounted) (j) telecommunications facility (k) temporary public service depot (l) verandah (m) water tank. 	Except development that does not satisfy any of the following: <ul style="list-style-type: none"> 1. Strategic Employment Zone DTS/DPF 4.1 2. Strategic Employment Zone DTS/DPF 4.2.
3. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) consulting room (b) general industry (c) light industry (d) office (e) motor repair station (f) retail fuel outlet (g) store (h) warehouse. 	Except where the site of the development is adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone.

<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) internal building works (b) land division (c) replacement building (d) temporary accommodation in an area affected by bushfire (e) tree damaging activity. 	<p>None specified.</p>
<p>5. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
<p>6. Shop.</p>	<p>Except:</p> <ul style="list-style-type: none"> 1. where the site of the shop is adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone or 2. shop that does not satisfy Strategic Employment Zone DTS/DPF 1.3.
<p>7. Telecommunications facility.</p>	<p>Except telecommunications facility that does not satisfy Strategic Employment Zone DTS/DPF 1.5.</p>

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Significant Industry Subzone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Major special industrial activities requiring large areas of land to manage interfaces with sensitive land uses and the environment that are of significance to the state and regional economy.

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 Development primarily for large scale, high impact special industry uses located on large areas of land to manage impacts on sensitive land uses and the environment.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development does not occur that would prejudice special industry or the processing and storage of chemicals and minerals.	DTS/DPF 1.2 None are applicable.
Siting and Interfaces	
PO 2.1 Substantial visual and acoustic buffers are maintained between development and sensitive land uses.	DTS/DPF 2.1 None are applicable.
PO 2.2 Treatment or depositing of hazardous waste materials does not occur in proximity to residential development located in an adjacent zone.	DTS/DPF 2.2 None are applicable.
PO 2.3 Development is sited and designed to protect areas of heritage or cultural significance.	DTS/DPF 2.3 None are applicable.

Environmental Management	
PO 3.1	DTS/DPF 3.1
Development does not produce emissions that would harm human health or the environment.	None are applicable.
PO 3.2	DTS/DPF 3.2
Development designed and sited to mitigate impacts upon the terrestrial and marine environment in the locality and areas of conservation significance.	None are applicable.
PO 3.3	DTS/DPF 3.3
Development and operations designed and sited to avoid discharge of liquid or solid waste from the site or from entering the natural drainage system.	None are applicable.
Hazard Risk Minimisation	
PO 4.1	DTS/DPF 4.1
<p>Areas for the storage and handling of hazardous material are bunded to:</p> <p>(a) contain spillages and leaks of liquids used, stored or processed on the site of the development</p> <p>(b) exclude the entry of external surface stormwater runoff that may pose a risk of pollution to the surrounding environment.</p>	None are applicable.
PO 4.2	DTS/DPF 4.2
Adequate separation provided between development and buildings to mitigate on-site impacts in the event of an industrial accident.	None are applicable.
PO 4.3	DTS/DPF 4.3
Development is protected against sea flood risk and sea level rise.	None are applicable.

ATTACHMENT D – STRATEGIC PLANNING OUTCOMES

Strategic Planning Outcomes

1. State Planning Policies

The State Planning Policies (SPPs) require that the Principles of Good Planning are considered in the preparation of any designated instrument, including a Code Amendment.

SPP Key Principles

There are 16 SPPs that include Objectives, Policies and Principles for Statutory Instruments (including the Planning and Design Code). The most critical SPPs in the context of this Code Amendment are:

Employment Lands

Objective: To provide sufficient land supply for employment generating uses that supports economic growth and productivity.

SPP 9.1 Support the expansion and clustering of key economic growth areas including health; education; tourism; energy and resources; primary industry; defence; and knowledge and creative industries.

SPP 9.6 Protect prime industrial land for employment use where it provides connectivity to freight networks; enables a critical mass or cluster of activity; has the potential for expansion; is connected to skilled labour; is well serviced; and is not constrained by abutting land uses.

Mineral and Energy Resources

Objective: To protect key resources that contribute to our state's economy and provide valued employment opportunities.

SPP 10.1 Plan for and encourage the development of energy resources, energy resources operations and associated infrastructure to ensure their ongoing safe and efficient operation.

SPP 10.5 Promote decision making that maximises the long term benefits of different land uses to the economy, communities and the environment.

Code Amendment

Outcome:

The proposed Code Amendment will facilitate the expansion of the industrial activities facilities at Port Bonython to enable the development of a range of strategic hydrogen and renewable energy processing and distribution facilities that will service the State. The affected area has been strategically 'land-banked' by the Government for future industrial development purposes. Adjoining land has been developed by Santos for processing and distribution facilities, and includes jetty infrastructure. The rezoning will provide significant opportunity to expand the capacity of the area for a range of industrial activities, particularly associated with hydrocarbons, and redevelopment of the existing jetty facilities to enable development of a critical industrial activity cluster.

The Amendment will support (renewable) energy resources and processing, to the benefit of the regional and State economy. The size of the affected area will enable significant expansion of the adjacent industrial precinct and allow a variety of industrial activities to occur without encroachment on each other or adjacent sensitive land uses.

Existing infrastructure, including access to deep water, the deep sea jetty and other infrastructure, is particularly suited to the resources sector-related development site.

2. Regional Plans

The Regional Plan

The key policies and targets of The Eyre and Western Region Plan which are most relevant to this Code Amendment are Principle 4, Principle 6 and Principle 9.

The investigations undertaken to date, and outlined in this Code Amendment, will ensure that the proposed rezoning is largely consistent with the key policies and targets of the Regional Plan as described below.

The Eyre and Western Region Plan:

Principle 4: Protect and build on the region's strategic infrastructure—

- **Policy 4.5:** Cluster freight-dependent industries in strategic locations, particularly at key transport nodes (ports, rail, road junctions), to optimise use of existing and planned infrastructure and maximise transport efficiencies.

Principle 6: Strengthen the economic potential of the region's mineral and energy resources—

- **Policy 6.2:** Establish and maintain appropriate buffer distances between mining (and energy) operations and other land use activities.
- **Policy 6.3:** Encourage mining (and energy) operations to provide infrastructure and sustainable supplies of power and water and use these facilities to support the surrounding communities and environment.

Principle 9: Provide and protect industrial land to meet projected demand –

- **Policy 9.1:** Provide, maintain and protect a supply of well-sited and serviced industrial land in Whyalla, Port Lincoln, Ceduna, Tumby Bay, Cowell, Cummins, Cleve and Wudinna.

Code Amendment:

Outcome:

The proposed Amendment will enable the growth of an industrial precinct which is supported by road, pipeline and marine transport infrastructure and to support the development of additional industries that can utilise or expand on these facilities and

maximise efficiencies. This will assist in achieving the highest and best long term use of the affected area, given its access to deep water and other existing infrastructure.

The size of the affected area will enable the development of a range of industrial and supporting activities with appropriate separation distances between adjoining land uses. The remote nature of the area will require industrial developers to fund and develop infrastructure and resources to support their activities, preferably on a collaborative basis.

The affected area is approximately 35 kilometres from Whyalla and within the Iron Triangle, an area of focus for mining and energy development. The land has been 'land-banked' for some time with the intention of development to support the mining and energy industry.

ATTACHMENT E – INVESTIGATIONS

Please refer to Arup report (separate attachment).