

His Worship the Mayor  
Councillors  
City of Marion

## **Notice of Planning and Development Committee**

Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt

**Tuesday, 10 October 2023 at 5.30 pm**

The CEO hereby gives Notice pursuant to the provisions under Section 83 of the *Local Government Act 1999* that a Planning and Development Committee will be held.

A copy of the Agenda for this meeting is attached in accordance with Section 83 of the Act.

Meetings of the Council are open to the public and interested members of this community are welcome to attend. Access to the Council Chamber is via the main entrance to the Administration Centre on Sturt Road, Sturt.



Tony Harrison  
Chief Executive Officer

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**1 Open Meeting****2 Kurna Acknowledgement**

We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

**3 Elected Member Declaration of Interest (if any)****4 Confirmation of Minutes****4.1 Confirmation of Minutes of the Planning and Development Committee Meeting held on 1 August 2023**

<b>Report Reference</b>	PDC231010R4.1
<b>Originating Officer</b>	Business Support Officer - Governance and Council Support – Cassidy Mitchell
<b>Corporate Manager</b>	Manager Office of the Chief Executive – Kate McKenzie
<b>General Manager</b>	Chief Executive Officer – Tony Harrison

**RECOMMENDATION**

That the minutes of the Planning and Development Committee Meeting held on 1 August 2023 be taken as read and confirmed.

**ATTACHMENTS**

1. PD C 230801 - Final Public Minutes [4.1.1 - 12 pages]



**Minutes of the Planning and Development Committee  
held on Tuesday, 1 August 2023 at 5.30 pm  
Council Chamber, Council Administration Centre  
245 Sturt Road, Sturt**





**PRESENT**

His Worship the Mayor Kris Hanna  
Councillor Nathan Prior (Chair)  
Councillor Renuka Lama (from 6:33pm)

**In Attendance**

Councillor Jayne Hoffmann  
Councillor Jason Veliskou  
Councillor Joseph Masika  
Councillor Matthew Taylor  
Chief Executive Officer – Tony Harrison  
General Manager City Development – Tony Lines  
Manager Development & Regulatory Services – Warwick Deller-Coombs  
Manager Engineering, Assets and Environment – Mathew Allen  
Team Leader – Planning / City of Marion Assessment Manager – Alex Wright  
Senior Strategic and Policy Planner – David Barone  
Executive Officer to the General Manager City Development – Mina Caruso  
Delivery Manager Tram Grade Separation Projects, Department of Infrastructure and Transport – Neil Welsh  
Manager Engagement, Department of Infrastructure and Transport – Lisa Jeffery

**1 Open Meeting**

The Chair opened the meeting at 5.33pm.

**2 Kurna Acknowledgement**

We acknowledge the Kurna people, the traditional custodians of this land and pay our respects to their elders past and present.

**3 Elected Member Declaration of Interest (if any)**

The Chair asked if any member wished to disclose an interest in relation to any item being considered at the meeting.

Nil interests were disclosed.

The Chair sought and was granted leave of the meeting to vary the order of the agenda and consider the Cross/Marion Road Tram Grade Separation Project (PDC230801R6.1) item next on the agenda.

**6 Workshop / Presentation Items**



## 6.1 Cross/Marion Road Tram Upgrade Separation Project Upgrade

Report Reference

PDC230801R6.1

Councillor Prior introduced Mr Neil Welsh, the Delivery Manager for the Tram Grade Separation Projects (DIT) and Ms Lisa Jeffery, the Manager Engagement for the Department of Infrastructure and Transport and invited them as well Matthew Allen the Manager Engineering, Assets and Environment to speak.

Mr Welsh provided a presentation updating the Committee on the Tram Grade Separation Projects.

The following was noted during the presentation:

### Tram Grade Separation Projects

- The Australian and SA governments have jointly (50:50) funded \$400 million to remove the two-level crossings where the Glenelg tram line crosses Marion Road and Cross Road, Plympton.
- The joint funding also includes planning work to investigate the potential removal of the Morphett Road, Morphettville level crossing.
- Construction is being planned and could be completed concurrently with the other two locations if funding is secured within the necessary timeframe.
- The existing tram overpass at South Road, Glandore will also be re-built to support delivery of T2D. This is being funded as part of the \$850M T2D broader network upgrades.
- These works will all be delivered as part of the Tram Grade Separation Projects.

### The Problem

- Approximately 50,000 vehicles pass through the Marion Road and Cross Road crossings each day.
- During morning and afternoon peak around 30 trams pass through the level crossing, resulting in the boom gates being down for up to 20 minutes each hour.
- Motorists currently experience congestion and variable travel times, particularly during these busy peak periods.
- Congestion at these crossings causes significant delays, increased traffic through local streets, an increase in potential accidents as drivers take more risks and delays for public transport users.
- Currently pedestrians and cyclists must navigate multiple tram crossings in order to access public transport services, local businesses and community services.

### The Solution

- Planning started in 2018. It included technical investigations and early community engagement.
- Following extensive investigation work; including solutions that predominately focused on the road and rail network, as well as hybrid solutions that combine these two elements, an overpass has been determined as the best solution to remove the level crossings at Marion Road and Cross Road.
  - A rail bridge structure is to be erected across the top of Marion Road, elevated to the back of the Rawsons area, across Cross Road, and back to ground level on the Glenelg side of Cross Road.
- Compared to an underpass, this approach will:
  - have the shortest construction time, minimising disruption to locals, as well as road and public transport users, during construction
  - significantly reduce the number of properties needing to be acquired
  - improve connection and safety between the suburbs either side of the tram line
  - provide new public open space under the tram line – as a result, the community will have access to a substantial amount of new usable space

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- be able to be delivered within the approved budget (an underpass cannot be delivered within the approved budget).

Several artist impressions on what DIT are intending to deliver were displayed. These have been available on the DIT website since 6 April 2023. Community engagement commenced around the same time.

The following locations were covered in the presentation and the following discussion points were noted:

- View from Marion Road, Plympton looking south.
  - Tram line forms the Northern boundary of the CoM where the tram line currently crosses Marion Road and the potential location of the new tram stop is between Marion Road and Cross Road.
  - Regardless of the location of the tram stop, lifts and stairs will provide access from either side of Marion Road to the top of the structure, allowing persons direct access to and from the tram.
  - Noting these images have been drawn from a reference design and not a final resolved design.
  - From a height and a form of structure perspective, the road clearance height must be at least 6 metres from the roadway to the bottom of the bridge.
- View from Marion Road at Glengyle Terrace, Plympton looking south.
  - The Rawson's compound is concealed behind the structure and the tram line.
  - The new open community space and free-flow connections are beneath the tram line.
  - Ground-level imagery of the new urban space merely depicts a generic use of the area. More work must be done with the community, asset owners, and council to determine how this space will be used now and in the future.
  - At this point in time the open community space remains as state land.
  - There will be opportunities for Council to discuss how best to use the space and how it might support community events such as mobile food vendors and markets.
  - The community engagement has resulted in very polarised opinions. Some want it to be a heavily activated area while others want it to be a 'dead space'. There is still a substantial amount of work to be done to determine the right intervention for this location.
- View from Cross Road, Plympton looking west.
  - A new pedestrian crossing is proposed on Cross Road to provide a connection to the school located on the northern side of the roadway. Local residents require safe passage through this location, it is important that pedestrian lights be placed somewhere in this vicinity.
  - It was noted that the pedestrian lights may not end up where indicated on the image.
  - The Mayor questioned why put in a traffic stop where one has just been removed?
    - Because it is safe and necessary, and the addition of the Mike Turtur Bikeway and shared use path alongside tram tracks to the overpass will eliminate a significant portion of the crossing's current use thereby reducing the number of pedestrians who may cause traffic disruption.
    - The CEO added that keeping vehicle traffic moving is paramount for a project like this and it appears to be counterproductive to spend all of this money to stop the barrier of a tram line across Marion Road and Cross Road, only to put in place another barrier in the form of a pedestrian crossing, which will slow vehicle movement north and south along Marion Road.
    - DIT will take on this feedback and is receptive to commentary from council regarding road impact versus people movement. As the project progresses, there will be plenty of opportunities for council involvement.



- A mid-block pedestrian crossing somewhere between Cross Road and Anzac Highway is being considered. People may be forced to cross Marion Road without a safe crossing if a mid-block pedestrian crossing is not provided.
- This project is being carried out without causing any significant adverse impact to residential properties within the area.
- DIT is acquiring some properties on the northern edge of the tram line (on the end of Glengyle Terrace), the majority of which are SA Housing properties and more than likely they will be returned to SA Housing at the conclusion of the project for further redevelopment.
- In addition, residential and commercial properties have been acquired as a result of the intersection works to be done at Cross/Marion and Anzac/Marion Roads.
- In preparation for the delivery of this project, residential properties were acquired off open market, taking advantage of the opportunity to purchase them while they were on sale.
- Community and Stakeholder feedback will play an important role in informing the detailed design of the new public open spaces, visual screening, public art and landscaping that will be a major feature of the work.
- This will ensure the upgrades not only address the existing issues, but also create a welcoming and usable environment for the community to enjoy.
  - Initial consultation on the key urban design elements commenced on Thursday, 6 April 2023 and closed on Friday, 19 May 2023.
  - During the consultation period, information about the project and key urban design elements were shared with 2,360 recipients via email and letter box drops. Social media reached over 30,270 recipients with 3,128 interactions on one post alone. Social post (>3000 interactions) was the advertisement/invite to the community information sessions.
  - The project team spoke with more than 170 stakeholders across the two drop-in sessions and through door knocking in the local community and received a further 96 online survey responses.
  - Throughout the consultation period sentiment towards the project was largely positive, with the local insights received now being used to help inform further planning and design elements of the project.
  - Feedback has helped to better understand what is important to the local community.
- DIT will engage with Council to make well-informed decisions regarding the local road network and arterial roadways.
- Common themes raised by the community during consultation included: (themes are listed in volume order, with the most talked about at the top)
  - urban design – shared use paths, landscaping to improve the area, buffer screen planting, waste recycling bins, seating/rest areas
  - improving local road access
  - pedestrian and cyclist access /facilities
  - an increase to on street parking
  - increased parking facilities for tram users
  - minimising impacts to existing vegetation
  - access to public transport during and after construction
  - construction impacts, what will they be and how will they be managed
  - ongoing impacts of private developments in the area
  - security around the overpass and privacy of properties upon completion
- It was noted that an increase to on street parking was met with an equal number of people (verbal) expressing opposition.
  - It was suggested that the 'dead space' could be used to construct car parks similar to Oaklands Station, which would remove cars from the streets, an initiative that is usually popular with residents. This suggestion will be considered by DIT.



### Next Steps

- Respond to community with a “what we heard” summary.
- Intersection upgrade details to be released in the next couple of weeks.
- Further information sessions.
- DIT will be forming a Community Placemaking Reference Group for community representatives to provide guidance to the project team during the design phase of the Marion Road and Cross Road overpass project.
  - The group is expected to be fully operational by the end of this year. A call for EOI has already been issued, and some responses have been received.
  - The focus will be ‘what happens’ inside the newly created ground space area, it is not intended to be a construction related focus group.

### Construction

- DIT are currently in a Request for Proposal (RFP) period with two design and construction delivery consortiums. They expect to make a recommendation to the Government by the end of this year / early next year to award an alliance contract to one of these two companies and commence design.
- To fast-track construction and reduce impacts on local residents, businesses, road and public transport users, closing the tram line is the best option. It is estimated the tram line will likely close for between 6 and 9 months. Substitute buses will be in place during this time.
- This will allow the overpasses to all be constructed at the same time.
- This will significantly reduce the overall construction time (by up to 6 months) and reduce impacts that would otherwise be required if these projects were constructed separately.
- Building an elevated tram line allows major sections to be built off-site and craned into place, reducing construction impacts and timelines.
- Construction is planned to start in mid-2024 and be complete by the end of 2025.

Further questions/discussion from the Committee included:

- What kind of noise level should residents expect after the new project is finished?
  - Vehicle traffic, tram throughput, and boom gate ‘gongs’ are the primary noise sources at the intersection of Marion and Cross Road. Removing ‘gongs’ and start-and-stop traffic, will reduce area noise and environmental impact. Also with proper modelling and design, the elevated structure (with barriers and screening) can hold noise inside of the tram corridor.
  - Rail and infrastructure projects must comply with EPA guidelines, which is easy to do because trams are inherently quiet.
  - DIT are expecting a significant net benefit in noise reduction.

### ACTION

**The Mayor requested that a pedestrian count be carried out at the three signalised crossings – Cross Road, Marion Road, and Anzac Highway.**

- DIT have acquired the following properties on the corner of Marion and Cross Road to assist with the upgrade.
  1. Caltex Petrol Station – DIT initiated acquisition.
  2. Acupuncture location – DIT acquired on open market.
  3. Property north of the Acupuncture location – DIT acquired on open market.
- DIT will release the concept plans for the Marion/Cross and Marion/Anzac Intersections to council in the next couple of weeks.
- As a result of the changes taking place, there is an opportunity to reconfigure/block off suburban streets that are used to “cut through” suburbs that lead to main roads e.g. between



Cross Road and Anzac Highway are two west-bound inner-suburban streets that lead to Marion Road. Has any thought gone into this sort of configuration?

- DIT acknowledges that this project presents an opportunity for change but has not yet made these types of decisions as further engagement with key stakeholders and the community about what these local routes might look like would be needed.
- Has the State Government given any opportunity to try to force whoever is awarded the tender to condense the timeframe on site and increase the hours of operation without significantly inconveniencing the residents?
  - By closing the tram line, DIT is working with the potential delivery partners to optimise the time available to work unhindered by trams within the tram network, thereby reducing the overall duration of construction.
  - In order to find the optimal balance, a variety of options to expedite delivery while maintaining balance are being considered for this project, with the community being the top priority. DIT will work with the potential delivery partners in this space.

It was noted that DIT will take some of these questions e.g. local traffic management to community.

- In terms of the new improved overpass and the removal of the crossing what is the benefit in travel times for Marion Road through traffic?

#### **ACTION**

**DIT will provide this information to Council as part of the traffic impacts and local traffic management.**

- Concerns have been raised regarding the construction's potential to entice crime to the area. Has this been considered?
  - Safety impact is absolutely considered, such as preventing crime through environmental design variables like paths, lighting, and space utilisation in order to influence the behaviours that occur.
  - DIT are also working with SAPOL on crime history in the areas impacted and what is driving those behaviours.
- Council Members are welcome to join the Community Placemaking Reference Group.
- Tram Stop 9 and Tram Stop 11 will remain in their current locations and while the tram line is closed DIT will take the opportunity to upgrade and tidy up the existing tram stops.

The Planning and Development Committee thanked Mr Neil Welsh and Ms Lisa Jeffrey for their presentation and their time.

6:37pm The Mayor left the meeting and did not return.

#### **4 Confirmation of Minutes**

##### **4.1 Confirmation of Minutes of the Planning and Development Committee Meeting held on 2 May 2023**

**Report Reference** PDC230801R4.1

**Moved Councillor Lama**

**Seconded Councillor Prior**

That the minutes of the Planning and Development Committee Meeting held on 2 May 2023 be taken as read and confirmed.

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Carried Unanimously

## 5 Business Arising

### 5.1 Business Arising Statement - Action Items

Report Reference PDC230801R5.1

The Committee noted the business arising statement, meeting schedule and upcoming items.

## 8 Reports for Discussion

### 8.1 Code Amendments Update

Report Reference PDC230801R8.1

The new Senior Strategic and Policy Planner Mr David Barone was introduced and welcomed by the Planning and Development Committee. This is his first meeting.

The Manager Development and Regulatory Services provided a brief update on recent and active Code Amendments (both Council initiated and privately initiated).

The report was taken as read and the following discussion points were noted:

#### ***Horse Related Activities Code Amendment***

- Report with Draft Amendment to be presented to General Council 22 August 2023 meeting, based on the prior discussion held within this Committee. Refer to summary map in Attachment 1 for more information.

#### ***Southern Suburbs Residential Policy Code Amendment***

- The Manager Development and Regulatory Services and the Senior Strategic and Policy Planner met with the Southern and Coastal Ward Members to update them on the status of the amendment and the planned engagement due to commence in a couple of weeks.
- In reviewing this policy, the Senior Strategic and Policy Planner made some minor wording and editing changes to the Code Amendment that council approved to make it simpler to understand.
- Staff are proposing to add an overlay to the Southern Suburbs Residential Policy Code Amendment titled the: *Noise and Air Emissions Overlay*.
  - Main arterial roads in the Southern Suburbs would be affected (Ocean Boulevard / Lonsdale Road and Main South Road).
  - In summary, properties on such roadways must adhere to Ministerial Building Standard 010 in the Building Consent Assessment. Those properties will need to satisfy that standard, they will require essential amenities e.g. thicker insulation or thicker window glazing for properties facing the road.
- It is recommended that Council include the Noise and Air Emissions Overlay to the Southern Suburbs Residential Policy Code Amendment (to apply to Main South Road and Ocean Boulevard/Lonsdale Highway) for consultation. See Recommendation 3.

#### ***Centre Zones Code Amendment***

- Report with Draft Amendment to be presented to General Council 22 August 2023 meeting.

#### ***Marion Road Code Amendment***

- This amendment is on hold because:

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- Major traffic and planning studies on Cross Road and Marion Road continue.
- The State Government is preparing to produce a discussion paper on the 30-Year Plan for Greater Adelaide, which will provide additional regional contexts for how the state expects planning to occur.
- The new Senior Strategic and Policy Planner will review the above and determine next steps and present at the 10 October 2023 PDC meeting.

### **Privately Initiated Code Amendments**

#### ***Lots 51 and 52 Morphett Road Glengowrie (SAJC)***

- The Amendment has completed engagement and is with the Minister for Planning for a decision.

#### ***Bedford Park (Lot 707) (Bunnings Properties Pty Ltd)***

- The Code Amendment (Lot 707) proposal has not progressed since the last PDC meeting.
- A request has been made to Bunnings to facilitate the restriction of uses on the site (e.g. to exclude the future use of the site for a retail fuel outlet). This has been agreed to in principle and the details of the legal mechanism to facilitate this will now be worked out.

### **Moved Councillor Lama**

### **Seconded Councillor Prior**

That the Planning and Development Committee:

1. Notes the report.
2. Notes the intended progression of the Horse Related Activities Code Amendment and Centre Zones Code Amendment to the GC Meeting on 22 August 2023.
3. Recommend Council to include the Noise and Air Emissions Overlay to the Southern Suburbs Residential Policy Code Amendment (to apply to Main South Road and Ocean Boulevard/Lonsdale Highway) for consultation.

**Carried Unanimously**

## **9 Reports for Noting**

### **9.1 Development Services Activities Update**

**Report Reference** PDC230801R9.1

The following discussion points were noted:

- At the last PDC meeting the Committee was advised that staff would provide an updated and improved set of statistical data for the development operations. Questions relating to the updated report were welcomed.
- Workload trends (peaks and lows) were noted. How are staff resources going?
  - The Senior Planner resigned yesterday. The next couple of months may be challenging for staff.
- There is a minor downward trend in the number of applications, providing staff the opportunity to spend more time focusing on the specifics of their application assessments resulting in an even better outcome for the community and less applications enables staff to spend time on other departmental activities.
  - It was noted that this meeting does not reflect July figures as applications have gone up in July.





- Management reiterated that the report reflects that workloads have remained high across a broad number of sections within the department including the level of complexity.
- A proposal for a staff realignment of Development and Regulatory resources has been made; consultation has concluded, but the proposal has not yet been confirmed. Once complete, Council will be notified.
- The report was well-received by the Committee and the resources realignment was deemed a positive move.

**Moved Councillor Lama**

**Seconded Councillor Prior**

That the Planning and Development Committee:

1. Notes the report.

**Carried Unanimously**

## 9.2 Land Development Projects Update

**Report Reference** PDC230801R9.2

The following discussion points were noted:

- Oaklands Green – the developer recently lodged all 48 dwellings for the first two stages. The dwellings were ‘Accepted Developments’ and were reviewed by a planning officer to ensure compliance with planning requirements.
  - Due to issues with the Building Envelope Plan legislation, separate applications for 34 detached carports must undergo a “Performance Assessment”.
  - In the coming week, all dwelling and carports applications will have received planning approval.
  - The developer intends to obtain building approval by the end of next month so that development can commence in the next 2 to 3 months, depending on their timeframes.
- Dover Gardens (100 Folkstone Road) – the application for residential land division was submitted in May 2023. The application has not yet been formally lodged or assessed as it is pending required information.
  - In the interim, 13 Regulated Trees have been removed from this site without Council's approval. Council is currently working on their investigation and gathering evidence; this information will be provided to Council solicitors this week.
- Morphetville Racecourse (Morphettville) – there is much community interest in this project.
  - Staff will meet with developers this week to provide an update on the community consultations held on 20 and 22 July 2023. Consultation summaries will be provided to council soon.
  - Council staff are well aware of both residents' and council members' interest in the potential future of adjacent council lands.
  - Villawood have submitted a Land Division application for the project (10 July 2023). The application is currently being processed.
    - Staff will have the authority to negotiate open space access arrangements. Council will not accept unusable open space.
    - CoM will continue to work with the developer to agree on open space allocations and best solutions for access and stormwater.



- The developer's initial design was deemed inadequate, and management advised them to reprise certain features.
- Seacliff Village – the developer will present an update to Council at the Forum on 8 August 2023.
- Cove Point – The development is still on hold pending open space and stormwater considerations.
  - Staff confirmed the development site boundary is within the CoM.
- Former Hill Industries (Edwardstown) – given that the state government is now interested in this site, does this item need to remain on the list?
  - The state government has an interest but not a whole of site interest.
  - This site is still of strategic importance, so it will remain on the list, but it is unlikely to receive a routine update.

**Moved Councillor Lama**

**Seconded Councillor Prior**

That the Planning and Development Committee:

1. Notes the report.

**Carried Unanimously**

The Chair sought and was granted leave of the meeting to vary the order of the agenda and consider the Confidential Business Arising Statement – Action Items (PDC230801F7.1) item next on the agenda.

## 7 Confidential Items

### 7.1 Cover Report - Confidential Business Arising Statement – Action Items

Report Reference	PDC230801F7.1
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**Moved Councillor Lama**

**Seconded Councillor Prior**

That the Planning and Development Committee:

1. Note the Business Arising Statement.
2. Note that a report will be brought to the December 2023 PDC Committee Meeting with a status update on the Confidential Item – Lot 707 Marion Road, Bedford Park and that the Action be closed out on the Business Arising Statement.
3. In accordance with Section 91(7) and (9) of the *Local Government Act 1999* the Council orders that any appendices from this report, *Confidential Business Arising Statement – Action Items*, having been considered in confidence under Section 90(2) and (3) (g)(h) and (m) of the Act, except when required to effect or comply with Council's resolution(s) regarding this matter, be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting. This confidentiality order will be reviewed at the General Council Meeting in December 2023.



**Carried Unanimously**

**10 Other Business**

**11 Meeting Closure**

The meeting was declared closed at 7.19pm.

CONFIRMED THIS 10 DAY OF OCTOBER 2023

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CHAIRPERSON

## **5 Business Arising**

### **5.1 Business Arising Statement - Action Items**

<b>Report Reference</b>	PDC231010R5.1
<b>Originating Officer</b>	Executive Officer to the General Manager City Development – Mina Caruso
<b>Corporate Manager</b>	Manager Office of the Chief Executive – Kate McKenzie
<b>General Manager</b>	General Manager City Development – Tony Lines

### **REPORT OBJECTIVE**

The purpose of this report is to review the business arising from previous meetings of the Planning and Development Committee meetings, the meeting schedule and upcoming items.

### **RECOMMENDATION**

**That the Planning and Development Committee:**

- 1. Notes the business arising statement, meeting schedule and upcoming items.**

### **ATTACHMENTS**

1. PDC231010 - Business Arising as at 10 October 2023 [**5.1.1** - 1 page]
2. PDC231010 - Schedule of Upcoming Items 2023 [**5.1.2** - 2 pages]

**CITY OF MARION  
BUSINESS ARISING PLANNING & DEVELOPMENT COMMITTEE MEETINGS**

**AS AT 10 OCTOBER 2023**



Meeting Date	Document	Item No.	Item	Action Required	Assignee/s	Action Taken	Due Date	Status
5/10/2021	PDC211005 – Planning and Development Committee 5 October 2021  * Confidential	9.1	<b>Confidential Item</b> - Lot 707 Marion Road, Bedford Park		W Deller-Coombs	<i>Confidential</i> – Update provided in PDC220705F6.1  AUG 23 – A report will be brought to the December 2023 PDC Committee Meeting with a status update on the Confidential Item – Lot 707 Marion Road, Bedford Park and the Action is to be closed out on the Confidential Business Arising Statement.  <b>Refer to PDC 1 August 2023 Confidential Business Arising Action for details.</b>	31 December 2023	In Progress
2/5/2023	PDC230502 – Planning and Development Committee 2 May 2023	8.1	Development Services Activities Update	Staff to review the reporting process and present an updated and more informative report to the next meeting.	W Deller-Coombs / A Wright	MAY 23 – Meeting scheduled for staff to discuss in more details – 26 May 2023.  JUNE 23 – Draft of the amended report being compiled by Development Services staff. Due date has been deferred to 23 July 2023 to allow for review any necessary amendments.  JUL 23 – Review by management and staff of the amended report has been completed.	31 July 2023	Completed

\* Completed items to be removed are shaded

## Planning and Development Committee – 2023 Draft schedule of upcoming items

Planning and Development Committee		Date: Tuesday, 07 March	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Land Developments Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		W Deller-Coombs	
Code Amendments Update	R	Standing Report		W Deller-Coombs	
Southern Suburbs Code Amendment		Deferred from GC 13/12/22		W Deller-Coombs A Wright	

Planning and Development Committee		Date: Tuesday, 2 May	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Code Amendments Update	R	Standing Report		W Deller-Coombs	
Land Development Projects Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		W Deller-Coombs	

Planning and Development Committee		Date: Tuesday, 1 August	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Tram Grade Separation Project	P	Presentation / Update from DIT's Project Coordinator	Neil Welsh (30mins)	W Deller-Coombs	
Code Amendments Update	R	Standing Report		W Deller-Coombs	
Centre Zone Code Amendment	R			W Deller-Coombs	

## Planning and Development Committee – 2023 Draft schedule of upcoming items

Morphettville/Glengowrie Stables Code Amendment	R	Resident letter results and discussion		W Deller-Coombs
Development Services Activities Report Update	R	Standing Report		W Deller-Coombs
Land Development Projects Update	R	Standing Report		W Deller-Coombs

Planning and Development Committee		Date: Tuesday, 10 October	Time: 5.30pm – 7.00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Greater Adelaide Regional Plan Discussion Paper Submission		Workshop with Council Members		D Barone	
Code Amendments Update	R	Standing Report		D Barone	
Land Development Projects Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		A Wright	
Tunnel Protection Overlay Code Amendment				D Barone	
Marion Road Code Amendment				D Barone	

Planning and Development Committee		Date: Tuesday, 05 December	Time: 5.30pm - 7:00pm	Venue: Chamber	
Topic	Type of Report	Description	External Attendees	Staff Responsible	
Business Arising		Business arising from previous meetings, the meeting schedule, and upcoming items		M Caruso	
Code Amendments Update	R	Standing Report		D Barone	
Land Development Projects Update	R	Standing Report		W Deller-Coombs	
Development Services Activities Report Update	R	Standing Report		A Wright	
Oaklands Green Development Project	P	Presentation/Update from Developers	TBC	W Deller-Coombs	

## 6 Confidential Items - Nil

## 7 Reports for Discussion

### 7.1 Code Amendments Update

<b>Report Reference</b>	PDC231010R7.1
<b>Originating Officer</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development – Tony Lines

### REPORT HISTORY

Report Reference	Report Title
<a href="#">PDC220906R7.1</a>	Code Amendments Update
<a href="#">PDC230307R7.2</a>	Code Amendments Update
<a href="#">PDC230502R7.1</a>	Code Amendments Update

### REPORT OBJECTIVE

To provide Members with an update on recent and active Code Amendments (both Council initiated and privately initiated).

### CURRENT STATUS

#### Council Initiated Code Amendments

#### **1. Horse Related Activities Code Amendment**

- Endorsed by General Council at 22 August 2023 meeting for community consultation.
- Engagement Plan and consultation materials in the process of being prepared concurrently with Comms and Engagement Teams.
- Consultation is scheduled to commence on 16 October 2023 for a period of 8 weeks.

#### **2. Southern Suburbs Residential Policy Code Amendment**

- Council approved the inclusion of the Noise and Air Emissions Overlay within the Draft Code Amendment.
- Consultation commenced on 4 September 2023.
- Drop-in session held at Cove Civic Centre on 20 September (3-5pm and 6:30-8:30pm) with 26 people attending.
- Drop-in session to be held at Administration Centre on 12 October (6:30-8:30pm).
- At the time of writing (3 October) 117 submissions have been received with feedback split between those that support and those that do not support.
- Consultation closes 27 October 2023.

#### **3. Centre Zones Code Amendment**

- Endorsed by General Council at 22 August 2023 meeting for community consultation.
- Consultation commenced 22 September 2023 for a 4-week period.
- Digital /Teams Meeting scheduled with landowners and tenants for Thursday 5 October



2023, 6pm - 7pm.

#### **4. Marion Road Code Amendment**

- Refer to separate agenda item for update and recommendation.

#### **Privately Initiated Code Amendments**

##### ***Lots 51 and 52 Morphet Road Glengowrie (SAJC)***

- SAJC is seeking to rezone land (west of Morphetville Racecourse) from Recreation Zone to Urban Neighbourhood Zone.
- The rezoning of the land is envisaged to accommodate medium scale/medium to high density residential led mixed use development.
- SAJC presented to Council on 31 January 2023 and several issues were discussed including height of proposed buildings and traffic and access considerations.
- Community Consultation concluded 26 March 2023.
- The Amendment has completed engagement and is with the Minister for Planning for a decision.

##### ***Bedford Park (Lot 707) (Bunnings Properties Pty Ltd)***

- The Minister approved a proposal to initiate an amendment to rezone a part of Lot 707 from Urban Neighbourhood Zone to an Employment Zone.
- The overall intent of the amendment is to enable the further development of large format employment generating uses such as bulky goods outlets and service trades premises.
- Investigations on key issues are still being undertaken.
- Council has strongly advocated for a site-wide stormwater solution that would require cooperation and agreement from the Elders Village site.
- Staff are currently facilitating discussion between site owners.
- A request has been made to Bunnings to facilitate the restriction of uses on the site (e.g. to exclude the future use of the site for a retail fuel outlet). This has been agreed to in principle and the details of the legal mechanism to facilitate this will now be worked out.
- Negotiations are occurring to secure the retention of the existing shared path and adjacent established vegetation along the eastern boundary.
- In August 2023 Bunnings engaged with both Council staff and the Friends of Warriparinga on site to get a better understanding of the outcomes both parties are seeking. These discussions progressed positively.
- Consultation on draft Code Amendment to be run by proponent is expected to occur early next year.

#### **RECOMMENDATION**

**That the Planning and Development Committee:**

- 1. Notes the report.**

#### **ATTACHMENTS**

Nil

## 7.2 Tunnel Protection Overlay Code Amendment

<b>Report Reference</b>	PDC231010R7.2
<b>Originating Officer</b>	<b>Senior Strategic and Policy Planner – David Barone</b>
<b>Corporate Manager</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development - Tony Lines

### REPORT OBJECTIVE

Inform members of Draft Tunnels Overlay Code Amendment and confirm contents of proposed submission to the Department for Infrastructure and Transport (DIT).

### EXECUTIVE SUMMARY

The Torrens to Darlington Project forms the final part of the North-South Corridor. Two tunnels are proposed, one of which runs through the City of Marion between Clovelly Park and Glandore. The DIT has prepared a draft Code Amendment seeking to provide a greater level of control over developments and activities that occur over the identified tunnel route to control the loads over the tunnels for structural integrity and ongoing operations.

The Code Amendment proposes policies that seek to limit the extent of excavation and above ground activities, as well as introduce a referral trigger to the Department for comments and direction. The Code Amendment is on Early Commencement, meaning the policy is currently in place and operating, pending consultation which closes 26 October 2023.

The Code Amendment is accompanied by a suite of regulation changes and a new Ministerial Building Standard that, together, form the suite of controls aimed at providing the technical matters sought by the Department in protecting activities over the tunnels.

The suite of policy and regulation changes has no significant implications or undesired outcomes for Council, other than some development applications for works unnecessarily requiring public notification. A submission to DIT advising of no objections subject to minor policy tweaks is proposed.

Refer to the Tunnel Protection Areas, see Attachment 1 pages 8, 9, and Attachment 2 pages 12 and 13.

### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Notes the draft Tunnel Protection Overlay Code Amendment.**
- 2. Recommends that Council makes a submission to the Department for Infrastructure and Transport advising that Council has no objection to the Code Amendment subject to:**
  - a) activities by Councils, utility providers or state agencies associated with**
    - excavation or intrusion of the ground exceeding 2.5 metres below ground level, including underground drains, pipes, conduits, tunnels, underground passageway, or adit; or
    - temporary stockpiling over an area exceeding 100 square metres;

are listed as activities that are exempt from public notification against the relevant affected Zones covered by the Overlay; and

- b) the tunnels (and extent of the Tunnel Protection Overlay area) are registered against Dial Before You Dig service to ensure awareness and notification of triggers for development approval to any interested parties.

## DISCUSSION

The DIT is in the process of detailed design for the Torrens to Darlington project as part of the North-South Corridor. Two tunnels are proposed as part of the project, being a northern tunnel that runs between Hilton and Thebarton and a southern tunnel which runs between Clovelly Park and Glandore. The proposed tunnels will be positioned between 10 metres and 30 metres below surface level across the corridor (except where transitioning back to surface). A key part of this design process is a need to provide some certainty and control over the nature of activities that occur now and into the future over the identified tunnel locations. This is important to ensure the structural integrity of the tunnels now and into the future, including operational aspects.

A draft Tunnel Protection Overlay Code Amendment has been prepared by the Department for Infrastructure and Transport and released for consultation until 26 October 2023. The Code Amendment has been placed on Early Commencement, meaning it is in effect immediately whilst on consultation.

### Tunnel Protection Overlay

The Code Amendment introduces a new Tunnel Protection Overlay which applies to the properties under which the tunnel will be positioned along with those properties within a 45-degree plane from the centreline of the tunnels to the surface level. Overall, within the City of Marion 421 properties are directly affected by the Overlay (of which 90 are being acquired by DIT).

The Tunnel Protection Overlay introduces policy that seeks to limit development opportunities for the affected properties as follows:

- limit building heights to 3 building levels (Designated Performance Feature) for the land uses envisaged across the zones covered by the Overlay.
- limit the filling of land to a maximum of 1 metre above the regulated surface level (current surface).
- limit the storage of materials and equipment or stockpiling to an area of 100m<sup>2</sup> (regardless of content, weight or height).
- limit excavation or ground intruding activities to 2.5 metres below current surface levels.

For the most part, the policies do not impinge on the development rights of most properties that are affected, which are mostly commercial or retail in nature. The Zones covered by the Overlay include:

- Strategic Employment Zone at Edwardstown – height limit of 2 building levels.
- Employment Zone (along most of the corridor)– height limit of 2 building levels.
- Suburban Activity Centre Zone at Castle Plaza and Clovelly Park – height limit of 4 building levels.
- Urban Neighbourhood Zone at former Hills industries site – height limit of 4 building levels.
- General Neighbourhood Zone (small sections only) – height limit of 3 building levels.
- Established Neighbourhood Zone at Glandore – height limit of 1 building level (2 possible to rear).
- Recreation Zone with covers the Glandore Oval – no height limit identified.

Potential activities that may be likely to be affected within the properties include:

- any potential basement car parks as part of future commercial or retail proposals (only likely to be part of larger scale retail, commercial or mixed-use proposals, such as at Castle Plaza / Hills Industries site).
- any multi-storey buildings within Castle Plaza (Suburban Activity Centre Zone) or former Hills Industries land (Urban Neighbourhood Zone), or the Suburban Activity Node Zone at Clovelly Park.
- larger scale storage as part of industrial and warehousing activities within the Strategic employment zone (noting that this is regardless of the nature of the goods or materials being stored).

For the limited residential properties covered by the Overlay, no implications for development are envisaged (most swimming pools will be within the 2.5m excavation limit).

From a development assessment pathway perspective, the application of the Overlay triggers both exemptions from Deemed-to-satisfy development (where the DTS criteria are not achieved), and the application of a referral trigger to the Commissioner of Highways for activities that do not achieve the identified criteria. Referral is for Direction with 30 business day period.

### **Planning, Development and Infrastructure (General) Regulations 2017**

The Code Amendment is also accompanied by changes to the Planning, Development and Infrastructure (General) Regulations 2017 which applies new triggers to development and definitions. New defined terms (which are referenced by the Tunnel Overlay policy) include:

*Regulated surface level - Means the measured ground surface level within the boundaries of the Tunnel Protection Overlay as established at the time of commencement of operation of the Tunnel Corridor Code Amendment, as shown on the Planning Reference layer of the SA Property and Planning Atlas.*

*Ground intruding activity - means an activity that intrudes the ground and includes—*

- (a) excavation for building pad or strip footings or pile foundations; and*
- (b) installing an underground drain, pipe, cable or conduit; and*
- (c) excavation for a tunnel, underground passageway or adit; and*
- (d) the use of ground reinforcing elements, including—*
  - (i) ground anchors; and*
  - (ii) soil nails; and*
  - (iii) rock bolts; and*
  - (iv) mechanical stabilising elements as part of a retaining structure.*

The new triggers for development now requiring development applications include:

- filling of land exceeding a vertical height of 1 metre above the regulated surface level on land within the Tunnel Protection Overlay.
- any ground intruding activity exceeding a depth of 2.5 metres below the regulated surface level within the Tunnel Protection Overlay.
- any storage of materials, equipment or vehicles (whether temporary or permanent) over an area exceeding 100 m<sup>2</sup> on land within the Tunnel Protection Overlay.
- any temporary stockpiling of soil, gravel, rock or other natural material over an area exceeding 100 m<sup>2</sup> on land within the Tunnel Protection Overlay.

Some services utilities and infrastructure work undertaken by essential infrastructure providers (such as SA Power Networks) or Council that have the potential to impact on the tunnels will require a development application where previously one was not required. This includes the installation and construction of new services, and the augmentation of existing services which involve:

- excavation or intrusion of the ground exceeding 2.5 metres below ground level, including underground drains, pipes, conduits, tunnels, underground passageway or adit.
- structures of greater than 3 levels in height or have a loading at the foundation exceeding 45 kPa;
- fill or earthworks more than 1 metre above ground level or have a loading at the surface exceeding 25 kPa; or
- temporary stockpiling over an area exceeding 100 square metres.

### **Ministerial Building Standard**

A new Ministerial Building Standard (MBS), MBS 011 – Additional requirements for designated Tunnel Protection Overlay areas, will apply to these locations. The MBS identifies the additional specific performance requirements for which development will be assessed for Building Consent purposes. The Standard identifies deemed-to-satisfy provisions relating to total and surcharge loadings above the tunnels, along with methods for calculating loadings along with identification of required clearances for excavations from the tunnel exclusion area (within 5 metres from the top of the tunnel structure).

### **Implications for Council**

The proposed changes to the Regulations and the Planning and Design Code will potentially have implications for Council in two ways:

- some additional development applications needing to be assessed and referred to DIT.
- some public works activities may now trigger the need for a development application which will impact processes and timeframes for our City Services team.

Despite this, the actual likelihood of proposals being triggered by the proposed changes are considered low at this point in time. As such, the implications for Council from a resourcing viewpoint are likely to be negligible.

For those limited locations where a higher and more intensive building form is envisaged to the limits imposed by the Overlay (i.e., Castle Plaza and Urban Neighbourhood Zone at Edwardstown) the potential to develop to the Zone's full potential will be dependant in the ability to manage loads on the tunnel structures (which can be addressed through various construction techniques). This potential, along with the limited extent of coverage of the Overlay in these locations means that the intent of the zones in these locations is unlikely to be compromised by the Code Amendment.

An unknown from the proposed referral process and policy requirements is the level of information likely to be sought by DIT to address their interests in understanding impacts on the tunnel designs. Often, proposals at Planning Consent Stage are unlikely to have footing designs detailed and resolved. As such, there may be a need for proponents to undertake some additional work in response to requests for further information from DIT as part of the referral process. This, however, will not impinge on the assessment timeframes or complexity of the Planning Consent assessment for Council, given the referral process and comments is managed by DIT, and as comments for Direction, Council is obliged to act on DIT's direction (be it to refuse a proposal or apply a specific condition to any approval).

The new triggers for development may have the potential to impact new roadworks, stormwater infrastructure and installation of new structures such as street lighting and signage, where the

above excavation depths or structure heights are triggered. This has been flagged with Council's City Services Team, who have advised that in most cases, Council works will not trigger the depths identified by the Regulations and in any event, for the forthcoming financial year, no works are proposed in the affected area. As such, the implications are considered minimal.

Notwithstanding, the above, the Planning and Design Code changes do not identify excavation works associated with Council, utility or state agency activities that would now require a Development Approval as specifically exempt from public notification. This would therefore require Council's Assessment Manager to determine these works as minor to avoid notification. Given that these works will be below ground, and previously occurred without any approval or notification, it is reasonable that these are included as exempt from public notification (for development application purposes). It is likely that such works would undergo separate community engagement measures as part of their planning and design in any event.

It is also suggested that there would be benefit in the tunnels being registered as part of the Dial Before You Dig service, prompting awareness of the need for approval for activities and ensuring those undertaking works are aware of the need for approval in certain circumstances.

The Glandore Oval is the only Council asset / property that is affected by the Overlay (which runs through the oval and tennis court areas that contains light towers and sub-surface infrastructure, but the existing clubrooms are outside of the affected area). A brief has been prepared for a master plan for the Glandore Oval, but the design process has not yet commenced. The brief identifies the location of the tunnels beneath the site, and a process of ongoing engagement with DIT to ensure it responds appropriately to their design requirements. It is unlikely that any future clubroom structure would trigger the Tunnel Policy criteria due to height, however consideration of the criteria imposed by the Tunnel Protection Overlay will be part of the design process. The Code Amendment and regulation changes are not retrospective and therefore do not impact on existing infrastructure.

Given the above, Council should prepare a submission to DIT advising of no objection to the draft Code Amendment, subject to the following:

- a) activities by Councils, utility providers or state agencies associated with:
  - excavation or intrusion of the ground exceeding 2.5 metres below ground level, including underground drains, pipes, conduits, tunnels, underground passageway, or adit; or
  - temporary stockpiling over an area exceeding 100 square metres;are listed as activities that are exempt from public notification against the relevant affected Zones covered by the Overlay; and
- b) the tunnels (and extent of the Tunnel Protection Overlay area) are registered against Dial Before You Dig service to ensure awareness and notification of triggers for development approval to any interested parties.

## **ATTACHMENTS**

1. Attachment 1 - Tunnel Protection Overlay Fact Sheet [7.2.1 - 4 pages]
2. Attachment 2 - Tunnel Protection Overlay Code Amendment (Early Commencement) [7.2.2 - 84 pages]
3. Attachment 3 - Tunnel Protection Overlay Code- Amendment Discussion Paper [7.2.3 - 49 pages]





## Tunnel Protection – proposed Code Amendment

The Australian and South Australian governments are delivering the most significant infrastructure project ever undertaken in South Australia, the 10.5km River Torrens to Darlington (T2D) Project.

Two sets of tunnels will be built in the north (Richmond to Torrensville) and south (Clovelly Park to Glandore) with an open motorway connecting them. When complete, more than 50% of the T2D motorway will be underground tunnels.

The tunnels will run underneath the existing South Road corridor and, in some sections, underneath properties at depths of around 10m to approximately 30m below the surface.

To protect the integrity and ongoing operation of the new tunnels, we are seeking to amend the State's Planning and Design Code (the Code) to ensure that future development activity and construction work nearby doesn't impact the tunnels.

To complement the policies in the Code, the Minister for Planning has introduced a new Ministerial Building Standard setting out technical matters that builders and engineers need to consider in designing building work and structures near major transport tunnels.

### What does this mean for me as a property owner?

If you plan to renovate or build in the future at a property that is immediately above or adjacent to the alignment of the new tunnels, the Code Amendment means there may be an additional process that will occur as part of the usual approvals required.

The assessment pathway for certain types of development will change to ensure that potential impacts on the tunnels are considered in their design. The nature of the development you want to do determines whether this additional process is required or not.

The intent of the changes is not to stop developments, but to ensure they do not impact on the tunnels. In most instances, the Code Amendment is not expected to impact any work a property owner may want to do in the future.



Australian Government



Government of South Australia  
Department for Infrastructure  
and Transport

Information correct  
as of August 2023

## What is the Planning and Design Code?

The Code sets out the rules and policies that determine how land can be used in South Australia and what can be built on it.

It includes specific requirements for development near essential infrastructure (such as major roads, airports and pipelines) to avoid interruptions and impacts to this infrastructure.

Changing the requirements in the Code is called a 'Code Amendment'.

## Why do you need to change the Code?

As the T2D tunnels are the first major transport tunnels in South Australia, new requirements need to be introduced to guide development near this new type of essential infrastructure.

It's important that the area immediately around the tunnels is protected from intrusion from structures, such as pilings or basements, or works such as excavation, and to ensure development activities don't create a change in the loading (or weight or stress) that is beyond what has been factored into the tunnel design.

The new requirements are consistent with similar planning measures interstate outlining what builders and engineers will need to consider when designing and building near the tunnels.

## What change is proposed?

Certain development applications will be referred to the Commissioner for Highways for review to ensure they do not impact the tunnels.

Not all development applications will require this referral, only those that satisfy the following criteria:

- a new building (or alteration of or extension to an existing building) or temporary structure that exceeds 3 building levels
- excavation or ground intrusion at a depth exceeding 2.5m (such as footings, underground car parks, cellars, pipes or drains)
- fill or earthworks that build up the ground level by more than one metre
- storage of material or equipment or temporary stockpiling over a designated stockpiling or storage area exceeding 100m<sup>2</sup>

How you submit a development application will not change, this is just an additional step as part of the application process.

The intent is not to stop developments but to ensure they do not impact on the tunnels.

Any development applications lodged after 31 August 2023 will be subject to the new provisions.

## What will the referral involve?

The referral will involve a technical assessment to ensure what is proposed will not impact the tunnels.

If the technical assessment finds that the work planned is likely to impact the tunnels, guidance will be provided on elements that don't meet the requirements.

## What area is affected by the proposed change?

Properties within the affected area map are those near the northern and southern tunnels shown on the plan over the page. From a planning perspective, the affected area is called the 'Tunnel Protection Overlay.'

## Will the Code Amendment change what can be built?

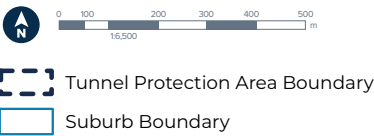
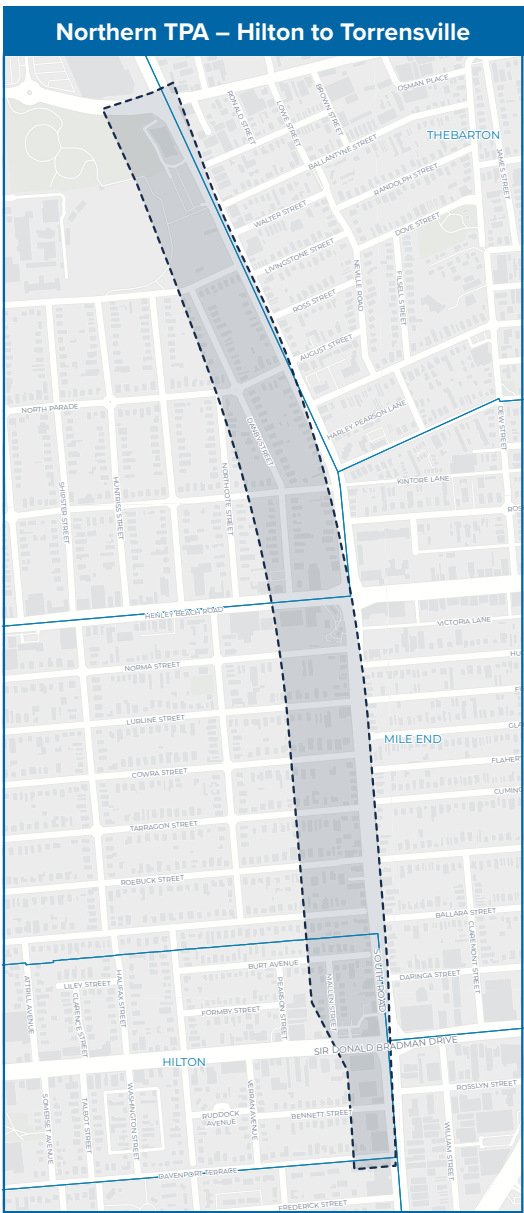
In most instances, no.

Swimming pools, single storey cellars, as well as footings and foundations associated with buildings less than 3 storeys will generally not require a referral to the Commissioner as they are unlikely to be deeper than 2.5m.

The proposed changes do not change how land is zoned. For example, if a section of land is zoned as residential, the proposed Code Amendment does not change this.



Tunnel Protection Areas (TPAs)



## Further information and to provide your feedback

The proposed Code Amendment is available on the PlanSA website. Alternatively, please scan the QR code to view this information.

Consultation on the proposed Code Amendment and Building Standard is open for 8 weeks from 31 August 2023 to 26 October 2023.

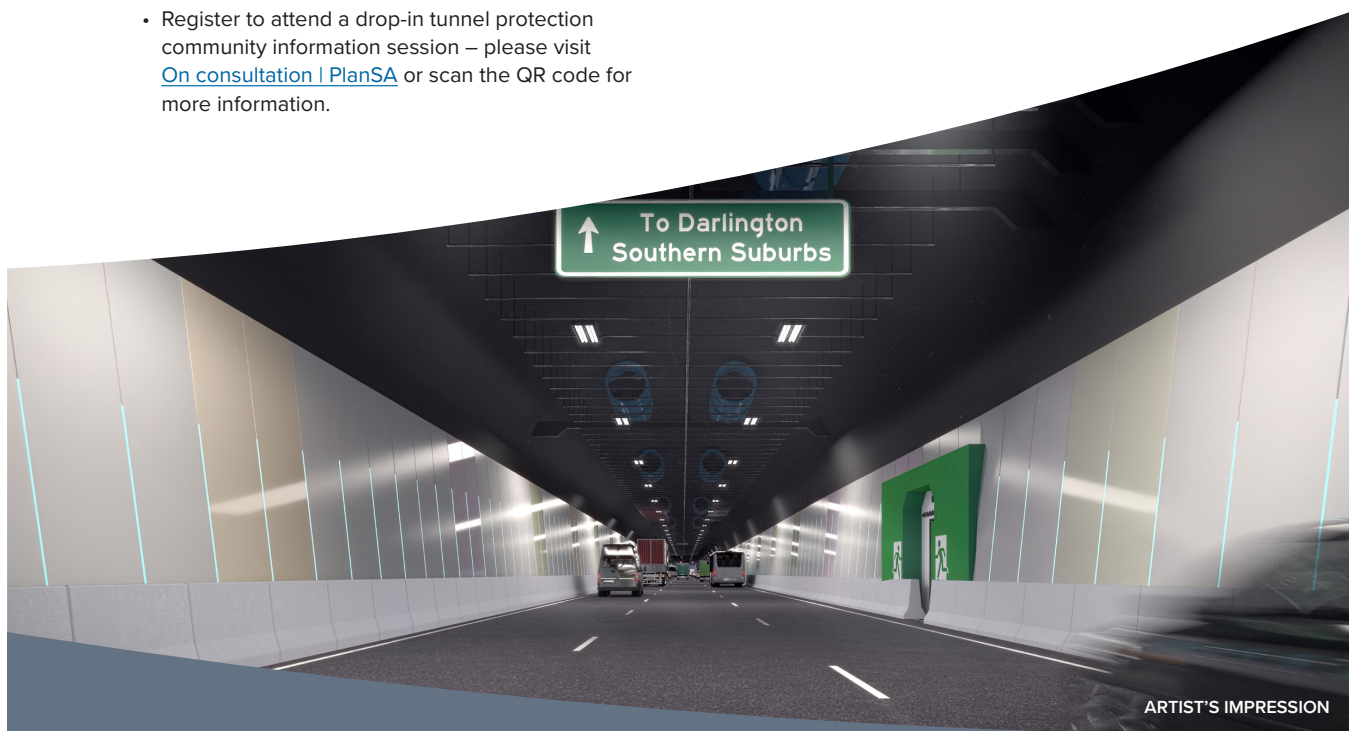
There are several ways to provide your feedback:

- Via our online survey or submission form available on the [PlanSA](https://www.plansa.sa.gov.au) website.
- Via email to [T2D@sa.gov.au](mailto:T2D@sa.gov.au)
- In writing, addressed to:  
Tunnel Protection Overlay Code Amendment  
GPO Box 1533  
ADELAIDE SA 5001
- By calling 1800 572 414
- Register to attend a drop-in tunnel protection community information session – please visit [On consultation | PlanSA](https://www.plansa.sa.gov.au) or scan the QR code for more information.

## How will my feedback be used?

Your feedback will be used to better understand the potential impacts of the proposed planning policies so that mitigation strategies can be fully considered.

An Engagement Report will summarise all Code Amendment related feedback received during the consultation process. This will be publicly available on the PlanSA Portal following the Minister's decision.



ARTIST'S IMPRESSION

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## For more information

- 1300 951 145
- [T2D@sa.gov.au](mailto:T2D@sa.gov.au)
- [T2D.sa.gov.au](https://www.t2d.sa.gov.au)

## Meet with the team face-to-face

Visit the T2D Project website for opening times and how to make an appointment to meet the team.



**Community Information Centre (southern)**  
1194 South Road,  
Clovelly Park



**Community Information Centre pop-up (northern)**  
Brickworks Marketplace, Shop 24,  
(Corner of South Road and Ashwin  
Parade, Torrensville)



Australian Government



Government of South Australia  
Department for Infrastructure  
and Transport

Section 78(1) of the *Planning, Development and Infrastructure Act 2016*

# Tunnel Protection Overlay Code Amendment

By the Chief Executive, Department for Infrastructure and Transport

## THE AMENDMENT - FOR EARLY COMMENCEMENT

Adopted for early commencement by:



**Hon Nick Champion MP**

Minister for Planning

28 / 10 / 23

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# Tunnel Protection Overlay Code Amendment

## Preamble

The amendment instructions below reflect the proposed changes to the Planning and Design Code as outlined in the Draft Code Amendment released for public consultation. These changes will come into operation on an interim basis on the day specified by the notice published in the Gazette and pursuant to Section 78 of the *Planning, Development and Infrastructure Act 2016*.

## Amendment Instructions

The following amendment instructions (at the time of drafting) relate to the Planning and Design Code, Version 2023.12 published on 17 August 2023. Where amendments to the Planning and Design Code have been published after this date, consequential changes to the following amendment instructions will be made as necessary to give effect to this Code Amendment.

### Instructions

Amend the Planning and Design Code as follows:

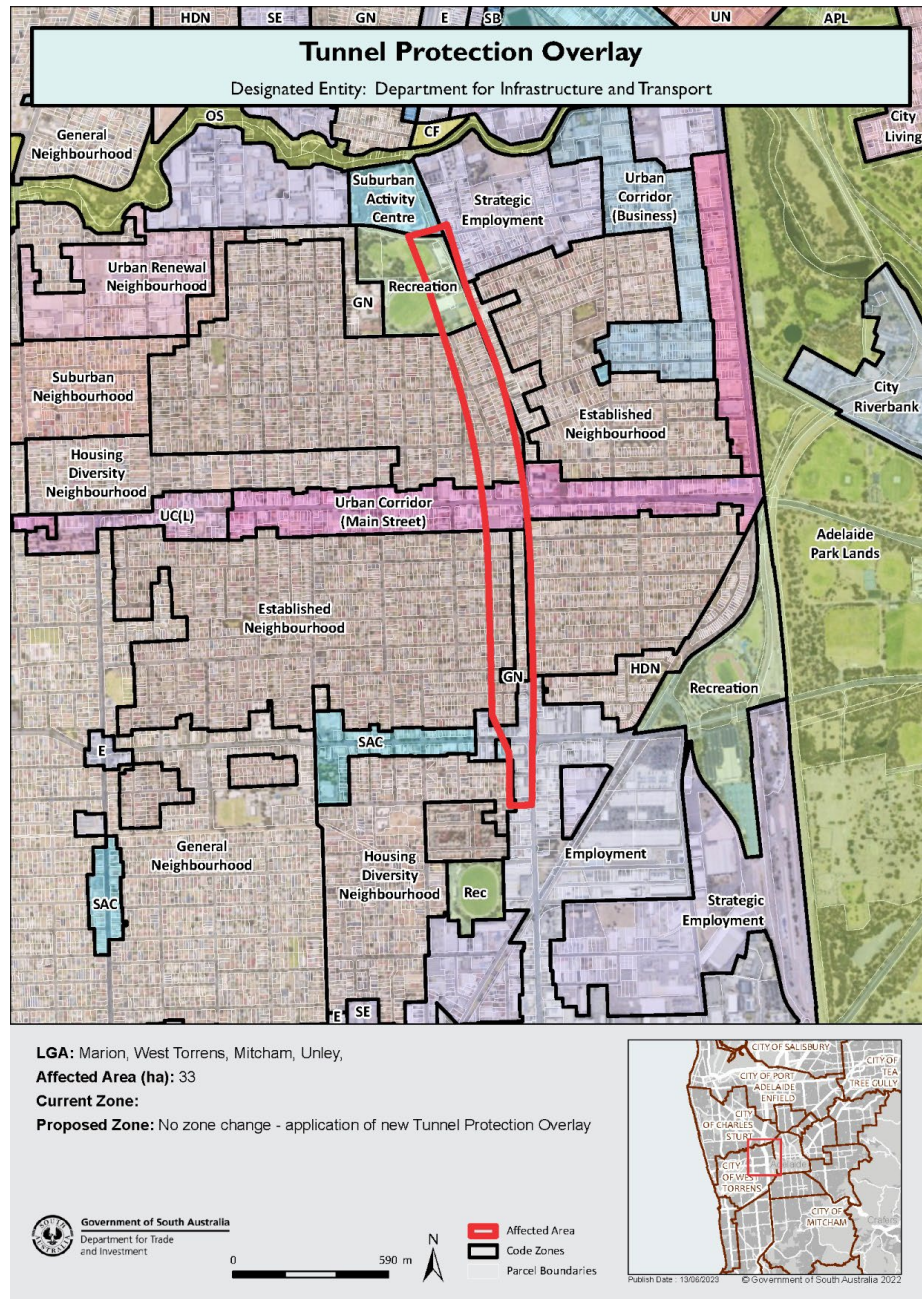
1. Spatially apply the Tunnel Protection Overlay to the 'Affected Area' bounded by the red line in Maps A and B contained in **Attachment A**.
2. In Part 3 – Overlays, insert, in alphabetical order, new Tunnel Protection Overlay as contained in **Attachment B**.
3. In Part 2 – Zones and Subzones, amend the following zones in accordance **Attachment C**:
  - Employment Zone
  - Established Neighbourhood Zone
  - General Neighbourhood Zone
  - Housing Diversity Neighbourhood Zone
  - Local Activity Zone
  - Recreation Zone
  - Strategic Employment Zone
  - Suburban Activity Centre Zone
  - Suburban Neighbourhood Zone
  - Urban Corridor (Main Street) Zone
  - Urban Neighbourhood Zone.
4. In Part 8 – Administrative Terms and Definitions, insert in alphabetical order within the table of definitions, new definition for 'Regulated surface level' in accordance with **Attachment D**.
5. In Part 13 – Table of Amendments, update the publication date, Code version number, amendment type and summary of amendments within the 'Table of Planning and Design Code Amendments' to reflect the publication of this Code Amendment.



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## ATTACHMENT A

## Map A

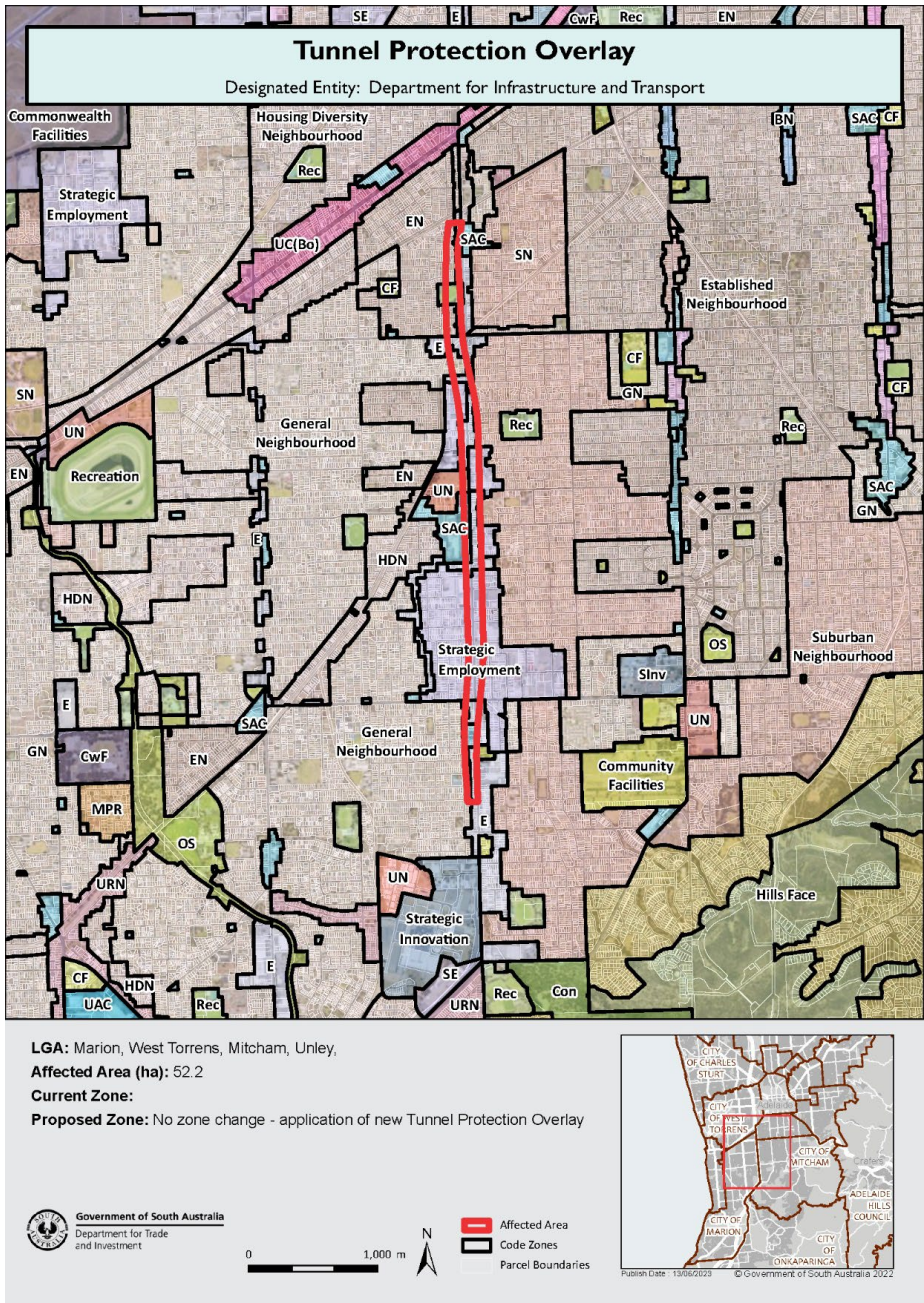


**Note:** The above map is a printed representation of amendments that are proposed to the spatial layers of SA planning database if the Tunnel Protection Overlay Code Amendment is adopted by the Minister under section 78(1) of the *Planning, Development and Infrastructure Act 2016* (the Act).



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Map B



**Note:** The above map is a printed representation of amendments that are proposed to the spatial layers of SA planning database if the Tunnel Protection Overlay Code Amendment is adopted by the Minister under section 78(1) of the *Planning, Development and Infrastructure Act 2016* (the Act).

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## ATTACHMENT B

## Tunnel Protection Overlay

## Assessment Provisions (AP)

## Desired Outcome (DO)

Desired Outcome	
DO 1	Development which preserves the integrity and operation of underground tunnel corridors and associated infrastructure.

## 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 does not unsatisfactorily increase loading on underground tunnel corridors or infrastructure.	DTS/DPF 1.1  Development satisfies (a) and (b):  (a) comprises one or more of the following, and does not exceed 3 building levels above the regulated surface level:  <ul style="list-style-type: none"> <li>(i). ancillary accommodation</li> <li>(ii). carport</li> <li>(iii). child care facility</li> <li>(iv). community facility</li> <li>(v). consulting room</li> <li>(vi). dwelling</li> <li>(vii). educational facility</li> <li>(viii). hotel</li> <li>(ix). office</li> <li>(x). outbuilding</li> <li>(xi). retirement facility</li> <li>(xii). shop (other than a bulky goods outlet)</li> <li>(xiii). student accommodation</li> <li>(xiv). supported accommodation</li> <li>(xv). tourist accommodation</li> <li>(xvi). verandah</li> <li>(xvii). development which is, in the opinion of the relevant authority, minor in nature or</li> </ul>

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	<p>would not warrant a referral when considering the purpose of the referral.</p> <p>(b) does not include any of the following:</p> <p>(i) filling of land more than 1m above the regulated surface level</p> <p>(ii) storage of material or equipment or temporary stockpiling over a designated stockpiling or storage area that is larger than 100 square metres.</p>
Excavation and Ground Intruding Activity	
<p>PO 2.1</p> <p>Development does not unsatisfactorily interact with or reduce the loading on underground tunnel corridors or infrastructure.</p>	<p>DTS/DPF 2.1</p> <p>Development does not include any of the following:</p> <p>(a) excavation or ground intruding activity at a depth greater than 2.5 metres below the regulated surface level</p> <p>(b) ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</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
Except where all of the relevant deemed-to-satisfy criteria are met, development that is within a Tunnel Protection Area	Commissioner of Highways	To provide expert technical assessment and direction to the Relevant Authority in relation to the potential for development to adversely impact upon the safety and structural integrity of tunnels and associated underground infrastructure proposed by or under the care, control and management of the Commissioner of Highways.	Development of a class to which Schedule 9 clause 3 item 8 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.



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## ATTACHMENT C

**Drafting Note:** Changes proposed by the Code Amendment are outlined as follows:

Deletion shown by red text with strikethrough e.g., ~~remove text~~

Addition shown by green text with underline e.g., add text

## Part 2 – Zones and Subzones

### Employment Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulphate Soils) Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>Building work is associated with a railway</li> <li>It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017)</li> <li>It is required for the conduct or maintenance of railway activities</li> <li>It does not involve the clearance of native vegetation</li> <li>The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</li> <li><u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>

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Class of Development	Accepted Development Classification Criteria
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u> 2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u>
Shade sail Except where any of the following apply: <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system 3. Shade sail consists of permeable material 4. The total area of the sail - does not exceed 40m <sup>2</sup> 5. No part of the shade sail will be: <ul style="list-style-type: none"> <li>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> <li>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</li> </ul> 6. Primary street setback - at least as far back as the building line of the building to which it is ancillary 7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m 8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary 9. Does not involve the clearance of native vegetation 10. The development will not be located within the extents of the River Murray 1956 Flood Level

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Class of Development	Accepted Development Classification Criteria
	<p>as delineated by the SA Property and Planning Atlas</p> <p>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<u>Storage of material or equipment</u>	<p>1. <u>It does not include storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></p>
<p>Temporary public service depot</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Hazards (Flooding) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Major Urban Transport Routes Overlay</li> <li>• State Heritage Place Overlay</li> <li>• Traffic Generating Development Overlay</li> <li>• Urban Transport Routes Overlay</li> </ul>	<p>1. Occupies land for no longer than 3 months</p> <p>2. Ensures litter and water are contained on site</p> <p>3. Provides temporary security fencing around the perimeter of the site.</p> <p>4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>5. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpiling or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></p> <p>6. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<u>Temporary stockpiling</u>	<p>1. <u>It does not include temporary stockpiling over a designated stockpile area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></p>
<p>Water tank (above ground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. The tank is part of a roof drainage system</p> <p>4. Total floor area - not exceeding 15m<sup>2</sup></p> <p>5. The tank is located wholly above ground</p> <p>6. Tank height - does not exceed 4m above natural ground level</p>

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Class of Development	Accepted Development Classification Criteria
	<p>7. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour</p> <p>9. Does not involve the clearance of native vegetation.</p> <p>10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<p>Water tank (underground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Ramsar Wetlands Overlay</li> </ul>	<p>1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>2. The tank (including any associated pump) is located wholly below the level of the ground</p> <p>3. Does not involve the clearance of native vegetation.</p> <p>4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>5. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria' for the following Classes of Development:

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

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following Classes of Development:

- Advertisement
- Consulting room
- Light industry

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- Office
- Retaining wall
- Service trade premises
- Shop
- Store
- Telecommunications facility
- Warehouse.

## Established Neighbourhood Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land Except where any of the following apply: <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Hazards (Acid Sulphate Soils) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. Building work is associated with a railway 2. It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017) 3. It is required for the conduct or maintenance of railway activities 4. It does not involve the clearance of native vegetation 5. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas 6. <u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u> 7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 8. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u> 9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>

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Class of Development	Accepted Development Classification Criteria
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u> 2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u>
Outbuilding Except where any of the following apply: <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> . 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system. 3. It is detached from and ancillary to a dwelling erected on the site. 4. Primary street setback - at least 5.5m from the primary street boundary and as far back as the building line of the building to which it is ancillary. 5. Secondary street setback - at least 900mm from the boundary of the allotment (if the land has boundaries on two or more roads). 6. Total floor area - does not exceed 40m <sup>2</sup> . 7. Wall height - does not exceed 3m measured from natural ground level (and not including a gable end). 8. Building height - does not exceed 5m. 9. If situated on or abutting a boundary (not being a boundary with a primary street or secondary street) - a length not exceeding 8m unless: <ul style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ul> 10. Site coverage does not exceed 50% or the amount specified in the Site Coverage Technical and Numeric Variation layer in the SA planning database, whichever is less.

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Class of Development	Accepted Development Classification Criteria
	<p>11. If the outbuilding is a garage - door opening for vehicle access facing a street frontage - does not exceed, in total, 7m in width or 30% of the width of the allotment frontage (whichever lesser).</p> <p>12. If the outbuilding abuts or is situated on the boundary of the allotment (not being a boundary with a primary street or secondary street):</p> <ul style="list-style-type: none"> <li>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</li> <li>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure.</li> </ul> <p>13. If the outbuilding is a garage, it is located so that vehicle access:</p> <ul style="list-style-type: none"> <li>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or</li> <li>(b) is not obtained from a State Maintained Road, and will use a driveway that: <ul style="list-style-type: none"> <li>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</li> <li>(ii) will not interfere with an item of street furniture (including directional signs, lighting, seating and weather shelters), other infrastructure, or a tree;</li> <li>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</li> <li>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of the driveway at the public road boundary and the centre of the front of the</li> </ul> </li> </ul>

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Class of Development	Accepted Development Classification Criteria										
	<p>covered car parking space for which it provides vehicle access</p> <p>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p> <p>14. If clad in sheet metal is pre-colour treated or painted in a non-reflective colour.</p> <p>15. Does not involve-</p> <p>(a) excavation exceeding a vertical height of 1 metre; or</p> <p>(b) filling exceeding a vertical height of 1 metre,</p> <p>and, if the development involves both excavation and filling, the total combined excavation and filling must not exceed a vertical height of 2 metres.</p> <p>16. Does not involve the clearance of native vegetation.</p> <p>17. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>18. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a) a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b) the amount of existing soft landscaping prior to the development occurring.</p> <p>19. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										



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Class of Development	Accepted Development Classification Criteria
<p>Private bushfire shelter</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Future Local Road Widening Overlay</li> <li>Future Road Widening Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Hazards (Flooding) Overlay</li> <li>Local Heritage Place Overlay</li> <li>River Murray Flood Plain Protection Area Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>Primary street setback - at least as far back as the building to which it is ancillary</li> <li>Secondary street setback - at least 900mm from the boundary of the allotment</li> <li>At least 6m from the corner of an allotment which abuts the intersection of two or more roads (other than where a 4m x 4m allotment cut-off is already in place)</li> <li>Does not involve the clearance of native vegetation</li> <li><u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>
<p>Shade sail</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Future Local Road Widening Overlay</li> <li>Future Road Widening Overlay</li> <li>Historic Area Overlay</li> <li>Local Heritage Place Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>Shade sail consists of permeable material</li> <li>The total area of the sail - does not exceed 40m<sup>2</sup></li> <li>No part of the shade sail will be: <ol style="list-style-type: none"> <li>3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> <li>5m above ground or floor level (depending on where it is situated) within any other part of the allotment</li> </ol> </li> </ol>

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Class of Development	Accepted Development Classification Criteria										
	<p>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</p> <p>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</p> <p>9. Does not involve the clearance of native vegetation</p> <p>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>11. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>12. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>13. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>Swimming pool or spa pool</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Future Local Road Widening Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</p> <p>2. The development will not be built, or encroach, on an area that is, or will be,</p>										

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Class of Development	Accepted Development Classification Criteria										
<ul style="list-style-type: none"> <li>• Future Road Widening Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>required for a sewerage system or waste control system</p> <p>3. It is ancillary to a dwelling erected on the site or a dwelling to be erected on the site in accordance with a development authorisation which has been granted</p> <p>4. Allotment boundary setback - not less than 1m</p> <p>5. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>6. Location of filtration system from a dwelling on an adjoining allotment:</p> <p>(a). not less than 5m where the filtration system is located inside a solid structure that will have material impact on the transmission of noise; or</p> <p>(b). not less than 12m in any other case.</p> <p>7. Does not involve the clearance of native vegetation</p> <p>8. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas.</p> <p>9. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

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Class of Development	Accepted Development Classification Criteria										
	<a href="#">regulated surface level where located within the Tunnel Protection Overlay.</a>										
<p>Verandah</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.</li> <li>3. It is ancillary to a dwelling erected on the site.</li> <li>4. Primary street setback – as far back as the building line of the building to which it is ancillary.</li> <li>5. Total floor area - does not exceed 40m<sup>2</sup>.</li> <li>6. Post height - does not exceed 3m measured from natural ground level.</li> <li>7. Building height - does not exceed 5m.</li> <li>8. Length – does not exceed 8m if any part of the structure abuts or is situated on a boundary of the allotment.</li> <li>9. Site coverage does not exceed 50% or the amount specified in the Site Coverage Technical and Numeric Variation layer in the Sa planning database whichever is less.</li> <li>10. Does not involve the clearance of native vegetation</li> <li>11. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less: <ol style="list-style-type: none"> <li>(a). a total area as determined by the following table: <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> </li> <li>(b). the amount of existing soft landscaping prior to the development occurring.</li> </ol> </li> </ol>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

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Class of Development	Accepted Development Classification Criteria										
	<p>12. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>13. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>										
<p>Water tank (above ground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. The tank is part of a roof drainage system</p> <p>4. Total floor area - not exceeding 15m<sup>2</sup></p> <p>5. The tank is located wholly above ground</p> <p>6. Tank height - does not exceed 4m above natural ground level</p> <p>7. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour</p> <p>9. Does not involve the clearance of native vegetation.</p> <p>10. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
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## OFFICIAL

Class of Development	Accepted Development Classification Criteria
	<ol style="list-style-type: none"> <li>11. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></li> <li>12. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></li> </ol>
<p>Water tank (underground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Ramsar Wetlands Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>2. The tank (including any associated pump) is located wholly below the level of the ground</li> <li>3. Does not involve the clearance of native vegetation.</li> <li>4. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></li> <li>5. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></li> </ol>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria' for the following Classes of Development:

- Ancillary accommodation
- Carport
- Dwelling addition
- Outbuilding
- Replacement building
- Temporary accommodation in an area affected by bushfire
- Verandah

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Ancillary accommodation
- Carport
- Deck
- Detached dwelling
- Dwelling addition
- Fence
- Group dwelling

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- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Verandah.

## General Neighbourhood Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Hazards (Acid Sulphate Soils) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. Building work is associated with a railway  2. It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017)  3. It is required for the conduct or maintenance of railway activities  4. It does not involve the clearance of native vegetation  5. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas  6. <u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u>  7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u>  8. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u>  9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
Carport  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> .  2. The development will not be built, or encroach, on an area that is, or will be,

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Class of Development	Accepted Development Classification Criteria
<ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>required for a sewerage system or waste control system.</p> <ol style="list-style-type: none"> <li>3. It is ancillary to a dwelling erected on the site.</li> <li>4. Primary street setback - at least 5.5m from the primary street boundary and as far back as the building line of the building to which it is ancillary.</li> <li>5. Total floor area - does not exceed 40m<sup>2</sup>.</li> <li>6. Post height - does not exceed 3m measured from natural ground level (and not including a gable end).</li> <li>7. Building height - does not exceed 5m.</li> <li>8. If situated on or abutting a boundary (not being a boundary with a primary street) - a length not exceeding 11m unless:             <ol style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ol> </li> <li>9. If the carport abuts or is situated on the boundary of the allotment (not being a boundary with a primary street):             <ol style="list-style-type: none"> <li>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</li> <li>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure.</li> </ol> </li> <li>10. Site coverage does not exceed 60%.</li> <li>11. Door opening for vehicle access facing a street frontage - does not exceed, in total, 7m in width or 50% of the width of the allotment frontage (whichever lesser)</li> <li>12. The carport is located so that vehicle access:             <ol style="list-style-type: none"> <li>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or</li> </ol> </li> </ol>



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Class of Development	Accepted Development Classification Criteria				
	<p>(b) is not obtained from a State Maintained Road, and will use a driveway that:</p> <ul style="list-style-type: none"> <li>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</li> <li>(ii) will not interfere with an item of street furniture (including directional signs, lighting, seating and weather shelters), other infrastructure, or a tree;</li> <li>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</li> <li>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of the driveway at the public road boundary and the centre of the front of the covered car parking space for which it provides vehicle access</li> <li>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</li> </ul> <p>13. If any part involves cladding in sheet metal-will have cladding which is pre-colour treated or painted in a non-reflective colour.</p> <p>14. Does not involve the clearance of native vegetation.</p> <p>15. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <ul style="list-style-type: none"> <li>(a) a total area as determined by the following table:</li> </ul> <table border="1"> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> <tr> <td>&lt;150</td><td>10%</td></tr> </table>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site				
<150	10%				

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Class of Development		Accepted Development Classification Criteria	
		150-200	15%
		201-450	20%
		>450	25%
		(b) the amount of existing soft landscaping prior to the development occurring. 16. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 17. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>	
<u>Excavation</u>		1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>	
<u>Filling of land</u>		1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>	
<u>Ground intruding activity</u>		1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u> 2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u>	
Outbuilding Except where any of the following apply: <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>		1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> . 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system. 3. It is detached from and ancillary to a dwelling erected on the site. 4. Primary street setback - at least 5.5m from the primary street boundary and as far back as the building line of the building to which it is ancillary. 5. Secondary street setback - at least 900mm from the boundary of the allotment (if the land has boundaries on two or more roads). 6. Total floor area - does not exceed 40m <sup>2</sup> . 7. Wall height - does not exceed 3m measured from natural ground level (and not including a gable end).	

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Class of Development	Accepted Development Classification Criteria
	<p>8. Building height - does not exceed 5m.</p> <p>9. If situated on or abutting a boundary (not being a boundary with a primary street or secondary street) - a length not exceeding 11.5m unless:</p> <ul style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ul> <p>10. Site coverage does not exceed 60%.</p> <p>11. Door opening for vehicle access facing a street frontage - does not exceed, in total, 7m in width or 50% of the width of the allotment frontage (whichever lesser)</p> <p>12. If the outbuilding abuts or is situated on the boundary of the allotment (not being a boundary with a primary street or secondary street):</p> <ul style="list-style-type: none"> <li>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</li> <li>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure.</li> </ul> <p>13. If the outbuilding is a garage, it is located so that vehicle access:</p> <ul style="list-style-type: none"> <li>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or</li> <li>(b) is not obtained from a State Maintained Road, and will use a driveway that: <ul style="list-style-type: none"> <li>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</li> <li>(ii) will not interfere with an item of street furniture (including directional signs, lighting,</li> </ul> </li> </ul>

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Class of Development	Accepted Development Classification Criteria		
	<p>seating and weather shelters), other infrastructure, or a tree;</p> <p>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</p> <p>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of the driveway at the public road boundary and the centre of the front of the covered car parking space for which it provides vehicle access</p> <p>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p> <p>14. If clad in sheet metal is pre-colour treated or painted in a non-reflective colour.</p> <p>15. Does not involve-</p> <p>(a) excavation exceeding a vertical height of 1 metre; or</p> <p>(b) filling exceeding a vertical height of 1 metre,</p> <p>and, if the development involves both excavation and filling, the total combined excavation and filling must not exceed a vertical height of 2 metres.</p> <p>16. Does not involve the clearance of native vegetation.</p> <p>17. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>18. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a) a total area as determined by the following table:</p> <table> <tr> <td>Dwelling site area (or in the case of residential flat building or group</td><td>Minimum percentage of site</td></tr> </table>	Dwelling site area (or in the case of residential flat building or group	Minimum percentage of site
Dwelling site area (or in the case of residential flat building or group	Minimum percentage of site		

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Class of Development	Accepted Development Classification Criteria										
	<table border="1" data-bbox="837 376 1268 638"> <tr> <th data-bbox="837 376 1117 448">dwelling(s), average site area) (m<sup>2</sup>)</th><th data-bbox="1117 376 1268 448"></th></tr> <tr> <td data-bbox="837 448 1117 492">&lt;150</td><td data-bbox="1117 448 1268 492">10%</td></tr> <tr> <td data-bbox="837 492 1117 537">150-200</td><td data-bbox="1117 492 1268 537">15%</td></tr> <tr> <td data-bbox="837 537 1117 582">201-450</td><td data-bbox="1117 537 1268 582">20%</td></tr> <tr> <td data-bbox="837 582 1117 638">&gt;450</td><td data-bbox="1117 582 1268 638">25%</td></tr> </table> <p data-bbox="877 638 1300 716">(b) the amount of existing soft landscaping prior to the development occurring.</p> <p data-bbox="798 728 1300 840">19. <a href="#">It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></p>	dwelling(s), average site area) (m <sup>2</sup> )		<150	10%	150-200	15%	201-450	20%	>450	25%
dwelling(s), average site area) (m <sup>2</sup> )											
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p data-bbox="284 846 794 880">Private bushfire shelter</p> <p data-bbox="284 891 794 925">Except where any of the following apply:</p> <ul data-bbox="284 947 794 1406" style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• River Murray Flood Plain Protection Area Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol data-bbox="798 846 1300 1753" style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. Primary street setback - at least as far back as the building to which it is ancillary</li> <li>4. Secondary street setback - at least 900mm from the boundary of the allotment</li> <li>5. At least 6m from the corner of an allotment which abuts the intersection of two or more roads (other than where a 4m x 4m allotment cut-off is already in place)</li> <li>6. Does not involve the clearance of native vegetation</li> <li>7. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></li> <li>8. <a href="#">It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</a></li> <li>9. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></li> </ol>										
<p data-bbox="284 1753 794 1787">Shade sail</p> <p data-bbox="284 1798 794 1832">Except where any of the following apply:</p> <ul data-bbox="284 1843 794 1888" style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> </ul>	<ol data-bbox="798 1753 1300 1897" style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be,</li> </ol>										

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Class of Development	Accepted Development Classification Criteria										
<ul style="list-style-type: none"> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>required for a sewerage system or waste control system</p> <p>3. Shade sail consists of permeable material</p> <p>4. The total area of the sail - does not exceed 40m<sup>2</sup></p> <p>5. No part of the shade sail will be:</p> <p>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</p> <p>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</p> <p>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</p> <p>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</p> <p>9. Does not involve the clearance of native vegetation</p> <p>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>11. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
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Class of Development	Accepted Development Classification Criteria
	<p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>12. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>13. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<p>Solar photovoltaic panels (roof mounted)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Local Heritage Place Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></p> <p>2. Panels are installed parallel to the roof of a building and with the underside surface of the panel not being more than 100mm above the surface of the roof</p> <p>3. Panels and associated components do not overhang any part of the roof</p> <p>4. Does not apply to system with a generating capacity of more than 5MW that is to be connected to the State's power system</p> <p>5. If the building is in a Historic Area Overlay-no part of the system, when installed, will be able to be seen by a person standing at ground level in a public street.</p>
<p>Swimming pool or spa pool</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Future Local Road Widening Overlay</li> <li>Future Road Widening Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Hazards (Flooding) Overlay</li> <li>Historic Area Overlay</li> <li>Local Heritage Place Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. It is ancillary to a dwelling erected on the site or a dwelling to be erected on the site in accordance with a development authorisation which has been granted</p> <p>4. Allotment boundary setback - not less than 1m</p> <p>5. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>6. Location of filtration system from a dwelling on an adjoining allotment:</p> <p>(a). not less than 5m where the filtration system is located inside a solid structure that will have material impact on the transmission of noise; or</p> <p>(b). not less than 12m in any other case.</p>

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Class of Development	Accepted Development Classification Criteria										
	<p>7. Does not involve the clearance of native vegetation</p> <p>8. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas.</p> <p>9. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>Verandah</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.</p> <p>3. It is ancillary to a dwelling erected on the site.</p> <p>4. Primary street setback – as far back as the building line of the building to which it is ancillary.</p> <p>5. Total floor area - does not exceed 40m<sup>2</sup>.</p> <p>6. Post height - does not exceed 3m measured from natural ground level.</p> <p>7. Building height - does not exceed 5m.</p>										



## OFFICIAL

Class of Development	Accepted Development Classification Criteria										
	<p>8. Length – does not exceed 11.5m if any part of the structure abuts or is situated on a boundary of the allotment.</p> <p>9. Site coverage does not exceed 60%.</p> <p>10. Does not involve the clearance of native vegetation</p> <p>11. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>12. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>13. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>Water tank (above ground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. The tank is part of a roof drainage system</p> <p>4. Total floor area - not exceeding 15m<sup>2</sup></p> <p>5. The tank is located wholly above ground</p> <p>6. Tank height - does not exceed 4m above natural ground level</p> <p>7. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p>										

## OFFICIAL

Class of Development	Accepted Development Classification Criteria										
	<p>8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour</p> <p>9. Does not involve the clearance of native vegetation.</p> <p>10. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>Water tank (underground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Ramsar Wetlands Overlay</li> </ul>	<p>1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>2. The tank (including any associated pump) is located wholly below the level of the ground</p> <p>3. Does not involve the clearance of native vegetation.</p> <p>4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>5. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>										

Table 2 – Deemed-to-Satisfy Development Classification

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In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as

'Deemed-to-satisfy Development Classification Criteria for the following Classes of Development:

- Ancillary accommodation
- Carport
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
  - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or
  - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. Group dwelling
- Outbuilding
- Replacement building
- Row dwelling
- Semi-detached dwelling
- Temporary accommodation in an area affected by bushfire
- Verandah

### Table 3 - Applicable Policies for Performance Assessed Development

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Ancillary accommodation
- Carport
- Deck
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
  - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or
  - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. Group dwelling
- Fence
- Group dwelling
- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Verandah.

## Housing Diversity Neighbourhood Zone

### Table 1 – Accepted Development Classification

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**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
<p>Building work on railway land</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulphate Soils) Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>Building work is associated with a railway</li> <li>It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017)</li> <li>It is required for the conduct or maintenance of railway activities</li> <li>It does not involve the clearance of native vegetation</li> <li>The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</li> <li><u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>
<p>Carport</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Future Local Road Widening Overlay</li> <li>Future Road Widening Overlay</li> <li>Historic Area Overlay</li> <li>Local Heritage Place Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</li> <li>The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.</li> <li>It is ancillary to a dwelling erected on the site.</li> <li>Primary street setback - at least 5.5m from the primary street boundary and as far back as the building line of the building to which it is ancillary.</li> <li>Total floor area - does not exceed 40m<sup>2</sup>.</li> </ol>

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Class of Development	Accepted Development Classification Criteria
	<p>6. Post height - does not exceed 3m measured from natural ground level (and not including a gable end).</p> <p>7. Building height - does not exceed 5m.</p> <p>8. If situated on or abutting a boundary (not being a boundary with a primary street) - a length not exceeding 11m unless:</p> <ul style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ul> <p>9. If the carport abuts or is situated on the boundary of the allotment (not being a boundary with a primary street):</p> <ul style="list-style-type: none"> <li>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</li> <li>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure.</li> </ul> <p>10. Site coverage does not exceed 60%.</p> <p>11. Door opening for vehicle access facing a street frontage - does not exceed, in total, 7m in width or 50% of the width of the allotment frontage (whichever lesser)</p> <p>12. The carport is located so that vehicle access:</p> <ul style="list-style-type: none"> <li>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or</li> <li>(b) is not obtained from a State Maintained Road, and will use a driveway that: <ul style="list-style-type: none"> <li>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</li> <li>(ii) will not interfere with an item of street furniture (including directional signs, lighting,</li> </ul> </li> </ul>

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Class of Development	Accepted Development Classification Criteria										
	<p>seating and weather shelters), other infrastructure, or a tree;</p> <p>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</p> <p>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of the driveway at the public road boundary and the centre of the front of the covered car parking space for which it provides vehicle access</p> <p>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p> <p>13. If any part involves cladding in sheet metal-will have cladding which is pre-colour treated or painted in a non-reflective colour.</p> <p>14. Does not involve the clearance of native vegetation.</p> <p>15. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a) a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b) the amount of existing soft landscaping prior to the development occurring.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

## OFFICIAL

Class of Development	Accepted Development Classification Criteria
	<p>16. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u></p> <p>17. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	<p>1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p> <p>2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u></p>
<p>Outbuilding</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.</p> <p>3. It is detached from and ancillary to a dwelling erected on the site.</p> <p>4. Primary street setback - at least 5.5m from the primary street boundary and as far back as the building line of the building to which it is ancillary.</p> <p>5. Secondary street setback - at least 900mm from the boundary of the allotment (if the land has boundaries on two or more roads).</p> <p>6. Total floor area - does not exceed 40m<sup>2</sup>.</p> <p>7. Wall height - does not exceed 3m measured from natural ground level (and not including a gable end).</p> <p>8. Building height - does not exceed 5m.</p> <p>9. If situated on or abutting a boundary (not being a boundary with a primary street or secondary street) - a length not exceeding 11.5m unless:</p>



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Class of Development	Accepted Development Classification Criteria
	<ul style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ul> <p>10. If the outbuilding abuts or is situated on the boundary of the allotment (not being a boundary with a primary street or secondary street):</p> <ul style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ul> <p>11. Door opening for vehicle access facing a street frontage - does not exceed, in total, 7m in width or 50% of the width of the allotment frontage (whichever lesser)</p> <p>12. If the outbuilding abuts or is situated on the boundary of the allotment (not being a boundary with a primary street or secondary street):</p> <ul style="list-style-type: none"> <li>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</li> <li>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure.</li> </ul> <p>13. If the outbuilding is a garage, it is located so that vehicle access:</p> <ul style="list-style-type: none"> <li>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or</li> <li>(b) is not obtained from a State Maintained Road, and will use a driveway that: <ul style="list-style-type: none"> <li>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</li> </ul> </li> </ul>

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Class of Development	Accepted Development Classification Criteria
	<p>(ii) will not interfere with an item of street furniture (including directional signs, lighting, seating and weather shelters), other infrastructure, or a tree;</p> <p>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</p> <p>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of the driveway at the public road boundary and the centre of the front of the covered car parking space for which it provides vehicle access</p> <p>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p> <p>14. If clad in sheet metal is pre-colour treated or painted in a non-reflective colour.</p> <p>15. Does not involve-</p> <p>(a) excavation exceeding a vertical height of 1 metre; or</p> <p>(b) filling exceeding a vertical height of 1 metre,</p> <p>and, if the development involves both excavation and filling, the total combined excavation and filling must not exceed a vertical height of 2 metres.</p> <p>16. Does not involve the clearance of native vegetation.</p> <p>17. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>18. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a) a total area as determined by the following table:</p>

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Class of Development	Accepted Development Classification Criteria										
	<table border="1" data-bbox="837 376 1268 721"> <tr> <th data-bbox="842 383 1120 533">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th data-bbox="1123 383 1264 533">Minimum percentage of site</th></tr> <tr> <td data-bbox="842 537 1120 577">&lt;150</td><td data-bbox="1123 537 1264 577">10%</td></tr> <tr> <td data-bbox="842 582 1120 622">150-200</td><td data-bbox="1123 582 1264 622">15%</td></tr> <tr> <td data-bbox="842 627 1120 667">201-450</td><td data-bbox="1123 627 1264 667">20%</td></tr> <tr> <td data-bbox="842 672 1120 712">&gt;450</td><td data-bbox="1123 672 1264 712">25%</td></tr> </table> <p data-bbox="877 725 1295 801">(b) the amount of existing soft landscaping prior to the development occurring.</p> <p data-bbox="798 815 1295 927">19. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
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201-450	20%										
>450	25%										
<p data-bbox="284 940 794 1016">Private bushfire shelter</p> <p data-bbox="284 990 794 1016">Except where any of the following apply:</p> <ul data-bbox="284 1039 794 1339" style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• River Murray Flood Plain Protection Area Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol data-bbox="798 940 1300 1821" style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. Primary street setback - at least as far back as the building to which it is ancillary</li> <li>4. Secondary street setback - at least 900mm from the boundary of the allotment</li> <li>5. At least 6m from the corner of an allotment which abuts the intersection of two or more roads (other than where a 4m x 4m allotment cut-off is already in place)</li> <li>6. Does not involve the clearance of native vegetation</li> <li>7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li>8. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u></li> <li>9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>										

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Class of Development	Accepted Development Classification Criteria				
Shade sail Except where any of the following apply: <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. Shade sail consists of permeable material</li> <li>4. The total area of the sail - does not exceed 40m<sup>2</sup></li> <li>5. No part of the shade sail will be:               <ol style="list-style-type: none"> <li>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> <li>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</li> </ol> </li> <li>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</li> <li>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</li> <li>9. Does not involve the clearance of native vegetation</li> <li>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</li> <li>11. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:               <ol style="list-style-type: none"> <li>(a). a total area as determined by the following table:                   <table border="1"> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> <tr> <td>&lt;150</td><td>10%</td></tr> </table> </li> </ol> </li> </ol>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site				
<150	10%				

## OFFICIAL

Class of Development	Accepted Development Classification Criteria						
	<table border="1" data-bbox="837 376 1267 517"> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>12. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>13. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	150-200	15%	201-450	20%	>450	25%
150-200	15%						
201-450	20%						
>450	25%						
<p>Swimming pool or spa pool</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. It is ancillary to a dwelling erected on the site or a dwelling to be erected on the site in accordance with a development authorisation which has been granted</p> <p>4. Allotment boundary setback - not less than 1m</p> <p>5. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>6. Location of filtration system from a dwelling on an adjoining allotment:</p> <p>(a). not less than 5m where the filtration system is located inside a solid structure that will have material impact on the transmission of noise; or</p> <p>(b). not less than 12m in any other case.</p> <p>7. Does not involve the clearance of native vegetation</p> <p>8. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas.</p> <p>9. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p>						

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Class of Development	Accepted Development Classification Criteria										
	<table border="1" data-bbox="837 376 1268 721"> <tr> <th data-bbox="842 383 1120 533">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th data-bbox="1123 383 1264 533">Minimum percentage of site</th></tr> <tr> <td data-bbox="842 537 1120 577">&lt;150</td><td data-bbox="1123 537 1264 577">10%</td></tr> <tr> <td data-bbox="842 582 1120 622">150-200</td><td data-bbox="1123 582 1264 622">15%</td></tr> <tr> <td data-bbox="842 627 1120 667">201-450</td><td data-bbox="1123 627 1264 667">20%</td></tr> <tr> <td data-bbox="842 672 1120 712">&gt;450</td><td data-bbox="1123 672 1264 712">25%</td></tr> </table> <p data-bbox="877 725 1295 801">(b). the amount of existing soft landscaping prior to the development occurring.</p> <p data-bbox="798 815 1305 896">10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p data-bbox="798 909 1305 1016">11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p data-bbox="284 1037 383 1059">Verandah</p> <p data-bbox="284 1077 691 1104">Except where any of the following apply:</p> <ul data-bbox="284 1122 699 1283" style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol data-bbox="798 1037 1305 1821" style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.</li> <li>3. It is ancillary to a dwelling erected on the site.</li> <li>4. Primary street setback – as far back as the building line of the building to which it is ancillary.</li> <li>5. Total floor area - does not exceed 40m<sup>2</sup>.</li> <li>6. Post height - does not exceed 3m measured from natural ground level.</li> <li>7. Building height - does not exceed 5m.</li> <li>8. Length – does not exceed 11.5m if any part of the structure abuts or is situated on a boundary of the allotment.</li> <li>9. Does not involve the clearance of native vegetation</li> <li>10. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:               <p data-bbox="877 1771 1254 1821">(a). a total area as determined by the following table:</p> </li> </ol>										

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Class of Development	Accepted Development Classification Criteria										
	<table border="1" data-bbox="837 376 1268 723"> <tr> <th data-bbox="837 376 1121 533">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th data-bbox="1121 376 1268 533">Minimum percentage of site</th></tr> <tr> <td data-bbox="837 533 1121 577">&lt;150</td><td data-bbox="1121 533 1268 577">10%</td></tr> <tr> <td data-bbox="837 577 1121 622">150-200</td><td data-bbox="1121 577 1268 622">15%</td></tr> <tr> <td data-bbox="837 622 1121 667">201-450</td><td data-bbox="1121 622 1268 667">20%</td></tr> <tr> <td data-bbox="837 667 1121 723">&gt;450</td><td data-bbox="1121 667 1268 723">25%</td></tr> </table> <p data-bbox="874 723 1300 801">(b). the amount of existing soft landscaping prior to the development occurring.</p> <p data-bbox="798 813 1300 902">11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p data-bbox="798 913 1300 1014">12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p data-bbox="284 1025 794 1059">Water tank (above ground)</p> <p data-bbox="284 1081 794 1115">Except where any of the following apply:</p> <ul data-bbox="284 1137 794 1272" style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol data-bbox="798 1037 1300 1827" style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. The tank is part of a roof drainage system</li> <li>4. Total floor area - not exceeding 15m<sup>2</sup></li> <li>5. The tank is located wholly above ground</li> <li>6. Tank height - does not exceed 4m above natural ground level</li> <li>7. Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour</li> <li>9. Does not involve the clearance of native vegetation.</li> <li>10. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less: <ul data-bbox="874 1765 1300 1827" style="list-style-type: none"> <li>(a). a total area as determined by the following table:</li> </ul> </li> </ol>										



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Class of Development	Accepted Development Classification Criteria										
	<table> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>Water tank (underground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Ramsar Wetlands Overlay</li> </ul>	<p>1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>2. The tank (including any associated pump) is located wholly below the level of the ground</p> <p>3. Does not involve the clearance of native vegetation.</p> <p>4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>5. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>										

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert Tunnel Protection Overlay [Land Use and Intensity] DTS/DPF 1.1 and Tunnel Protection Overlay [Excavation and Ground Intruding Activity] DTS/DPF 2.1 as 'Deemed-to-satisfy Development Classification Criteria for the following Classes of Development:

- Ancillary accommodation
- Carport
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:

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- (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or
- (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. Group dwelling
- Outbuilding
- Replacement building
- Row dwelling
- Semi-detached dwelling
- Temporary accommodation in an area affected by bushfire
- Verandah

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Ancillary accommodation
- Carport
- Deck
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
  - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or
  - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. Group dwelling
- Fence
- Group dwelling
- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Verandah.

**Local Activity Centre Zone****Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land	1. Building work is associated with a railway
Except where any of the following apply:	2. It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14

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Class of Development	Accepted Development Classification Criteria
<ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulphate Soils) Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<p>of the Planning, Development and Infrastructure (General) Regulations 2017)</p> <p>3. It is required for the conduct or maintenance of railway activities</p> <p>4. It does not involve the clearance of native vegetation</p> <p>5. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>6. <u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>8. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u></p> <p>9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	<p>1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p> <p>2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u></p>
<p>Partial demolition of a building or structure</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Historic Area Overlay</li> <li>Local Heritage Place Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	None

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Class of Development	Accepted Development Classification Criteria
<p>Shade sail</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. Shade sail consists of permeable material</li> <li>4. The total area of the sail - does not exceed 40m<sup>2</sup></li> <li>5. No part of the shade sail will be: <ol style="list-style-type: none"> <li>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> <li>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</li> </ol> </li> <li>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</li> <li>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</li> <li>9. Does not involve the clearance of native vegetation</li> <li>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</li> <li>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>
<u>Storage of material or equipment</u>	<ol style="list-style-type: none"> <li>1. <u>It does not include storage of material or equipment over a designated storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></li> </ol>

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Class of Development	Accepted Development Classification Criteria
Temporary public service depot  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Hazards (Flooding) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Major Urban Transport Routes Overlay</li> <li>• State Heritage Place Overlay</li> <li>• Traffic Generating Development Overlay</li> <li>• Urban Transport Routes Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. Occupies land for no longer than 3 months</li> <li>2. Ensures litter and water are contained on site</li> <li>3. Provides temporary security fencing around the perimeter of the site.</li> <li>4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li>5. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpiling or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></li> <li>6. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>
<u>Temporary stockpiling</u>	<ol style="list-style-type: none"> <li>1. <u>It does not include temporary stockpiling over a designated stockpile area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></li> </ol>
Water tank (above ground)  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. The tank is part of a roof drainage system</li> <li>4. Total floor area - not exceeding 15m<sup>2</sup></li> <li>5. The tank is located wholly above ground</li> <li>6. Tank height - does not exceed 4m above natural ground level</li> <li>7. Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour</li> <li>9. Does not involve the clearance of native vegetation.</li> <li>10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li>11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>

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Class of Development	Accepted Development Classification Criteria
Water tank (underground)  Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Ramsar Wetlands Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>The tank (including any associated pump) is located wholly below the level of the ground</li> <li>Does not involve the clearance of native vegetation.</li> <li><u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria for the following Classes of Development:

- Advertisement
- Consulting room
- Office
- Replacement building
- Shop
- Temporary accommodation in an area affected by bushfire

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Advertisement
- Consulting room
- Dwelling
- Fence
- Office
- Retaining wall
- Shop
- Store
- Telecommunications facility
- Verandah.

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## Recreation Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulphate Soils) Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	1. Building work is associated with a railway 2. It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017) 3. It is required for the conduct or maintenance of railway activities 4. It does not involve the clearance of native vegetation 5. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas 6. <u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u> 7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 8. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u> 9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
Outbuilding Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Future Local Road Widening Overlay</li> <li>Future Road Widening Overlay</li> <li>Hazards (Flooding) Overlay</li> <li>Historic Area Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> . 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system. 3. It is detached from and ancillary to a dwelling erected on the site. 4. Primary street setback - at least 5.5m from the primary street boundary and as far back as



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Class of Development	Accepted Development Classification Criteria
<ul style="list-style-type: none"> <li>State Heritage Place Overlay</li> </ul>	<p>the building line of the building to which it is ancillary.</p> <ol style="list-style-type: none"> <li>5. Secondary street setback - at least 900mm from the boundary of the allotment (if the land has boundaries on two or more roads).</li> <li>6. Total floor area - does not exceed 40m<sup>2</sup>.</li> <li>7. Wall height - does not exceed 3m measured from natural ground level (and not including a gable end).</li> <li>8. Building height - does not exceed 5m.</li> <li>9. If situated on or abutting a boundary (not being a boundary with a primary street or secondary street) - a length not exceeding 11.5m unless:             <ol style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ol> </li> <li>10. If the outbuilding abuts or is situated on the boundary of the allotment (not being a boundary with a primary street or secondary street):             <ol style="list-style-type: none"> <li>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</li> <li>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure.</li> </ol> </li> <li>11. Total roofed area of all existing and proposed buildings on the allotment - does not exceed 60%.</li> <li>12. If the outbuilding is a garage door opening for vehicle access facing a street frontage does not exceed, in total, 7m in width or 50% of the width of the allotment frontage (whichever lesser)</li> <li>13. If the outbuilding is a garage, it is located so that vehicle access:             <ol style="list-style-type: none"> <li>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent</li> </ol> </li> </ol>

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Class of Development	Accepted Development Classification Criteria
	<p>has been granted as part of an application for the division of land; or</p> <p>(b) is not obtained from a State Maintained Road, and will use a driveway that:</p> <ul style="list-style-type: none"> <li>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</li> <li>(ii) will not interfere with an item of street furniture (including directional signs, lighting, seating and weather shelters), other infrastructure, or a tree;</li> <li>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</li> <li>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of the driveway at the public road boundary and the centre of the front of the covered car parking space for which it provides vehicle access</li> <li>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</li> </ul> <p>14. If clad in sheet metal is pre-colour treated or painted in a non-reflective colour.</p> <p>15. Does not involve-</p> <ul style="list-style-type: none"> <li>(a) excavation exceeding a vertical height of 1 metre; or</li> <li>(b) filling exceeding a vertical height of 1 metre,</li> </ul> <p>and, if the development involves both excavation and filling, the total combined excavation and filling must not exceed a vertical height of 2 metres.</p> <p>16. Does not involve the clearance of native vegetation.</p>

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Class of Development	Accepted Development Classification Criteria
	<p>17. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>18. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	<p>1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p> <p>2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u></p>
<p>Shade sail</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. Shade sail consists of permeable material</p> <p>4. The total area of the sail - does not exceed 40m<sup>2</sup></p> <p>5. No part of the shade sail will be:</p> <p>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</p> <p>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</p> <p>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</p> <p>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the</p>

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Class of Development	Accepted Development Classification Criteria
	<p>sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</p> <p>9. Does not involve the clearance of native vegetation</p> <p>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<u>Storage of material or equipment</u>	<p>1. <u>It does not include storage of material or equipment over a designated storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></p>
<u>Temporary stockpiling</u>	<p>1. <u>It does not include temporary stockpiling over a designated stockpile area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u></p>
<p>Verandah</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996</p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. It is ancillary to a dwelling erected on the site</p> <p>4. Primary street setback - as far back as the building line of the building to which it is ancillary</p> <p>5. Total floor area - does not exceed 40m<sup>2</sup></p> <p>6. Post height - does not exceed 3m measured from natural ground level</p> <p>7. Building height - does not exceed 5m</p> <p>8. Length - does not exceed 11m if any part of the structure abuts or is situated on a boundary of the allotment</p> <p>9. Total roofed area of all existing and proposed buildings on the allotment - does not exceed 60%</p> <p>10. Does not involve the clearance of native vegetation.</p>

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Class of Development	Accepted Development Classification Criteria
	<p>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<p>Water tank (above ground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. The tank is part of a roof drainage system</p> <p>4. Total floor area - not exceeding 15m<sup>2</sup></p> <p>5. The tank is located wholly above ground</p> <p>6. Tank height - does not exceed 4m above natural ground level</p> <p>7. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour</p> <p>9. Does not involve the clearance of native vegetation.</p> <p>10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<p>Water tank (underground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Ramsar Wetlands Overlay</li> </ul>	<p>1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>2. The tank (including any associated pump) is located wholly below the level of the ground</p> <p>3. Does not involve the clearance of native vegetation.</p> <p>4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>5. <u>It does not involve excavation or ground intruding activity more than 2.5m below the</u></p>

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Class of Development	Accepted Development Classification Criteria
	<a href="#">regulated surface level where located within the Tunnel Protection Overlay.</a>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria for the following Classes of Development:

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

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Advertisement
- Outbuilding
- Retaining wall
- Shop
- Verandah.

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## Strategic Employment Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land  Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulphate Soils) Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	1. Building work is associated with a railway  2. It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017)  3. It is required for the conduct or maintenance of railway activities  4. It does not involve the clearance of native vegetation  5. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas  6. <u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u>  7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u>  8. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u>  9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>  2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable,</u>



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Class of Development	Accepted Development Classification Criteria
	<a href="#">conduit, tunnel, underground passageway or adit.</a>
<p>Shade sail</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. Shade sail consists of permeable material</li> <li>4. The total area of the sail - does not exceed 40m<sup>2</sup></li> <li>5. No part of the shade sail will be: <ol style="list-style-type: none"> <li>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> <li>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</li> </ol> </li> <li>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</li> <li>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</li> <li>9. Does not involve the clearance of native vegetation</li> <li>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</li> <li>11. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></li> <li>12. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></li> </ol>
<a href="#">Storage of material or equipment</a>	<ol style="list-style-type: none"> <li>1. <a href="#">It does not include storage of material or equipment over a designated storage area</a></li> </ol>

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Class of Development	Accepted Development Classification Criteria
	<u>that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u>
Temporary public service depot  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Hazards (Flooding) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Major Urban Transport Routes Overlay</li> <li>• State Heritage Place Overlay</li> <li>• Traffic Generating Development Overlay</li> <li>• Urban Transport Routes Overlay</li> </ul>	1. Occupies land for no longer than 3 months 2. Ensures litter and water are contained on site 3. Provides temporary security fencing around the perimeter of the site. 4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 5. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpiling or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u> 6. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Temporary stockpiling</u>	1. <u>It does not include temporary stockpiling over a designated stockpile area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u>
Water tank (above ground)  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system 3. The tank is part of a roof drainage system 4. Total floor area - not exceeding 15m <sup>2</sup> 5. The tank is located wholly above ground 6. Tank height - does not exceed 4m above natural ground level 7. Primary street setback - at least as far back as the building line of the building to which it is ancillary 8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour 9. Does not involve the clearance of native vegetation. 10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the</u>

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Class of Development	Accepted Development Classification Criteria
	<a href="#">regulated surface level where located within the Tunnel Protection Overlay.</a>
Water tank (underground)  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Ramsar Wetlands Overlay</li> </ul>	1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system  2. The tank (including any associated pump) is located wholly below the level of the ground  3. Does not involve the clearance of native vegetation.  4. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a>  5. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria' for the following Classes of Development:

- Advertisement
- Replacement Building
- Temporary accommodation in an area affected by bushfire

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Advertisement
- Consulting room
- General Industry
- Light industry
- Office
- Outbuilding
- Retail fuel outlet
- Retaining wall
- Service trade premises
- Shop
- Store
- Telecommunications facility
- Warehouse.

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## Suburban Activity Centre Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulphate Soils) Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	1. Building work is associated with a railway 2. It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017) 3. It is required for the conduct or maintenance of railway activities 4. It does not involve the clearance of native vegetation 5. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas 6. <u>It does not involve building work that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u> 7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 8. <u>It does not include storage of material or equipment or temporary stockpiling over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u> 9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u> 2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable,</u>

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Class of Development	Accepted Development Classification Criteria
	<a href="#">conduit, tunnel, underground passageway or adit.</a>
Shade sail  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. Shade sail consists of permeable material</li> <li>4. The total area of the sail - does not exceed 40m<sup>2</sup></li> <li>5. No part of the shade sail will be:               <ol style="list-style-type: none"> <li>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> <li>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</li> </ol> </li> <li>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</li> <li>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</li> <li>9. Does not involve the clearance of native vegetation</li> <li>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</li> <li>11. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></li> <li>12. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></li> </ol>
<a href="#">Storage of material or equipment</a>	<ol style="list-style-type: none"> <li>1. <a href="#">It does not include storage of material or equipment over a designated storage area</a></li> </ol>

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Class of Development	Accepted Development Classification Criteria
	<u>that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u>
Temporary public service depot  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Hazards (Flooding) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Major Urban Transport Routes Overlay</li> <li>• State Heritage Place Overlay</li> <li>• Traffic Generating Development Overlay</li> <li>• Urban Transport Routes Overlay</li> </ul>	1. Occupies land for no longer than 3 months 2. Ensures litter and water are contained on site 3. Provides temporary security fencing around the perimeter of the site. 4. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 5. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpiling or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u> 6. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Temporary stockpiling</u>	1. <u>It does not include temporary stockpiling over a designated stockpile area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay.</u>
Water tank (above ground)  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system 3. The tank is part of a roof drainage system 4. Total floor area - not exceeding 15m <sup>2</sup> 5. The tank is located wholly above ground 6. Tank height - does not exceed 4m above natural ground level 7. Primary street setback - at least as far back as the building line of the building to which it is ancillary 8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour 9. Does not involve the clearance of native vegetation. 10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the</u>

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Class of Development	Accepted Development Classification Criteria
	<a href="#">regulated surface level where located within the Tunnel Protection Overlay.</a>
Water tank (underground)  Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Ramsar Wetlands Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>The tank (including any associated pump) is located wholly below the level of the ground</li> <li>Does not involve the clearance of native vegetation.</li> <li><a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></li> <li><a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></li> </ol>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria' for the following Classes of Development:

- Advertisement
- Consulting room
- Office
- Replacement Building
- Shop
- Temporary accommodation in an area affected by bushfire

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Advertisement
- Consulting room
- Dwelling
- Fence
- Office
- Retaining wall
- Shop
- Store
- Telecommunications facility
- Verandah.

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## Suburban Neighbourhood Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
Building work on railway land Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulphate Soils) Overlay</li> <li>Local Heritage Place Overlay</li> <li>Significant Landscape Protection Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	1. Building work is associated with a railway 2. It is situated (or to be situated) on railway land (within the meaning of Schedule 4 clause 14 of the Planning, Development and Infrastructure (General) Regulations 2017) 3. It is required for the conduct or maintenance of railway activities 4. It does not involve the clearance of native vegetation 5. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas 6. <u>It does not involve the construction of a building that exceeds 3 building levels above the regulated surface level where located within the Tunnel Protection Overlay</u> 7. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u> 8. <u>It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</u> 9. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
Carport Except where any of the following apply: <ul style="list-style-type: none"> <li>Future Local Road Widening Overlay</li> <li>Future Road Widening Overlay</li> <li>Historic Area Overlay</li> <li>Local Heritage Place Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> . 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system. 3. It is ancillary to a dwelling erected on the site. 4. Primary street setback - at least 5.5m from the primary street boundary and as far back as the building line of the building to which it is ancillary.



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Class of Development	Accepted Development Classification Criteria
	<ol style="list-style-type: none"> <li>5. Total floor area - does not exceed 40m<sup>2</sup>.</li> <li>6. Post height - does not exceed 3m measured from natural ground level (and not including a gable end).</li> <li>7. Building height - does not exceed 5m.</li> <li>8. If situated on or abutting a boundary (not being a boundary with a primary street) - a length not exceeding 11m unless: <ol style="list-style-type: none"> <li>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</li> <li>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</li> </ol> </li> <li>9. If the carport abuts or is situated on the boundary of the allotment (not being a boundary with a primary street): <ol style="list-style-type: none"> <li>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</li> <li>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure.</li> </ol> </li> <li>10. Site coverage does not exceed 50%.</li> <li>11. Door opening for vehicle access facing a street frontage - does not exceed, in total, 7m in width or 30% of the width of the allotment frontage (whichever lesser)</li> <li>12. The carport is located so that vehicle access: <ol style="list-style-type: none"> <li>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or</li> <li>(b) is not obtained from a State Maintained Road, and will use a driveway that: <ol style="list-style-type: none"> <li>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</li> <li>(ii) will not interfere with an item of street furniture (including directional signs, lighting,</li> </ol> </li> </ol> </li> </ol>

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Class of Development	Accepted Development Classification Criteria										
	<p>seating and weather shelters), other infrastructure, or a tree;</p> <p>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</p> <p>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of the driveway at the public road boundary and the centre of the front of the covered car parking space for which it provides vehicle access</p> <p>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p> <p>13. If any part involves cladding in sheet metal-will have cladding which is pre-colour treated or painted in a non-reflective colour.</p> <p>14. Does not involve the clearance of native vegetation.</p> <p>15. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a) a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b) the amount of existing soft landscaping prior to the development occurring.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

## OFFICIAL

Class of Development	Accepted Development Classification Criteria
	<p>16. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u></p> <p>17. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	<p>1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p> <p>2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u></p>
<p>Outbuilding</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.</p> <p>3. It is detached from and ancillary to a dwelling erected on the site.</p> <p>4. Primary street setback - at least 5.5m from the primary street boundary and as far back as the building line of the building to which it is ancillary.</p> <p>5. Secondary street setback - at least 900mm from the boundary of the allotment (if the land has boundaries on two or more roads).</p> <p>6. Total floor area - does not exceed 40m<sup>2</sup>.</p> <p>7. Wall height - does not exceed 3m measured from natural ground level (and not including a gable end).</p> <p>8. Building height - does not exceed 5m.</p> <p>9. If situated on or abutting a boundary (not being a boundary with a primary street or secondary street) - a length not exceeding 11.5m unless:</p> <p>(a) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary; and</p>

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Class of Development	Accepted Development Classification Criteria
	<p>(b) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent.</p> <p>10. If the outbuilding abuts or is situated on the boundary of the allotment (not being a boundary with a primary street or secondary street):</p> <p>(a) it will not result in all relevant walls or structures located along the boundary exceeding 45% of the length of the boundary; and</p> <p>(b) it will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure</p> <p>11. Site coverage does not exceed 50%.</p> <p>12. Door opening for vehicle access facing a street frontage - does not exceed, in total, 7m in width or 50% of the width of the allotment frontage (whichever lesser)</p> <p>13. If the outbuilding is a garage, it is located so that vehicle access:</p> <p>(a) is provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land; or</p> <p>(b) is not obtained from a State Maintained Road, and will use a driveway that:</p> <p>(i) is not located within 6 metres of an intersection of 2 or more roads or a pedestrian actuated crossing;</p> <p>(ii) will not interfere with an item of street furniture (including directional signs, lighting, seating and weather shelters), other infrastructure, or a tree;</p> <p>(iii) is located so that the gradient from the place of access on the boundary of the allotment to the finished floor level at the front of the carport when the work is completed is not steeper than 1:4 on average</p> <p>(iv) is aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the</p>

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Class of Development	Accepted Development Classification Criteria										
	<p>centreline of the driveway at the public road boundary and the centre of the front of the covered car parking space for which it provides vehicle access</p> <p>(v) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p> <p>14. If clad in sheet metal is pre-colour treated or painted in a non-reflective colour.</p> <p>15. Does not involve-</p> <p>(a) excavation exceeding a vertical height of 1 metre; or</p> <p>(b) filling exceeding a vertical height of 1 metre,</p> <p>and, if the development involves both excavation and filling, the total combined excavation and filling must not exceed a vertical height of 2 metres.</p> <p>16. Does not involve the clearance of native vegetation.</p> <p>17. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>18. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a) a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b) the amount of existing soft landscaping prior to the development occurring.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

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Class of Development	Accepted Development Classification Criteria
	19. <a href="#">It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a>
Private bushfire shelter  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• River Murray Flood Plain Protection Area Overlay</li> <li>• Significant Landscape Protection Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>  2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system  3. Primary street setback - at least as far back as the building to which it is ancillary  4. Secondary street setback - at least 900mm from the boundary of the allotment  5. At least 6m from the corner of an allotment which abuts the intersection of two or more roads (other than where a 4m x 4m allotment cut-off is already in place)  6. Does not involve the clearance of native vegetation  7. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a>  8. <a href="#">It does not include temporary stockpiling or storage of material or equipment over a designated stockpile or storage area that is larger than 100m<sup>2</sup> where located within the Tunnel Protection Overlay</a>  9. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a>
Shade sail  Except where any of the following apply: <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>  2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system  3. Shade sail consists of permeable material  4. The total area of the sail - does not exceed 40m <sup>2</sup>  5. No part of the shade sail will be: <ul style="list-style-type: none"> <li>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> </ul>

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Class of Development	Accepted Development Classification Criteria										
	<p>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</p> <p>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</p> <p>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</p> <p>9. Does not involve the clearance of native vegetation</p> <p>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>11. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p> <p>12. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>13. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

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Class of Development	Accepted Development Classification Criteria										
<p>Swimming pool or spa pool</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Future Local Road Widening Overlay</li> <li>Future Road Widening Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Hazards (Flooding) Overlay</li> <li>Historic Area Overlay</li> <li>Local Heritage Place Overlay</li> <li>State Heritage Area Overlay</li> <li>State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</li> <li>The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>It is ancillary to a dwelling erected on the site or a dwelling to be erected on the site in accordance with a development authorisation which has been granted</li> <li>Allotment boundary setback - not less than 1m</li> <li>Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>Location of filtration system from a dwelling on an adjoining allotment: <ol style="list-style-type: none"> <li>not less than 5m where the filtration system is located inside a solid structure that will have material impact on the transmission of noise; or</li> <li>not less than 12m in any other case.</li> </ol> </li> <li>Does not involve the clearance of native vegetation</li> <li>The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas.</li> <li>Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less: <ol style="list-style-type: none"> <li>a total area as determined by the following table: <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> </li> <li>the amount of existing soft landscaping prior to the development occurring.</li> </ol> </li> </ol>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										



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Class of Development	Accepted Development Classification Criteria										
	<p>10. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>11. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>										
<p>Verandah</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system.</li> <li>3. It is ancillary to a dwelling erected on the site.</li> <li>4. Primary street setback – as far back as the building line of the building to which it is ancillary.</li> <li>5. Total floor area - does not exceed 40m<sup>2</sup>.</li> <li>6. Post height - does not exceed 3m measured from natural ground level.</li> <li>7. Building height - does not exceed 5m.</li> <li>8. Length – does not exceed 11.5m if any part of the structure abuts or is situated on a boundary of the allotment.</li> <li>9. Site coverage does not exceed 60%.</li> <li>10. Does not involve the clearance of native vegetation</li> <li>11. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less: <ol style="list-style-type: none"> <li>(a). a total area as determined by the following table: <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> </li> <li>(b). the amount of existing soft landscaping prior to the development occurring.</li> </ol> </li> </ol>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

## OFFICIAL

Class of Development	Accepted Development Classification Criteria										
	<p>12. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>13. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>										
<p>Water tank (above ground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• Ramsar Wetlands Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. The tank is part of a roof drainage system</p> <p>4. Total floor area - not exceeding 15m<sup>2</sup></p> <p>5. The tank is located wholly above ground</p> <p>6. Tank height - does not exceed 4m above natural ground level</p> <p>7. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>8. In the case of a tank made of metal - the tank is pre-colour treated or painted in a non-reflective colour</p> <p>9. Does not involve the clearance of native vegetation.</p> <p>10. Retains a total area of soft landscaping in accordance with (a) or (b), whichever is less:</p> <p>(a). a total area as determined by the following table:</p> <table border="1"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m<sup>2</sup>)</th><th>Minimum percentage of site</th></tr> </thead> <tbody> <tr> <td>&lt;150</td><td>10%</td></tr> <tr> <td>150-200</td><td>15%</td></tr> <tr> <td>201-450</td><td>20%</td></tr> <tr> <td>&gt;450</td><td>25%</td></tr> </tbody> </table> <p>(b). the amount of existing soft landscaping prior to the development occurring.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m <sup>2</sup> )	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										

## OFFICIAL

Class of Development	Accepted Development Classification Criteria
	<p>11. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></p> <p>12. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></p>
<p>Water tank (underground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Ramsar Wetlands Overlay</li> </ul>	<p>1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>2. The tank (including any associated pump) is located wholly below the level of the ground</p> <p>3. Does not involve the clearance of native vegetation.</p> <p>4. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</a></p> <p>5. <a href="#">It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a></p>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria' for the following Classes of Development:

- Ancillary accommodation
- Carport
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
  - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or
  - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. Group dwelling
- Outbuilding
- Replacement building
- Row Dwelling
- Semi-detached Dwelling
- Temporary accommodation in an area affected by bushfire
- Verandah

**Table 3 - Applicable Policies for Performance Assessed Development**

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In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Ancillary accommodation
- Carport
- Deck
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
  - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or
  - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. Group dwelling
- Fence
- Group dwelling
- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Verandah.

## Urban Corridor (Main Street) Zone

**Table 1 – Accepted Development Classification**

**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
<a href="#">Excavation</a>	1. <a href="#">It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a>
<a href="#">Filling of land</a>	1. <a href="#">It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</a>
<a href="#">Ground intruding activity</a>	1. <a href="#">It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</a> 2. <a href="#">It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</a>

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Class of Development	Accepted Development Classification Criteria
<p>Shade sail</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i></li> <li>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>3. Shade sail consists of permeable material</li> <li>4. The total area of the sail - does not exceed 40m<sup>2</sup></li> <li>5. No part of the shade sail will be: <ol style="list-style-type: none"> <li>(a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment</li> <li>(b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment</li> </ol> </li> <li>6. Primary street setback - at least as far back as the building line of the building to which it is ancillary</li> <li>7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m</li> <li>8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary</li> <li>9. Does not involve the clearance of native vegetation</li> <li>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</li> <li>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>
<p>Water tank (underground)</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> </ul>	<ol style="list-style-type: none"> <li>1. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> </ol>

## OFFICIAL

Class of Development	Accepted Development Classification Criteria
<ul style="list-style-type: none"> <li>Ramsar Wetlands Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The tank (including any associated pump) is located wholly below the level of the ground</li> <li>Does not involve the clearance of native vegetation.</li> <li><u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria' for the following Classes of Development:

- Advertisement
- Consulting Room
- Office
- Replacement Building
- Shop

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1](#) and [Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Advertisement
- Consulting room
- Dwelling
- Dwelling or residential flat building undertaken by:
  - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or
  - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. Group dwelling
- Licensed premises
- Office
- Residential flat building
- Shop
- Student accommodation
- Tourist accommodation.

## Urban Neighbourhood Zone

**Table 1 – Accepted Development Classification**

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**Drafting Note:** Classes of Development and associated Accepted Development Classification Criteria that are not proposed to be amended have been omitted from the table for clarity.

Amend table as outlined below (insert new classes of development in alphabetical order):

Class of Development	Accepted Development Classification Criteria
<u>Excavation</u>	1. <u>It does not involve excavation more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Filling of land</u>	1. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay.</u>
<u>Ground intruding activity</u>	1. <u>It does not involve ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u> 2. <u>It does not involve ground intruding activity involving an underground drain, pipe, cable, conduit, tunnel, underground passageway or adit.</u>
Shade sail  Except where any of the following apply:  <ul style="list-style-type: none"> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> 2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system 3. Shade sail consists of permeable material 4. The total area of the sail - does not exceed 40m <sup>2</sup> 5. No part of the shade sail will be: (a). 3m above ground or floor level (depending on where it is situated) at any place within 900mm of a boundary of the allotment (b). 5m above ground or floor level (depending on where it is situated) within any other part of the allotment 6. Primary street setback - at least as far back as the building line of the building to which it is ancillary 7. If any part of the sail will be situated on a boundary of the allotment, the length of sail along a boundary does not exceed 11m 8. In a case where any part of the sail or a supporting structure will be situated on a side boundary of the allotment - the length of the sail and any such supporting structure together with all relevant walls or structures located along the boundary will not exceed 45% of the length of the boundary

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Class of Development	Accepted Development Classification Criteria
	<p>9. Does not involve the clearance of native vegetation</p> <p>10. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas</p> <p>11. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>12. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>
<p>Swimming pool or spa pool</p> <p>Except where any of the following apply:</p> <ul style="list-style-type: none"> <li>• Coastal Areas Overlay</li> <li>• Future Local Road Widening Overlay</li> <li>• Future Road Widening Overlay</li> <li>• Hazards (Acid Sulfate Soils) Overlay</li> <li>• Hazards (Flooding) Overlay</li> <li>• Historic Area Overlay</li> <li>• Local Heritage Place Overlay</li> <li>• State Heritage Area Overlay</li> <li>• State Heritage Place Overlay</li> </ul>	<p>1. The development will not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>.</p> <p>2. The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</p> <p>3. It is ancillary to a dwelling erected on the site or a dwelling to be erected on the site in accordance with a development authorisation which has been granted</p> <p>4. Allotment boundary setback - not less than 1m</p> <p>5. Primary street setback - at least as far back as the building line of the building to which it is ancillary</p> <p>6. Location of filtration system from a dwelling on an adjoining allotment:</p> <p style="padding-left: 40px;">(a). not less than 5m where the filtration system is located inside a solid structure that will have material impact on the transmission of noise; or</p> <p style="padding-left: 40px;">(b). not less than 12m in any other case.</p> <p>7. Does not involve the clearance of native vegetation</p> <p>8. The development will not be located within the extents of the River Murray 1956 Flood Level as delineated by the SA Property and Planning Atlas.</p> <p>9. <u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></p> <p>10. <u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></p>



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Class of Development	Accepted Development Classification Criteria
Water tank (underground)  Except where any of the following apply: <ul style="list-style-type: none"> <li>Coastal Areas Overlay</li> <li>Hazards (Acid Sulfate Soils) Overlay</li> <li>Ramsar Wetlands Overlay</li> </ul>	<ol style="list-style-type: none"> <li>The development will not be built, or encroach, on an area that is, or will be, required for a sewerage system or waste control system</li> <li>The tank (including any associated pump) is located wholly below the level of the ground</li> <li>Does not involve the clearance of native vegetation.</li> <li><u>It does not involve filling of land more than 1m above the regulated surface level where located within the Tunnel Protection Overlay</u></li> <li><u>It does not involve excavation or ground intruding activity more than 2.5m below the regulated surface level where located within the Tunnel Protection Overlay.</u></li> </ol>

**Table 2 – Deemed-to-Satisfy Development Classification**

In Column 5 (Overlay) of Table 2, insert [Tunnel Protection Overlay \[Land Use and Intensity\] DTS/DPF 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] DTS/DPF 2.1](#) as 'Deemed-to-satisfy Development Classification Criteria' for the following Classes of Development:

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

**Table 3 - Applicable Policies for Performance Assessed Development**

In Column 5 (Overlay) of Table 3, insert [Tunnel Protection Overlay \[Land Use and Intensity\] PO 1.1 and Tunnel Protection Overlay \[Excavation and Ground Intruding Activity\] PO 2.1](#) as 'applicable policies' for the following development types:

- Advertisement
- Consulting room
- Deck
- Detached dwelling
- Dwelling
- Dwelling addition
- Group dwelling
- Licensed premises
- Office
- Residential flat building
- Row dwelling
- Semi-detached dwelling.
- Shop
- Student accommodation
- Tourist accommodation.

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## ATTACHMENT D

**Part 8 - Administrative Terms and Definitions**

Insert, in alphabetical order, the following definition for *Regulated Surface Level* into the Administrative Terms and Definitions Table in Part 8 – Administrative Terms and Definitions of the Code:

Term (Column A)	Definition (Column B)	Illustrations (Column C)
Regulated surface level	Means the measured ground surface level within the boundaries of the Tunnel Protection Overlay as established at the time of commencement of operation of the Tunnel Corridor Code Amendment, as shown on the Planning Reference layer of the SA Property and Planning Atlas.	

# **T2D** TORRENS TO DARLINGTON

## Tunnel Protection Overlay Code Amendment

**River Torrens to Darlington Tunnels, South Road**

*Department for Infrastructure and Transport*

*Discussion Paper for Consultation*

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## 1. HAVE YOUR SAY

This Code Amendment is on consultation from 31 August 2023 to 26 October 2023.

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

Feedback can be provided via:

- Online: PlanSA submission form and survey at [plan.sa.gov.au/have\\_your\\_say/code-amendments/on-consultation](https://plan.sa.gov.au/have_your_say/code-amendments/on-consultation)
- Email: [T2D@sa.gov.au](mailto:T2D@sa.gov.au) with subject 'Submission – Tunnel Protection Overlay Code Amendment'
- Post: Code Amendment, T2D Engagement Team, Department for Infrastructure and Transport, GPO Box 1533, Adelaide SA 5001
- In person: Register to attend a drop-in community information session

Information about community information sessions to be held during the consultation period are available on the PlanSA website.

For more information, contact the T2D Engagement Team, Department for Infrastructure and Transport, on 1300 951 145 or at [T2D@sa.gov.au](mailto:T2D@sa.gov.au).

## 2. 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.

### 2.1 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 Portal](#).

### 2.2 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.

### 2.3 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.

### 2.4 Sub zones

Sub zones 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.

### 2.5 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.

## 2.6 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, as illustrated in Figure 1.

With approval of the Minister for Planning (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.

The Department for Infrastructure and Transport (the Department) is undertaking this Code Amendment in its capacity as a Government Agency and in accordance with section 73(4)(a) of the Act.

The Minister approved a Proposal to Initiate this Code Amendment in January 2022. The approved Proposal to Initiate defined the scope of the amendment and prescribed the investigations which must occur to enable an assessment of whether the Code Amendment should take place and in what form. The Minister for Planning also provided conditions in approving the Proposal.

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.

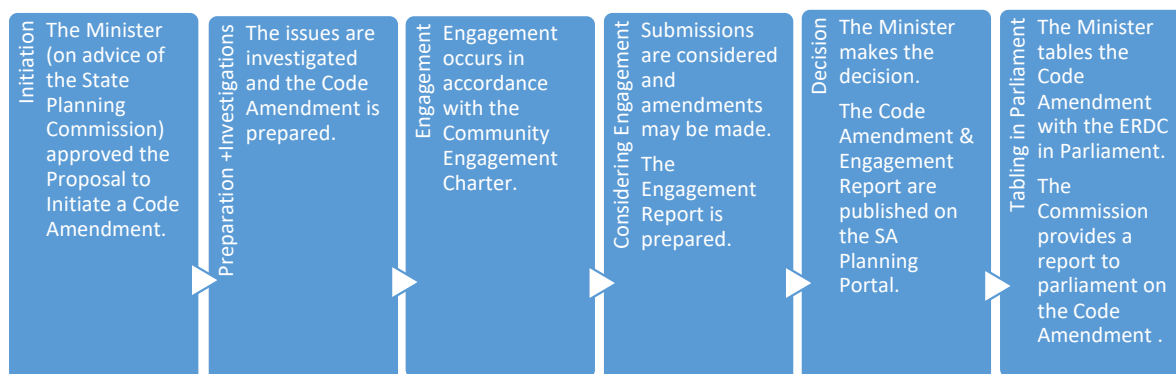


Figure 1: Legislated Code Amendment Process

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.

### 3. WHAT IS PROPOSED IN THIS CODE AMENDMENT?

#### 3.1 Need for the amendment

##### 3.1.1 Protecting the Proposed River Torrens to Darlington Tunnels

The River Torrens to Darlington (T2D) Project is the final 10.5 kilometre (km) section of the North-South Corridor. Once completed, the T2D Project will deliver a 78 km non-stop traffic light-free motorway between Gawler and Old Noarlunga.

The T2D section extends along South Road from the River Torrens (Karrawirra Pari) in the north to Darlington in the south and is the most complex and highly urbanised part of the North-South Corridor.

World-leading urban design and construction methods are being applied to minimise impacts on local communities, commuters and the environment. When complete, more than 50 per cent of the T2D Project will be tunnels.

One of the keys to project success is ensuring the T2D corridor and tunnels are protected from future development activity that pose a risk of adversely impacting on their design, construction and ongoing operation.

Several mechanisms are being put in place to provide the necessary protections, including:

- land acquisition;
- amendments to the Code's Future Road Widening Overlay, which seeks to prevent development in proximity to arterial roads identified for future widening;
- introduction of the new "Ministerial Building Standard: additional requirements for designated Tunnel Protection Areas"; and
- initiation of this Code Amendment to introduce a Tunnel Protection Overlay.



### 3.1.2 Introducing Tunnel Protections to the Code

The use of planning provisions to protect major underground transport tunnels is international best practice and a feature of interstate planning systems.

This approach has been used for all large-scale transport tunnel projects in Australia, including the Cross City Tunnel in Sydney, the Melbourne Metro, North East Link and Suburban Rail Loop projects in Melbourne, and the Airport Link in Brisbane.

With the forthcoming construction of South Australia's first major transport tunnels through the T2D Project, there is a need to introduce similar provisions into the Code.

Tunnel protection planning policies centre on managing development activities that would compromise the construction of the tunnel, and once built, the ongoing structural integrity of the tunnels. That is, activities that could cause the tunnels to crack or reduce their operation life.

Specifically, the planning policies aim to:

- preserve the area immediately around the tunnels (Tunnel Exclusion Area) from intrusion from structures, such as pilings or basements, or works such as excavation; and
- ensure development activities do not create a change in the loading (or weight or stress) on the tunnels that is beyond what has been factored into the engineering structural design limits.

The loading on the tunnels can be affected by:

- an excessive increase in weight above the tunnel, such as a new 4-level building or warehouse constructed of heavy materials or building up of the surface level by more than 1 metre; or
- removal of excessive weight, such as through excavation and removal of soil greater than 2.5 metres.

The effect of such development activity on loading on the tunnels can generally be managed through measures such as alternative design of footings or construction materials.

This Code Amendment seeks to introduce clear criteria to guide the design and construction methods used in the vicinity of the tunnels while preserving the envisaged land uses for the Affected Areas.

### 3.1.3 Tunnel Protection Overlays

The appropriate Code element to achieve these aims is an overlay. This is because the T2D tunnels traverse multiple zones and individual zone policy amendments would not be efficient in achieving the protections required.

Current overlays that relate to protection of transport infrastructure and operations include the Airport Building Heights, Future Road Widening and Traffic Generating Development overlays.

A review of the overlays found there is no clear benefit in amending them to achieve protection for underground tunnels and that amending the overlays may undermine their specific intent and effectiveness.

Accordingly, the Department has initiated this Code Amendment to introduce a Tunnel Protection Overlay and associated policies to provide the immediate and long-term protections necessary to support the delivery and ongoing operation of the T2D tunnels.

The new Tunnel Protection Overlay will:

- be geographically aligned to the future T2D tunnels;
- consistently apply protections over multiple zones and subzones, including potential changes to zones and subzones through future Code Amendments;
- specify the development activities and thresholds that may compromise the structural integrity or ongoing operation of the tunnels; and
- identify triggers for development applications to be referred to the Commissioner of Highways for technical assessment and direction by specialist tunnel engineers on the design of the proposed development to prevent adverse impacts on the tunnels (supported by amendment to Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017 (PDI Regulations)).

The introduction of the overlay will also align the Code with planning systems interstate to protect underground transport assets of State and national significance.

The Tunnel Protection Overlay is complemented by amendments to PDI Regulations to ensure activities posing a high risk of impacting adversely on tunnels are included in the definition of development, including certain essential infrastructure and State agency activities.

### 3.2 Affected Areas

The Affected Areas are those pieces of land determined to be located within the Tunnel Protection Area.

The proposed Tunnel Protection Overlay will be applied to the Affected Areas, which for ease of reference are described as the Southern Affected Area (T2D southern tunnels) and Northern Affected Area (T2D northern tunnels).

- **Southern Affected Area** - extends approximately 4.5 km along South Road from Celtic Avenue, Clovelly Park in the south to Nottingham Crescent, Glandore.
- **Northern Affected Area** - extends approximately 2.2 km along South Road from Davenport Terrace, Hilton in the south to Ashwin Parade, Torrensville in the north.

The width of the Affected Areas has been based on:

- engineering specifications of the tunnel and the geological conditions of the surrounding soils, and relate to the depth of the tunnels;
- a review of the area above the tunnels in which future development poses the greatest risk of causing a change in loading beyond the design limits of the tunnels; and
- a measurement determined by drawing a line that extends from the centreline, and five metres horizontally from the outer edge, of the tunnels at an angle of 45 degrees to where it intersects with the regulated surface level, as illustrated in Figure 2 below. Based on this approach, the Affected Area narrows as the tunnel depth decreases.

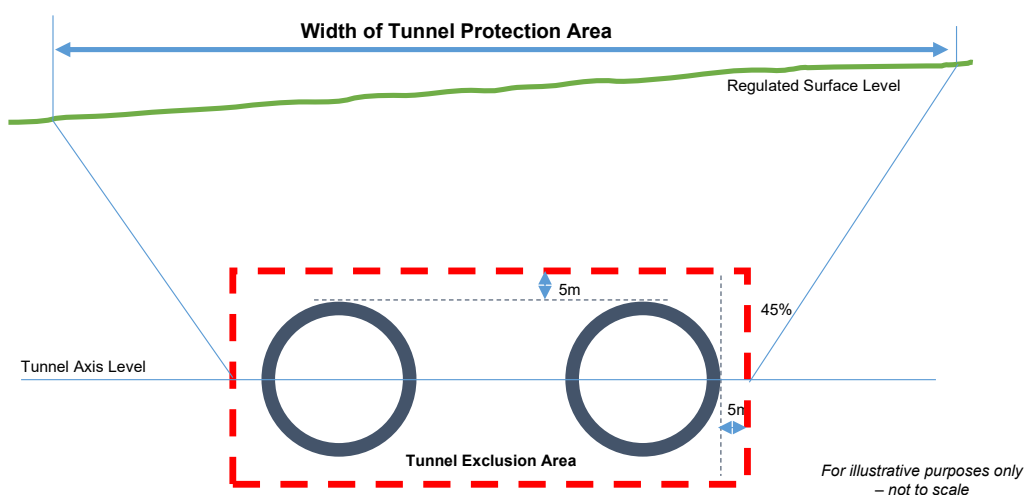


Figure 2: Width of Affected Areas is determined by the depth of the tunnels and engineering standards

For the most part, the Tunnel Protection Area will comprise land located directly above the tunnels and up to approximately 50 metres either side of the Tunnel Exclusion Area.

The exception to this is the Northern Affected Area which extends a minimum of 80 metres to the west of the Tunnel Exclusion Area. This additional offset is required to provide for a potential change to the alignment of the northern tunnels from the Reference Design alignment between their northern and southern portals.

The Affected Areas are based on the design for the T2D Project released in December 2022. The areas will be refined following detailed design in 2024-25, at which time the exact tunnel alignment and depth will be known.

Indicative maps of the Affected Areas are shown in Figure 3 and Figure 4, with detailed maps provided in the Code Amendment and on the South Australian Property and Planning Atlas (SAPPA).



Figure 3: Southern Affected Area

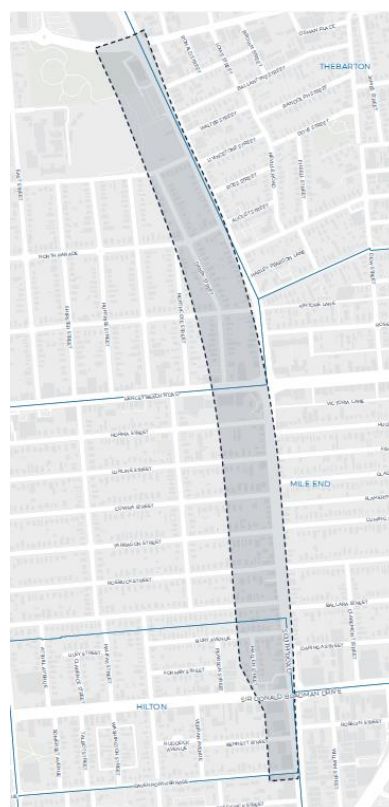


Figure 4: Northern Affected Area

**3.2.1 Southern Affected Area**

The Southern Affected Area is highly urbanised with predominately light industry, commercial and retail land uses fronting onto South Road south of Cross Road, and residential neighbourhoods around Glandore, Clarence Gardens and Clovelly Park. The Affected Area is located within the City of Marion and City of Mitcham.

**3.2.2 Northern Affected Area**

The Northern Affected Area is a highly urbanised area characterised by established residential neighbourhoods with retail and commercial clusters at Henley Beach Road and Sir Donald Bradman Drive. The Affected Area is located wholly within the City of West Torrens.

### 3.3 Summary of proposed policy changes

#### 3.3.1 Current Code Policy

The Affected Areas are located in metropolitan Adelaide in the vicinity of the two proposed T2D tunnels as described in [2.2](#) and covers multiple zones as shown in the Code Amendment and outlined below.

##### Southern Affected Area

Zones - the current zones in the Southern Affected Area are set out in Table 1.

Subzone - no sub zones are within the Southern Affected Area.

Overlays - a range of Overlays apply to the area, none of which will be impacted by this Code Amendment.

##### Northern Affected Area

Zones - the current zones in the Northern Affected Area are set out in Table 1.

Subzone - no sub zones are within the Northern Affected Area.

Overlays - a range of Overlays apply to the area, none of which will be impacted by this Code Amendment.

Current Zone	Proportion of Southern Affected Area	Proportion of Northern Affected Area
Employment	<b>35.0%</b>	<b>13.3%</b>
Established Neighbourhood	10.3%	<b>60.5%</b>
General Neighbourhood	6.6%	<b>13.3%</b>
Housing Diversity Neighbourhood	0%	0.8%
Local Activity Centre	0%	0.2%
Recreation	3.4%	9.9%
Strategic Employment	<b>32.4%</b>	1.5%
Suburban Activity Centre	7.9%	0.5%
Suburban Neighbourhood	2.7%	0%
Urban Corridor (Main Street)	0%	10.1%
Urban Neighbourhood	1.6%	0%
<b>Total All Zones</b>	<b>100%</b>	<b>100%</b>

Table 1: Current Zoning – Southern & Northern Affected Areas

### 3.3.2 Proposed Code Policy

The Code Amendment proposes to facilitate protection of the underground tunnels during their design, construction, and ongoing operation.

Specifically, the Amendment introduces planning policies which aim to:

- preserve the area immediately around the tunnels (Tunnel Exclusion Area) from intrusion from structures, such as pilings or anchors, or works such as excavation; and
- ensure development activities do not create a change in the loading (or weight or stress) on the tunnels that is beyond their engineering structural design limits.

The loading on the tunnels can be affected by an excessive increase in weight above the tunnel, such as a new 4-level building or storage of heavy materials, or removal of excessive weight, such as through excavation greater than 2.5 metres. The effect of such development activity on loading on the tunnels can generally be managed through measures such as alternative design of footings and construction materials.

The Code Amendment seeks to introduce clear criteria to guide the design and construction methods used in the vicinity of the tunnels, while preserving the envisaged land uses for the Affected Areas.

The Code Amendment comprises the following:

- introduction of a Tunnel Protection Overlay to the Code;
- addition of a new definition for 'regulated surface level' in Table 8 Administrative Terms and Definitions of the Code;
- spatial application of the Tunnel Protection Overlay to the Affected Areas as described in 3.2 and illustrated in the Code Amendment;
- amendment of the Accepted Development Classification table (Table 1) for zones within the Affected Areas to:
  - introduce additional Classes of Development that have the potential to impact on the T2D tunnels; and
  - add Classification Criteria to assist with determining the potential to impact on the T2D tunnels;
- amendment of the Deemed-to-Satisfy Development Classification table (Table 2) for zones within the Affected Areas to:
  - add relevant Tunnel Protection Overlay policy to be considered in the assessment of certain Classes of Development; and
- amendment of the Applicable Policies for Performance Assessed Development in Table 3 for zones within the Affected Areas to:
  - add relevant Tunnel Protection Overlay policy to be considered in the assessment of certain Classes of Development.

The proposed changes to the classification tables are discussed in more detail in 5.3.2.

In addition, amendments have been made to the PDI Regulations to enable the Code Amendment to come into effect and a new Ministerial Building Standard has been introduced to ensure consistency in assessment at the planning and buildings consent stages. A Fact Sheet providing further information on the Ministerial Building Standard is available on the South Australian Planning Portal.

### **New Tunnel Protection Overlay**

The new overlay establishes protection for underground tunnels by introducing new design criteria for those development activities that pose the greatest potential risk of compromising construction of the tunnels and once built, the ongoing operational and structural integrity of the tunnels and associated underground infrastructure (such as digital systems, cross passages).

The use of an overlay ensures that the protections apply consistently to multiple zones and subzones, including zone changes through future Code Amendments over time.

Developments that exceed specified design thresholds will trigger a referral to the Commissioner of Highways for technical assessment and direction. The technical assessment will be undertaken by specialist tunnel engineers on behalf of the Commissioner. The tunnel engineers will assess the potential impact on the tunnels and, where necessary, provide direction on design changes to mitigate impacts.

Under the new overlay, the following types of development activities will meet the threshold for referral to the Commissioner of Highways:

- a new building (or alteration of or extension to an existing building) or temporary structure exceeding 3 building levels;
- involving excavation or ground intrusion at a depth exceeding 2.5 metres, such as footings, underground car parks, cellars, pipes or drains;
- fill or earthworks that build up the ground level by more than one metre; or
- storage of material or equipment or temporary stockpiling over a designated stockpiling or storage area exceeding 100 square metres.

A copy of the Tunnel Protection Overlay is provided on the PlanSA Portal.

### **Amendments to Current Zones in the Affected Areas**

The overlay will not change what can be built in accordance with the current zone. For example, development in a General Neighbourhood zone will continue to be residential and a Suburban Activity Centre zone will continue to support neighbourhood-scale commercial facilities.

However, to achieve the desired protections for the underground tunnels, design criteria will be introduced to the Assessment Provisions (AP) Tables, 1, 2 and 3 of the zones currently applicable to the Affected Areas, as listed at 3.3.1 above. The amendments will align the zone criteria for accepted development, deemed-to-satisfy development and performance assessed development classifications with the new Tunnel Protection Overlay policies.

In most circumstances, the amendments will not change the development assessment pathway. However, additional checks will be required by proponents and in some



instances, new forms of development will be introduced in line with associated amendments to the PDI Regulations.

The scope of this Code Amendment is limited to current zones in the Affected Areas. If additional zones are introduced to the Affected Area in the future, the Designated Entity introducing those zones will be required to ensure the zones are amended to give the Tunnel Protection Overlay effect.

The proposed policy changes for each zone are shown in the Code Amendment.

## 4. WHAT ARE THE NEXT STEPS FOR THIS CODE AMENDMENT?

### 4.1 Early Commencement

This Code Amendment will commence operation early, on an interim basis on 31 August 2023 under section 78 of the Act. As a result, the policies being proposed in this Code Amendment will apply until they are adopted (or otherwise) by the Minister.

This process is used when the Minister considers that the immediate application of the policy changes is necessary in the interests of orderly and proper development, and to counter applications for inappropriate development ahead of the outcome of consideration of this Code Amendment by the Minister.

For the T2D tunnels, protection of the future tunnels from changes in loadings beyond their engineering design limits or intrusion to the Tunnel Exclusion Area is essential prior to their construction, as well as post-construction.

### 4.2 Engagement

Engagement on the Code Amendment must occur in accordance with the Community Engagement Charter principles, which require 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 PlanSA portal at

[plan.sa.gov.au/resources/planning/community\\_engagement\\_charter](https://plan.sa.gov.au/resources/planning/community_engagement_charter)).

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

- A written notice to the following parties inviting them to review and comment on the draft policy and attend information sessions:
  - affected councils and councils in the T2D Project area – City of Marion, City of West Torrens, City of Mitcham, City of Unley, City of Charles Sturt;
  - State Members of Parliament with electorates in which the proposed Code Amendment applies;
  - owners and occupiers of land affected by the Tunnel Protection Overlay and adjacent land;
  - utility providers; and
  - development and planning industry groups, e.g. Property Council, Urban Development Institute of Australia, Planning Institute of Australia (SA)
- community information sessions

- a copy of the draft Code Amendment placed on the SA Planning Portal ([www.plan.sa.gov.au](http://www.plan.sa.gov.au))
- information on the Department's T2D Project website with a link to the SA Planning Portal.
- Fact Sheet outlining what the Code Amendment is about, the proposed policy amendments, how interested persons can comment.

#### 4.3 How can I have my say on the Code Amendment?

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

Feedback can be provided via:

- Online: PlanSA submission form at [plan.sa.gov.au/have\\_your\\_say/code-amendments/on-consultation](http://plan.sa.gov.au/have_your_say/code-amendments/on-consultation)
- Email: [T2D@sa.gov.au](mailto:T2D@sa.gov.au) with subject 'Submission – Tunnel Protection Overlay Code Amendment'
- Post: Code Amendment, T2D Engagement Team, Department for Infrastructure and Transport, GPO Box 1533, Adelaide SA 5001
- In person: Register to attend a drop-in community information session

Information about community information sessions to be held during the consultation period are available on the SA Planning Portal.

#### 4.4 What changes to the Code Amendment can my feedback influence?

Aspects of the Code Amendment which stakeholders and the community can influence are:

- Providing information on the potential impact of the proposed new planning policies on current and future property owners and developers.
- Providing feedback as to whether applicants have sufficient information to understand what is required when developing near tunnels.

Aspects of the Code Amendment which stakeholders and the community cannot influence are:

- The initiation of a Code Amendment which seeks to introduce a Tunnel Protection Overlay into the Planning and Design Code and apply it to the proposed Torrens to Darlington tunnels.
- The extent of the subject land that forms the basis of the Code Amendment.
- The engineering principles underpinning the triggers for referral to the Commissioner of Highways.

#### 4.5 What will happen with my feedback?

The Department 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 Department 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 Portal. Personal addresses, email and phone numbers will not be published, however company details will be.

The Department 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 Portal.

#### 4.6 Decision on the Code Amendment

Once the Engagement Report is provided to the Minister, the Commission may provide further advice to the Minister at the Minister's request, 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 Portal.

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.

## 5. ANALYSIS

### 5.1 Strategic Planning Outcomes

#### 5.1.1 Summary of Strategic Planning Outcomes

The proposed introduction of a Tunnel Protection Overlay to the Code, and application of the overlay to the Affected Areas in the vicinity of the proposed T2D tunnels, will provide the protections necessary for the Department to finalise designs, construct and operate the T2D tunnels.

These protections complement other measures being implemented, including land acquisition, to secure the corridor required for construction of the final 10.5 km section of the North-South Corridor – the State's preeminent strategic transport corridor through Greater Adelaide.

The use of an overlay to affect the tunnel protection will ensure there will be no requirement to change existing land uses and that new development can proceed as envisaged by the current zoning in the Affected Areas.

A review of the approximately 500 development proposals in proximity of the proposed T2D tunnels lodged over the five-year period 2017-18 to 2021-22 found that only two proposals, or 0.4% of all proposals, would have triggered a referral under the proposed overlay policies. A referral to the Department would require the applicant to demonstrate design solutions to meet the engineering criteria required in the vicinity of the tunnels, such as depth of footings and foundations.

The overlay approach also enables future rezoning and intensification of development in the vicinity of the tunnels to support directions for residential, employment and community lands and linkages set out in the 30 Year Plan for Greater Adelaide and relevant plans of affected Councils.

During the final design and construction phases of the T2D Project, the Department will work with Councils in the vicinity of the T2D corridor to identify opportunities for urban renewal, uplift and public realm improvements arising from shifting large volumes of traffic underground.

#### Interface between Different Land Uses

The spatial width of the proposed overlay is formed by the engineering specifications of the tunnel and the geological conditions of the surrounding soils, and the depth of the tunnels. The width does not align with lot configuration and the boundaries of land use zoning at ground level. The proposed overlay incorporates multiple land use zones (described in [Section 3.3.1](#)) and many allotments, including road reserves.

Notwithstanding the diversity of lot types and land uses at ground level, the proposed overlay will not generate interface issues with different land uses as the overlay does not seek to alter land use itself. Rather, development envisaged within these zones may need to demonstrate how engineering criteria are managed considering proximity to the T2D tunnels.

### 5.1.2 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.

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 A](#), particularly the following policies:

- **Policy 1.5** Protect land corridors for expansion or augmentation of infrastructure.
- **Policy 11.6** Allow for the future expansion and intensification of strategic transport infrastructure and service provision (corridors and nodes) for passenger and freight movements.
- **Policy 11.7** Identify and protect the operations of key transport infrastructure, corridors, and nodes (passenger and freight).

### 5.1.3 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 SA Planning Portal 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.

*The 30-Year Plan for Greater Adelaide* (2017) is the relevant Regional Plan applicable to this Code Amendment.

This Code Amendment is considered to be consistent with the 30-Year Plan as shown in [Attachment A](#).

### 5.1.4 Consistency with other strategic policy documents

This Code Amendment aligns with other key policy documents as shown in [Attachment A](#).

## 5.2 Infrastructure planning

Provision of infrastructure to the Affected Area is not relevant to this Code Amendment.

### 5.3 Investigations

#### 5.3.1 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 Commission has also specified certain investigations to be undertaken to support the Code Amendment.

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

Investigation	Summary of Scope of Investigations	Summary of Outcome of Recommendations
T2D Design, December 2022	<p>The T2D Design process involved a range of environmental, economic, social and engineering investigations pertinent to the construction and operation of the T2D infrastructure.</p> <p>The T2D Design provides sufficient detail to consider construction impacts, possible issues, constraints and benefits of design options, and provide the basis for future detailed construction design.</p>	<p>The T2D Design establishes the road alignment, tunnel layouts and motorway access points.</p> <p>The T2D Design sets out the indicative alignment, depth and design parameters of the tunnels having regard to surface development, existing ground conditions and development cost.</p> <p>The T2D Design has informed the technical parameters of the proposed overlay.</p>
Interstate Policy Precedents and Practices	The Department has reviewed how similar infrastructure is recognised and protected in the planning systems of other jurisdictions. This includes Cross City Tunnel (NSW), Suburban Rail Loop (VIC), and North East Link (VIC).	The investigations provided precedent and context from other jurisdictions, highlighting a need for protection of the tunnel assets in the planning system and various approaches to achieving this outcome.
Technical Parameters	Identification of specific conditions needed to protect the tunnel asset, including depth of ground intrusion / excavation and limits on changes in loading above the tunnel, having regard to the Reference Design and the policy framework of the zones in the Code.	The investigations provided the intent and basis of the overlay policies, thresholds for referrals and identification of amendments to the PDI Regulations required to implement the overlay.
Impact Assessment	An assessment of the impacts of the proposed overlay may have on the development potential of current zones, and the implications for future proponents of development that will trigger the overlay.	<p>The investigations assessed:</p> <ul style="list-style-type: none"> <li>impacts on the intent of the underlying zones, including the envisaged land uses;</li> <li>potential changes to assessment pathways for the development types captured by the overlay;</li> <li>and</li> </ul>

Investigation	Summary of Scope of Investigations	Summary of Outcome of Recommendations
		<ul style="list-style-type: none"> <li>the development types which are within the overlay area that would maintain an Accepted or Deemed-to-Satisfy assessment pathway which can be reflected in the Overlay policy.</li> </ul>

Further details on investigations undertaken in support of the Code Amendment are included in [Attachment B](#).

### 5.3.2 Recommended policy changes

Following is a list of the recommended policy changes which are proposed in response to the investigations undertaken in support of this Code Amendment:

#### **Drafting a Tunnel Protection Overlay and introducing a referral to the Commissioner of Highways**

The Tunnel Protection Overlay has been informed by approaches to planning policy adopted by other jurisdictions and the technical parameters of the T2D tunnels prepared as part of the Reference Design for the project.

Drafting of the overlay also considered:

- minimising adverse impacts on landowners by preserving the intent of the underlying zones and minimising changes to assessment pathways;
- minimising the administrative burden on applicants and assessment bodies, including the volume of referrals to the Department; and
- aligning the wording of the overlay with Code drafting principles and ensuring the assessment criteria are easy to understand and apply.

The intention of the Deemed to Satisfy (DTS) Criteria and Designated Performance Feature (DPF) of the overlay is to specify the design parameters necessary to mitigate risks to underground tunnels and, by doing so, provide certainty for proponents on matters to be considered during the design and construction of multi-level developments, excavation and underground structures in proximity of the T2D tunnel corridor.

In drafting the DTS/DPF, attention was given to the provisions of section 57 of the Act which set out the rules for the development of statutory instruments, including the Code. Specifically, section 57 requires that rules relating to building matters should not be included in the Code, such as footing details and loading metrics, and addressed through building rules.

As a result, the Department has used common development terms in the overlay, such as building levels or depth of excavation, that meet loading change parameters rather than using technical engineering criteria, such as a 45kPa load limit and footing clearance calculations. These technical criteria have been addressed in a new Ministerial Building Standard which includes diagrams and methodologies to simplify interpretation.



This approach also aims to ensure that most developments do not require detailed technical engineering assessment at the planning consent stage. Professional engineers engaged to design the types of affected developments would be familiar with loading metrics and methodologies used in the Ministerial Building Standard.

In addition, definitions for 'regulated surface level' are proposed to be included in Table 8 Administrative Terms and Definitions of the Code to enable calculation of clearances and ease of use of the overlay. As with all defined terms in the Code, each time 'regulated surface level' appears in the Code it will be underlined to alert users that there is a definition available to assist with interpretation.

The investigations also identified a need for developments exceeding specified thresholds, and at greatest risk of compromising the tunnels, to be referred to the Commissioner of Highways for technical assessment and direction by the Department's nominated professional tunnel engineer. The PDI Regulations have been amended in parallel to preparation of this Code Amendment to introduce the new referral to the Commissioner of Highways and enable Early Commencement.

The proposed Tunnel Protection Overlay and definition for 'regulated surface level' is provided in the Code Amendment.

#### **Applying the Overlay to the T2D tunnels**

The application of the overlay to land in the vicinity of the T2D tunnel corridor has been based on the criteria set out in [3.2 'Affected Areas'](#) and reflects the technical parameters of the T2D tunnels prepared as part of the Reference Design for the project as discussed in [Attachment B](#).

#### **Changes to Development Classification Tables in the Affected Areas**

The investigations found that a number of activities at risk of compromising the tunnels were not included as classes of development in a number of affected zones.

This Code Amendment proposes changes to the following zone policies to ensure all types of development considered by the overlay are recognised in the affected zones.

These changes are supported by amendments to the PDI Regulations to introduce these activities into the definition of development and remove exemptions for these activities when undertaken in association with essential infrastructure and Council and State agency development. Further information on the removal of exemptions for certain essential infrastructure, Council and State agency development is provided a Fact Sheet available on the South Australian Planning Portal.

The following classes of development are proposed to be added to the Accepted Classification table (Table 1) for each of the affected zones together with the criteria that needs to be met to avoid a performance assessment against the Tunnel Protection Overlay:

- Construction, alteration of, or addition to a building – if it does not exceed 3 building levels above the regulated surface level;
- Excavation or ground intruding activity – if it does not involve excavation or ground intruding activity exceeding 2.5 metres below the regulated surface level and/or

involve an underground drain, pipe, conduit, tunnel, underground passageway or adit.

- Filling of land – if it does not involve filling of land exceeding 1 metre above the regulated surface level;
- Storage of material or equipment or temporary stockpiling – if it does not include storage of material or equipment or temporary stockpiling over a designated storage or stockpiling area exceeding 100 square metres; and

In addition to the above, further amendments are proposed to Table 1 for each relevant zone to introduce additional Accepted Development Classification Criteria regarding fill, excavation and/or ground intruding activity for the following classes of development undertaken within the Tunnel Protection Overlay:

- |                                 |                                  |
|---------------------------------|----------------------------------|
| • Building work on railway land | • Swimming pool or spa pool      |
| • Carport                       | • Temporary public service depot |
| • Educational establishment     | • Verandah                       |
| • Outbuilding                   | • Water tank (above ground)      |
| • Private bushfire shelter      | • Water tank (underground)       |
| • Shade sails                   |                                  |

Amendments are proposed to Table 2 in each zone to add DTS/DPF 1.1 and DTS/DPF 2.1 from the Tunnel Protection Overlay to the Deemed to Satisfy Development Classification Criteria for relevant development types.

Amendments are also proposed to Table 3 in each zone to add Performance Objective (PO) 1.1 and PO 2.1 to the Applicable Policies for Performance Assessed Development.

The specific amendments for each zone are included in the Code Amendment.

### 5.3.3 Impact of Recommended Policy Changes

The Code Amendment does not seek to restrict development from occurring in accordance with the existing zone policy that applies to the Affected Area. Rather, the proposed overlay will introduce a referral to the Commissioner of Highways and design criteria for excavation, ground intruding activities and multi-story developments to provide assurance that such developments are designed to meet the load allowances of the structural design of the tunnels and do not intrude into the tunnel alignment.

Similarly, the Amendment will not preclude future rezoning opportunities in the Affected Areas over the life of the tunnel assets. The Tunnel Protection Overlay will simply alert proponents of any future Code Amendments of the need to take into consideration the requirements for development within a Tunnel Protection Area; and prompt a requirement to consult with the Commissioner of Highways as part of the Code Amendment consultation process.

As a result of rezonings and intensification of development, over coming decades the number of applications for developments that will trigger a referral under the proposed overlay are anticipated to increase. However, the airport height limits covering most of the affected areas mean that this is likely to be limited to localised areas and developments involving underground structures in proximity to the tunnel portals.

### Assessment pathway

The Amendment will result in some changes to the assessment pathway for certain developments in the affected zones. For example, certain works that would not typically require a planning consent, such as a shade sail, would require a performance assessment against the Code if the subject land is covered by the Tunnel Protection Overlay and installation of the shade sail would involve filling of land more than 1m above the regulated surface level or excavation 2.5 metres below the regulated surface level. Similarly, a Deemed-to-Satisfy application for semi-detached dwellings in the General Neighbourhood Zone may default to the Performance Assessed pathway if the affected land is covered by the Tunnel Protection Overlay and the footings for the dwellings will involve ground intruding activity more than 2.5m below the regulated surface level.

For the most part however, the classes of development that are more likely to be affected by the tunnel protection criteria are those that are already subject to a Performance Assessed pathway. For example, an application for a 4-level residential flat building in the Urban Neighbourhood Zone would currently be subject to the Performance Assessed pathway. The addition of the Tunnel Protection Overlay would not change this pathway; it will trigger a referral to the Commissioner of Highways on the basis that the development exceeds 3 levels in height.

### Referrals to the Commissioner of Highways

The triggers for referral to the Commissioner of Highways have been designed to avoid unnecessary burden to applicants of proposed developments by filtering off common building/structure construction and earthworks from the need for referral.

The intent of the referral is to:

- ensure the T2D Project Team is aware of potential developments in proximity to the tunnels during the design and construction phase;
- enable a technical review by professional engineers to ensure proposed development is designed so that it will not intrude into the tunnel corridor nor compromise its structural integrity and performance; and
- provide direction to applicants on design measures to mitigate impacts on the tunnels and associated infrastructure.

### Engineering requirements

The Commissioner of Highways may seek preliminary engineering information with the application for planning consent and/or building consent. This could be confirmed in discussions with the Commissioner of Highways and/or relevant authority and would most likely only be required for developments where the Commissioner has determined that the effects on tunnels assets are not clearly within the tunnel design allowances. The extent of engineering work, and the expertise required would depend upon the scale of the development and its proximity to the tunnels.

In most cases, technical engineering information would not be required until the building consent stage and may be a condition of planning consent. Generally, the additional information would involve preliminary design of the structural form with estimates of loads and foundation requirements. This would usually be within the capability of a structural engineer who would typically be used by a developer (say for a 3-6 storey building

apartment building, e.g. a small consulting engineering firm). In more critical cases, more rigorous building analyses, with specialist advice on foundation designs and assessments of load distribution through the ground could be required. These might be where a larger building is founded on piles that carry loads closer to the tunnels than near surface spread footings.

Such engineering work would be required during the progress of the design of the development in any case, but a potential effect of the policy is that the work might be required earlier to address planning and/or building application requirements.

### **Assessment timeframes**

The proposed timeframe for referrals will be 20 business days, which is consistent with the timeframe for other referrals to the Commissioner of Highways. The Department will have ongoing services of a professional tunnel engineer, either employed by the Department or through contractual arrangements, available to undertake the necessary assessments within the regulated timeframe.

A number of other overlays requiring referral to the Commissioner of Highways apply to much of the affected areas due to the proximity to South Road, including the Major Urban Transport Routes Overlay. Hence, the introduction of an additional referral will not impact on assessment timeframes.

To avoid the potential for delays associated with a request for information from the applicant following lodgment, Schedule 8 of the PDI Regulations have been amended to include details of additional plans to be provided at the time of lodgment in relation to the Tunnel Protection Overlay. These plans will only be required if the proposed development is likely to meet the criteria for referral to the Commissioner.

Introduction of the Tunnel Protection Overlay will be supported by training for Council planners and key Department personnel to mitigate potential for unnecessary referrals to the Commissioner. The use of common development terms in the overlay, such as building levels and depth of excavation, rather than using technical engineering criteria, such as a 45kPa load limit, seeks to simplify the referral triggers to avoid ambiguity.

Developers also have the option to make an application to the Department for a preliminary agreement under section 123 of the Act, which will fast track the assessment timeframe and identify early on what additional information might be required by the Commissioner to assess the application.

The Code Amendment will not change existing public notification requirements.

### **Additional activities requiring a development application**

Introduction of the Tunnel Protection Overlay to the Code will see a limited number of new activities requiring development applications that previously were not considered to constitute development, as detailed in 5.3.2. The impact of this is difficult to quantify and has been sought to be minimised by introducing Accepted Development Classification criteria for common activities where risk can be managed.

The Code Amendment is considered to take a measured and proportionate approach to the protection of the T2D tunnels while ensuring development can occur at the surface.

### **Essential infrastructure, Council works and development by State Agencies**

Some services, utilities and infrastructure works undertaken by essential infrastructure providers (such as SA Power Networks), Councils or State agencies that have the potential to impact on the tunnels will require a development application where previously one was not required.

This includes the installation and construction of new services, and the augmentation of existing services which involve:

- excavation or intrusion of the ground exceeding 2.5 metres below ground level, including underground drains, pipes, conduits, tunnels, underground passageway or adit.
- structures of greater than 3 levels in height or have a loading at the foundation exceeding 45 kPa;
- fill or earthworks more than 1 metre above ground level or have a loading at the surface exceeding 25 kPa; or
- temporary stockpiling over an area exceeding 100 square metres.

The Department will work with affected councils, agencies and service providers to raise awareness of the provisions of the overlay. Early engagement with the Department will be encouraged to determine how services and infrastructure can best be delivered while mitigating impacts on the tunnels. Establishing preliminary agreements under section 123 of the Act will further support fast tracking of the assessment timeframe.

### **Assessment pathway for multi-storey developments**

Impact assessments undertaken to inform this Code Amendment indicate that the proposed overlay will not change what can be built in accordance with the current zones nor will it change the assessment pathway for multi-storey developments.

The majority (99%) of properties in the Northern Affected Area and Southern Affected Area have maximum building height levels of between 1 level and 3 levels.

The exceptions being:

#### **Southern Affected Area**

- 21 properties located within the following zones that allow for a maximum building height of 4 levels or 16.5 metres:
  - Suburban Activity Centre zones at Edwardstown (Castle Plaza) and Clovelly Park
  - Urban Neighbourhood zone at Edwardstown (former Hills Site and environs)

New buildings within these zones are currently assessed via the Performance Assessed pathway.
- The majority of the Southern Affected Area is within the Airport Building Heights (Regulated) Overlay – Structures Greater than 15 Metres Overlay.

Proposed developments greater than 3 levels or 15 metres in this zone are assessed via the Performance Assessed pathway and referred to the relevant airport authority for direction to mitigate impacts on aviation safety.

#### Northern Affected Area

- 7 properties located within the following zones that allow for a maximum building height of is 4 levels or 16.5 metres:

- Urban Corridor (Main Street) Zone at Henley Beach Road

New buildings exceeding 4 levels or 16.5 metres within this zone are assessed via the Performance Assessment pathway

- 100% of the Northern Affected Area is within the Airport Building Heights (Regulated) Overlay – Structures Greater than 15 Metres Overlay.

Proposed developments greater than 3 levels or 15 metres in this zone are assessed via the Performance Assessed pathway and referred to the relevant airport authority for direction to mitigate impacts on aviation safety.

The Performance Assessed pathway will continue to apply to proposed developments greater than 3 levels in the above zones, however as a result of the Code Amendment, a new referral will be introduced for the Commissioner of Highways to undertake a technical review and provide for direction on design measures to mitigate impacts on the tunnels.

The new Ministerial Building Standard provides technical guidance for developers and construction engineers to inform detailed design to meet loading requirements in a Tunnel Protection Overlay area.

#### **Assessment pathway for excavation, filling and ground intruding activities**

Excavation of more than 2.5 metres is generally undertaken in association with other development activities that are subject to the Performance Assessed Pathway, such as construction of a building, structure or underground utilities. Hence the overlay will not impact on the assessment pathway. Similarly, filling is usually incidental to other development activities.

Excavation and filling undertaken as standalone activities are not currently considered to constitute development unless undertaken in certain zones and where the excavating or fill will exceed 9m<sup>3</sup> or is undertaken in specific areas subject to inundation. As part of the Code Amendment, excavation and fill are proposed to be added as classes of development in their own right in zones within the affected areas to ensure that any standalone excavation exceeding a depth of 2.5 metres and any filling of land that exceeds 1 metre above the regulated surface level, triggers a performance assessment.

Ground intruding activities, such as metal ground reinforcing elements and underground pipes or conduits, pose a significant risk of intruding into the T2D tunnel underground corridor or changing the loadings near the tunnels. These forms of work are currently generally exempt from the need to obtain development approval given their minor impacts in normal situations.

However, given the risk to T2D there is a need to ensure these activities are regulated and referred to the Commissioner of Highways for direction, particularly during the design and construction phases when the final alignment of the tunnel is subject to change.

The locations with the greatest risk of intrusions into the Tunnel Exclusion Area or insufficient clearance of footings and foundations is where the tunnel is closest to the surface. To minimise impacts, the Department is acquiring all properties above the area to be constructed by 'cut and cover' method. This is near the tunnel entry and exit points. This method involves excavation to the depth required to construct the tunnels and supporting infrastructure assets, and once constructed the tunnels are covered with fill to ground level.

Within 100 to 200 metres of the 'cut and cover' sections of the tunnel (depending on the design of the tunnels) the tunnels may be less than 10 metres deep. Substantial developments within these locations may require mitigation measures, such as changes to footing designs or limitations on number or extent of basements, to reduce effects on the tunnels.

## 6. REFERENCES

Department for Infrastructure and Transport, 2022, Torrens to Darlington (T2D) Project website [t2d.sa.gov.au](https://t2d.sa.gov.au)

Department of Planning, Transport and Infrastructure, 2013, [A Functional Hierarchy for South Australia's Land Transport Network](#)

Department of Planning, Transport and Infrastructure, 2017, [The 30-Year Plan for Greater Adelaide](#)

Infrastructure SA, 2020, [20-Year State Infrastructure Plan](#)

State Planning Commission, 2019, [State Planning Policies for South Australia – 23 May 2019](#)



## ATTACHMENT A – 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:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<b>State Planning Policy 1: Integrated Planning</b> To apply the principles of integrated planning to shape cities and regions in a way that enhances our liveability, economic prosperity, and sustainable future.	
1.5 Protect land corridors for expansion or augmentation of infrastructure.	<p>The North-South Corridor is Adelaide's preeminent strategic transport corridor. When the final T2D section is completed, the corridor will provide non-stop, reliable and efficient access through Adelaide, providing critical links to key transport gateways (Outer Harbor, Adelaide Airport) and the national road network.</p> <p>In the short-term, the overlay policies aim to manage development activities that would compromise the detailed design and construction of the T2D tunnels. Once built, the overlay will provide ongoing protection to the operation and structural integrity of the tunnels over their 100-year design life.</p>
<b>State Planning Policy 6: Housing Supply and Diversity</b> To promote the development of a well-serviced and sustainable housing and land choices where and when required.	
6.5 Locate higher density residential and mixed-use development in strategic centres and transport corridor catchments to achieve the densities required to support the economic viability of these locations and the public transport services.	<p>The Southern Affected Area covers a segment of the high frequency mass transit corridor along South Road and Strategic Activity Centre and/or Urban Neighbourhood zones at Edwardstown (Castle Plaza) and Clovelly Park, while the Northern Affected Area covers a portion of the priority mass transit corridor and Urban Corridor (Main Street) zone at Henley Beach Road (<a href="#">A Functional Hierarchy for South Australia's Land Transport Network, 2013</a>).</p> <p>The engineering structural design limits of the T2D tunnels and the design criteria introduced in the overlay provides for the scale and density of development in these locations as envisaged in current zoning, as well as for increased densities if required in the future.</p> <p>The design and construction methods for multi-level developments, excavation and underground structures will need to consider the proximity to the T2D tunnels and risk mitigation measures introduced through the overlay.</p>

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<b>State Planning Policy 9: Employment Lands</b> To provide sufficient land supply for employment generating uses that supports economic growth and productivity.	
9.2 Enable opportunities for employment and encourage development of underutilised lands connected to, and integrated with, housing, infrastructure, transport and essential services.  9.4 Adaptable policies that allow commercial and industrial-focused employment lands to support local economies and evolve in response to changing business and community needs	The structural design limits of the T2D tunnels and the design criteria introduced in the overlay provides for the scale and density of development for employment uses as envisaged in current zoning, such as at Edwardstown, Melrose Park and Mile End, as well as for increased density and scale in the future.  The design and construction methods for multi-level developments, excavation and underground structures will need to consider the proximity to the T2D tunnels and risk mitigation measures introduced through the overlay.
<b>State Planning Policy 11: Strategic Transport Infrastructure</b> To integrate land use policies with existing and future transport infrastructure, services and functions to preserve and enhance safe, efficient and reliable connectivity for people and business.	
11.6 Allow for the future expansion and intensification of strategic transport infrastructure and service provision (corridors and nodes) for passenger and freight movements.  11.7 Identify and protect the operations of key transport infrastructure, corridors, and nodes (passenger and freight).	The proposed overlay supports the expansion of the strategically significant North-South Corridor by protecting the location of the proposed T2D tunnels to enable their detailed design, construction and ongoing operation.

## 2. Regional Plans

### The 30-Year Plan for Greater Adelaide

The investigations undertaken to date and outlined in this Code Amendment will ensure that the proposed overlay is largely consistent with the key policies and targets of the *30-Year Plan for Greater Adelaide (2017 Update)*, which are the most relevant to this Code Amendment, as described below.

30-Year Plan for Greater Adelaide Identified Priorities or Targets	Code Amendment Alignment with 30-Year Plan for Greater Adelaide
<p>Transit corridors, growth areas and activity centres</p> <p>Policy 4: Ensure that the bulk of new residential development in Greater Adelaide is low to medium rise with high rise limited to the CBD, parts of the Park Lands frame, significant urban boulevards, and other strategic locations where the interface with lower rise areas can be managed.</p> <p>Policy 5: Encourage medium rise development along key transport corridors, within activity centres and in urban renewal areas that support public transport use.</p> <p>Policy 6: Promote urban renewal opportunities and maximise the use of government-owned land to achieve higher densities along transit corridors.</p> <p><b>Housing mix, affordability and competitiveness</b></p> <p>Policy 36: Increase housing supply near jobs, services and public transport to improve affordability and provide opportunities for people to reduce their transport costs.</p> <p><b>The economy and jobs</b></p> <p>Policy 55: Promote certainty to undertake development while at the same time providing scope for innovation.</p>	<p>The design criteria introduced through the overlay supports the scale and density of development envisaged in the Regional Plan, including:</p> <ul style="list-style-type: none"> <li>the urban renewal areas and strategic activity centres at Edwardstown and Clovelly Park</li> <li>commercial activity along Henley Beach Road mass transit corridor / urban boulevard; and</li> <li>strategic employment uses at Edwardstown and Melrose Park.</li> </ul> <p>The overlay policies also provide for potential future rezoning to enable medium rise development in other locations in the Affected Areas should urban renewal opportunities emerge.</p> <p>The overlay specifies the design criteria necessary to mitigate risks to underground tunnels and is being introduced early in the design phase of the T2D project. In doing so, the overlay promotes long term certainty for developers on matters to be considered during the design and construction of multi-level developments, excavation and underground structures in proximity to the T2D tunnels.</p>
<p><b>Transport</b></p> <p>Policy 74: Ensure development does not adversely impact the transport function of freight and/or major traffic routes and maintains access to markets.</p> <p>Policy 81: Protect current and future road and rail for strategic requirements, such as ensuring adequate access to ports and other major facilities.</p>	<p>The North-South Corridor is Adelaide's preeminent strategic transport corridor. When the final T2D section is completed, the corridor will provide non-stop, reliable and efficient access through Adelaide, providing critical links to key transport gateways (Outer Harbor, Adelaide Airport) and the national road network.</p> <p>The proposed overlay supports the expansion of the strategically significant North-South Corridor by protecting the location of the proposed T2D</p>

30-Year Plan for Greater Adelaide Identified Priorities or Targets	Code Amendment Alignment with 30-Year Plan for Greater Adelaide
	tunnels to enable their detailed design, construction and ongoing operation.
Infrastructure Policy 83: Define and protect strategic infrastructure sites and corridors from inappropriate development to ensure the continued functionality of the services they provide.	In the short-term, the overlay policies aim to manage development activities that would compromise the detailed design and construction of the T2D tunnels. Once built, the overlay will provide ongoing protection to the operation and structural integrity of the tunnels over their 100-year design life.

### 3. Other Strategic Plans

In supporting the design, construction, and operation of the tunnel elements of the North-South Corridor, the overlay supports the following directions and priorities of:

[South Australia's 20-Year State Infrastructure Strategy, 2020](#)

Infrastructure SA's *20-Year State Infrastructure Strategy* (the Infrastructure Strategy) sets the long-term strategic direction and initial priorities for infrastructure development in South Australia to achieve the following objectives:

- sustained economic and job growth
- planned population growth
- connected and productive regions
- a vibrant, global Adelaide
- enviable liveability.

The Infrastructure Strategy acknowledges that Adelaide's grid-like road network has many intersections that are approaching or exceeding capacity, acting as choke points, which cause delays and variability in travel times. Further, the 2019 Australian Infrastructure Audit estimates congestion costs in Adelaide at \$1.44 billion in 2016 and predicts this to rise to \$2.6 billion in 2031.

In consideration of this, the Infrastructure Strategy identified that the duration and costs of traffic congestion will likely increase without a more efficient transport network that includes free flowing motorways and greater share of demand serviced by public transport.

The North-South Corridor was identified as one of Adelaide's most important transport corridors. The Torrens to Darlington (T2D) Project will provide North-South Corridor road users with improved access to key travel gateways and reduced traffic congestion by taking 130,000 weekday vehicle movements into underground tunnels upon its completion.

The Torrens to Darlington (T2D) Project is the final stage of the 78 km upgrade to deliver an uninterrupted corridor from Gawler to Old Noarlunga and is identified as an investment priority for the State.

Once the T2D Project is completed, the North-South Corridor will provide greater certainty to business and industry in moving goods and freight across the city and improved landside access to international gateways at Outer Harbor and Adelaide Airport.

World-leading urban design and construction methods will be applied to minimise impacts of the T2D Project on local communities, commuters and the environment – with about 60 per cent of the project being underground tunnels.

The T2D tunnels will also move large volumes of traffic underground, providing opportunities for redevelopment and uplift and public realm improvements to support public transport and more active travel through improved walking and cycling connections.

## ATTACHMENT B – INVESTIGATIONS

### 1. T2D Design, December 2022

The T2D Design is a high-level design which establishes key project elements such as the road alignment, tunnel layouts and motorway access points. It is a critical step following the concept (early) design and informed by a range of environmental, economic, technical and social investigations.

The T2D Design provides sufficient detail to consider construction impacts, possible issues, constraints and benefits of design options, and provide the basis for future detailed design to guide construction.

The T2D Design has identified the optimum alignment, depth and design parameters of the tunnels having regard to existing land uses and envisaged surface development, existing ground conditions and development cost.

The T2D Design has informed the technical parameters of the proposed overlay.

In terms of structural design parameters for the tunnels, additional load allowances have been applied to the base case for existing conditions, that is existing land uses and developments. The additional load allowances provide reserve capacity in the tunnel structures to allow for changes in applied loads that might occur from future developments in the vicinity of the tunnels.

The T2D Design is available on the [project website](#).

## 2. Interstate Policy Precedents and Practices

The Department has reviewed how major road and rail tunnels are recognised and protected in the planning systems of other Australian jurisdictions, including Queensland, New South Wales and Victoria.

While the development of a tunnelled motorway is unprecedented in South Australia, many examples of large-scale tunnel projects exist across Australia, including the Clem Jones Tunnel (QLD), Cross City Tunnel (NSW), Melbourne Metro (VIC), Suburban Rail Loop (VIC) and North East Link (VIC).

Accordingly, the planning systems within these locations include policy provisions intended to achieve asset protection and control development within proximity of these assets.

A summary of relevant interstate examples is provided below:

### Queensland

In Queensland, the [Brisbane City Plan](#) contains a 'Regional Infrastructure Corridors and Substations Overlay Code' and map, with performance outcomes and acceptable outcomes in relation to tunnel planning considerations. These provisions relate to a broader range of infrastructure, with a category for sub-surface transport infrastructure. The structure of the City Plan, incorporating performance outcomes and acceptable outcomes, provides the best alignment with the structure of South Australia's Code.

The extracts below from Section 8.2.17 of the City Plan highlights the policy approach to protecting sub-surface transport infrastructure. The policy approach provides for policy criteria on loading from development and fill, as well as from excavation. The approach notes the need for submission of engineering information at the time of application.

Performance outcomes	Acceptable outcomes
Section E—If in the Major sub-surface transport infrastructure category	
<p>PO6</p> <p>Development does not adversely impact the structural integrity or ongoing operation and maintenance of major sub-surface transport infrastructure that is an existing or proposed tunnel.</p> <p>Note—This can be demonstrated by submitting a geotechnical assessment and structural engineering assessment prepared by a suitably qualified engineer (RPEQ).</p>	<p>AO6</p> <p>Development does not exceed the design constraints of major sub-surface transport infrastructure set out in Table 8.2.17.4 in accordance with the written confirmation of the infrastructure owner.</p>
<p>PO7</p> <p>Filling, excavation and construction does not adversely impact the structural integrity, on-going operation and maintenance of a Council-controlled transport tunnel or a future Council-controlled transport tunnel.</p> <p>Note—This can be demonstrated by submitting a geotechnical assessment, groundwater assessment and structural engineering assessment prepared by a suitably qualified engineer (RPEQ).</p>	<p>AO7.1</p> <p>Filling and excavation does not undermine, cause subsidence of, or groundwater seepage into a Council-controlled transport tunnel or a future Council-controlled transport tunnel in accordance with the written confirmation of the infrastructure owner.</p> <p>AO7.2</p> <p>Development involving excavation for basement levels or structural piling does not result in vibration impacts during construction which would compromise the safety and operational</p>

	<p>integrity of a Council-controlled transport tunnel or a future Council-controlled transport tunnel.</p> <p>Note—This can be demonstrated by submitting a geotechnical assessment prepared by a suitably qualified engineer (RPEQ).</p> <p>Editor's note—Development may require an RPEQ certified vibration monitoring plan for the construction phase of development.</p>
Additional loading	Load relaxation due to excavations
<p>Loading above and adjacent to driven tunnel</p> <ul style="list-style-type: none"> <li>up to 50kPa (working load) acting at a level of 1m above the crown of the Council-controlled transport tunnel applied in uniform and patterned arrangements (including symmetrical and asymmetrical) which give the most unfavourable loading condition on the Council-controlled transport tunnel;</li> <li>a build up of surface level with a minimum of 1m of fill equivalent to 20kPa.</li> </ul> <p>Note—The additional loadings (a) and (b) above are to be applied both together and separately.</p>	<p>Continuous excavations</p> <ul style="list-style-type: none"> <li>up to 7m below natural surface (except up to 14m below natural surface between Baildon Street, Kangaroo Point and St Pauls Terrace, Fortitude Valley for the Clem Jones tunnel);</li> <li>with a minimum of 7m residual ground cover above the crown of the Council-controlled transport tunnel crown;</li> <li>with a minimum 7m pillar width between the side wall of the Council-controlled transport tunnel and any adjacent building basement excavation.</li> </ul> <p>Note—The load relaxations in (a), (b) and (c) are to be applied in arrangements which give the most unfavourable loading condition on the Council-controlled transport tunnel.</p>
<p>Loading above and adjacent to cut and cover tunnel</p> <ul style="list-style-type: none"> <li>up to 25kPa (working load) with a load factor of 1.5 acting at the level of the top of the Council-controlled transport tunnel roof.</li> </ul>	<p>No relaxation applies.</p>

### New South Wales

In New South Wales, [State Environmental Planning Policy \(Infrastructure\) 2007](#) (ISEPP) provides provisions for 'development in or adjacent to road corridors and road reservations'. The ISEPP policy framework specifies a numeric excavation depth, referral triggers and refers to external guidelines gazetted by the Secretary of Transport for NSW to inform the assessment and management of works proposed by external parties that impact the configuration or performance of Transport Assets.

The most provisions most relevant to tunnel protection are those relating to excavation in or immediately adjacent to corridors (Clause 103), as detailed below.

Provision	Clause
103 Excavation in or immediately adjacent to corridors	<p>(1) This clause applies to development that involves the penetration of ground to a depth of at least 3m below ground level (existing) on land that is the road corridor of any of the following roads or road projects (as described in Schedule 2)</p> <ul style="list-style-type: none"> <li>the Cross City Tunnel,</li> <li>the Lane Cove Tunnel, [continues list of roads]</li> </ul>



	<p>(2) Before determining a development application (or an application for modification of a consent) for development to which this clause applies, the consent authority must—</p> <ul style="list-style-type: none"> <li>(a) give written notice of the application to TfNSW within 7 days after the application is made, and</li> <li>(b) take into consideration— <ul style="list-style-type: none"> <li>(i) any response to the notice that is received within 21 days after the notice is given, and</li> <li>(ii) any guidelines that are issued by the Secretary for the purposes of this clause and published in the Gazette, and</li> <li>(iii) any implications of the ground penetration for the structural integrity of the road or project, and</li> <li>(iv) any cost implications for the road or project of the ground penetration.</li> </ul> </li> </ul> <p>(3) The consent authority must provide TfNSW with a copy of the determination of the application within 7 days after the determination is made.</p>
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### Victoria

In Victoria, recent amendments to local planning schemes facilitated a new Design and Development Overlay (DDO) for the North East Link Project, as detailed in the table below.

DDOs are also in place for other tunnel projects, including the Metro Rail Tunnel and West Gate Road Tunnel. For the North East Link Project, the DDO provides similar provisions as those in the NSW ISEPP; however it is structured in a way that specifies development that would not trigger a referral.

This method may achieve better alignment with South Australia's Code and its deemed-to-satisfy provisions. Further, the DDO provides 'design objectives' which capture the overarching intent of the controls. Design objectives are similar to 'performance outcomes' under the Code.

The approach in Victoria provides specific quantitative criteria for building heights, depth of footings, excavation and fill to protect the North East Link tunnels, which are yet to commence construction.

Similar provisions have been adopted for the proposed Melbourne Metro tunnels (currently under construction) and the proposed for the Suburban Rail Loop project. In the case of these passenger rail projects, Rail Projects Victoria is referred applications that exceed the specified criteria.

Design and Development Overlay Provision
<p><b>Design objectives</b></p> <p>To avoid direct contact with and to provide a safe working clearance around the North East Link Infrastructure.</p> <p>To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or North East Link Infrastructure.</p> <p>To avoid Loading onto North East Link Infrastructure, or excavations or other unloading of the ground, that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of North East Link Infrastructure to the detriment of freeway operations.</p>

To prevent development and construction methods that could generate unacceptable levels of vibration in North East Link Infrastructure.

To ensure that development of land does not rely upon direct structural support from North East Link Infrastructure unless specifically envisaged in the North East Link design.

To ensure that the potential effects of future developments (including cumulative effects) on the North East Link Infrastructure, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

#### **Building Works**

A permit is not required for:

A new building (or extension to an existing building) five or less storeys in height without a basement provided any footing is founded no more than 2.5 metres below Surface Level.

A temporary structure of no more than five storeys.

Excavation works (including for swimming pools) where the depth of excavation is not more than 2.5 metres below Surface Level.

A pole, sign or retaining wall provided any footing is founded no more than 2.5 metres below Surface Level.

An underground utility provided any trench is no more than 2.5 metres below Surface Level.

Fill or earthworks that do not build up the ground level by more than three metres above Surface Level.

Buildings and works associated with the construction, operation, maintenance or repair of North East Link Infrastructure.

### 3. Technical Parameters

## Tunnel Protection – Technical Parameters Investigation Report, August 2022

### Introduction

This report outlines the basis for the recommended technical parameters to be applied through planning and building controls to ensure development activity does not compromise the detailed design, construction and ongoing operation and structural integrity of the River Torrens to Darlington (T2D) tunnels.

It draws upon the experience of other Australian jurisdictions in protecting major road and rail tunnels and is based on advice from the Master Advisory Service for the project (Aurecon Mott Macdonald Joint Venture (AMJV)), the project Reference Designer (North-South Complete JV) and the Department's NSC PDO Engineering Directorate.

### Background

The T2D Project involves converting the remaining 10.5 kilometres (km) of South Road into a non-stop motorway, completing the total 78 km North-South Corridor from Old Noarlunga to Gawler. The T2D section extends along South Road from just north of the River Torrens (Karrawirra Parri) to Darlington in the south. It is the most complex section due to its ground conditions, highly urbanised built form and heritage and character.

The Department for Infrastructure and Transport (the Department) is leading delivery of the T2D Project and is progressing refinement of a reference design for the project.

In parallel, delivery aspects of the T2D Project are being progressed in response to the reference design. This includes mechanisms to protect the T2D corridor and assets from future development activity that would compromise their detailed design, construction, operation and structural integrity.

Measures being put in place to provide the necessary protections, include:

- land acquisition (at surface and below surface (sub-stratum)) to secure land required to enable construction and on which T2D assets will be located;
- amendments to the Planning and Design Code's Future Road Widening and Non-Stop Corridor Overlays, which seek to control development in proximity to arterial roads;
- the inclusion of reserve loading allowances in the design of underground assets (tunnels and cross passages) to provide a certain level of capacity to accommodate future developments; and
- introduction of planning and building controls, via Regulation changes and Planning & Design Code Amendments, to manage development in proximity of the T2D tunnels, which cannot be managed through the above measures.

### Tunnel Protection

Aligned with accepted practice throughout Australia in relation to major road and rail tunnels, the following three elements need to be defined as the basis for technical parameters underpinning protections for the T2D tunnels:

1. The **exclusion area around the tunnels** – sub stratum (below ground) land to be reserved for construction of the tunnel and a no-go area for any development activity or intrusions.
2. The **limitation on loadings and load allowances for future developments applied in the T2D tunnel structural design requirements**, which includes reserve capacity to allow for changes in applied loads from future developments in proximity to the tunnels.
3. The **distance from the tunnels within which future developments could load and/or unload the underground structures beyond their design limits**.

### Assumptions

As the T2D Project is in the reference design phase and there is still some uncertainty around the final alignment of the tunnels, the recommendations in this report are based on the following assumptions:

- That the horizontal alignment of the reference design will be adopted with potentially minor refinement; major changes of the tunnel alignment have not been considered.
- Protection of the corridor prior to tunnel detailed design and construction should focus on ensuring no obstruction to the proposed tunnel alignment is constructed (e.g. boreholes, building piles, deep basements near tunnel portals) and that no excessive vertical loading or unloading is created.
- Further amendments to the controls are anticipated when the detailed design is finalised and to provide long term protection of the tunnel assets after completion when the exact alignment is known.
- Application of reasonably conservative engineering principles without restricting / controlling future developments in proximity to the tunnels unnecessarily.

### Sub Stratum Tunnel Exclusion Area

The **Tunnel Exclusion Area** is an envelope around the tunnels and associated infrastructure (e.g. cross passages, drainage sumps) within which all intrusions of structures such as piles, anchors, cellars and undercroft car parking and works such as drilling and excavations must be precluded.

The sizing of the area is based on the principle of providing sufficient margin of safety around the tunnels against obstructions from future development.

The T2D Tunnel Exclusion Area adopts a block with 5 metre margins from the outside of the tunnel structures from both tubes, as shown in [Figure 1](#). The 5 metre buffer provides sufficient room for minor refinement of the diameter and alignment of the tunnels from the Reference Design during the detailed design and construction phases of the T2D Project.

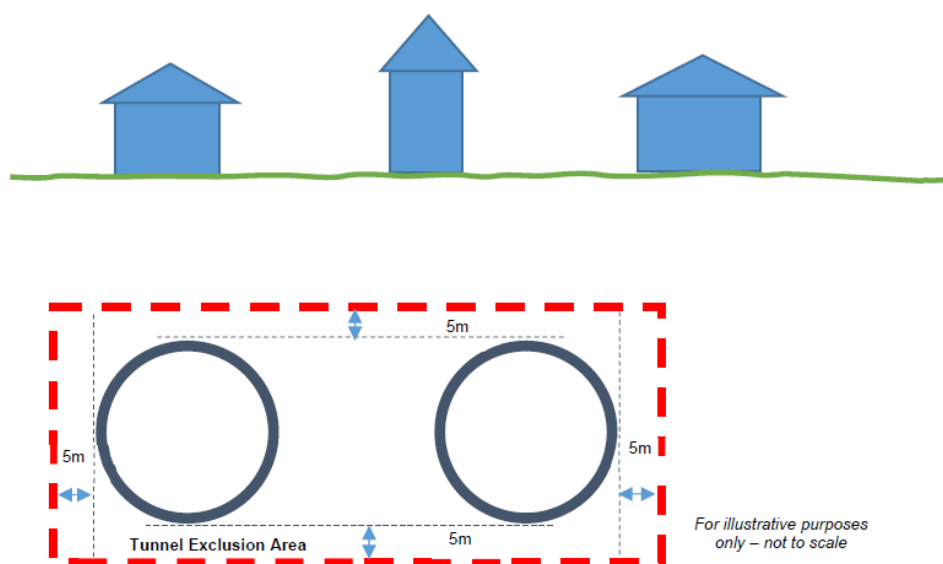
The first line mechanism typically adopted to preclude development activity from the Tunnel Exclusion Area is via ownership through land acquisition, or equivalent, in

accordance with relevant legislation and the land title system applicable to the jurisdiction.

In addition, planning systems are used throughout Australia as a second line mechanism to preclude intrusions into the Tunnel Exclusion Area.

For example, the New South Wales State Environmental Planning Policy (Infrastructure) 2007 features provisions for excavation in or immediately adjacent to road corridors, including the Cross City Tunnel and Lane Cove Tunnel. The planning policies specify numeric depth of excavation or penetration of the ground below ground level that would require referral to the asset owner/road authority.

Similar provisions feature in Victoria's and Queensland's planning systems and apply to tunnel projects including Melbourne's North-East Link, Metro Rail Tunnel and West Gate



Road Tunnel and Brisbane's Clem Jones Tunnel.

**Figure 1: T2D Tunnel Exclusion Area**

### Tunnel Design Load Allowances for Future Development

A second component of the protection of underground road or rail tunnels is imposing limitation on loadings and inclusion of additional loading (or vertical stress) capacity in the tunnel structural design to allow for changes in loads that may occur from future development in proximity of the tunnels.

The loading allowances applied for the T2D tunnels are consistent with typical allowances used in recent tunnelling projects in Australia and New Zealand for similar tunnels. The loadings of many typical buildings can be estimated from the number of levels and the expected structural materials using AS1170.1:2002.

The T2D tunnels comprise two components each of which have different loading allowances:

- 'Bored tunnels' which are constructed in situ using a tunnel boring machine, without removing the ground above; this construction method will be used for the majority of the tunnel length; and
- 'Cut and cover tunnels' which are constructed in a shallow trench and then covered over; this construction method will be used at the beginning/end of each of the tunnels where they return to surface (tunnel portals).

The Department intends to acquire properties directly above the cut and cover sections to enable construction and to manage future development which could compromise the structural integrity of the tunnels.

#### **Limitation for Loadings:**

The following conditions are acceptable to the T2D tunnel structural design:

- A building or structure without a basement\* having no more than 45 kilopascal (kPa) total loading over the footprint imposed at the foundation level (equivalent to three or fewer levels); *\*excluding a semi basement or cellar of less than 2.5m depth*; and
- A surcharge loading of up to 20 kPa as applied at the regulated surface.

A kilopascal (kPa) is the weight of the load divided by its area. 45 kPa is approximately 4.6 tonnes per square metre or the equivalent of a 3 level building. The surcharge loading of 20 kPa is approximately 2 tonnes per square metre and relates to loads (permanent or temporary) at ground surface, such as fill, heavy equipment or storage of goods or materials on site.

#### **Depth of Foundations and Footings:**

The total loading is based on the loading over the footprint imposed at the foundation level. Where footings or a pile foundation are used, the following provisions apply to serve as triggers for referral on the T2D tunnels:

- Pad footings are at least 3B away from the outside of the tunnel structure (extrados); where B = the largest dimension for individual (pad) footing and strip footings are at least 3W from the outside of the tunnel structure (extrados); where W = the width of continuous (strip) footing, as show in Figure 2
- Pile tip is at least 1L away from the outside of the tunnel structure (extrados); where L = the longest pile length beneath the building/structure, as shown in Figure 3.

Figure 2: Load Management - Depth of Footings

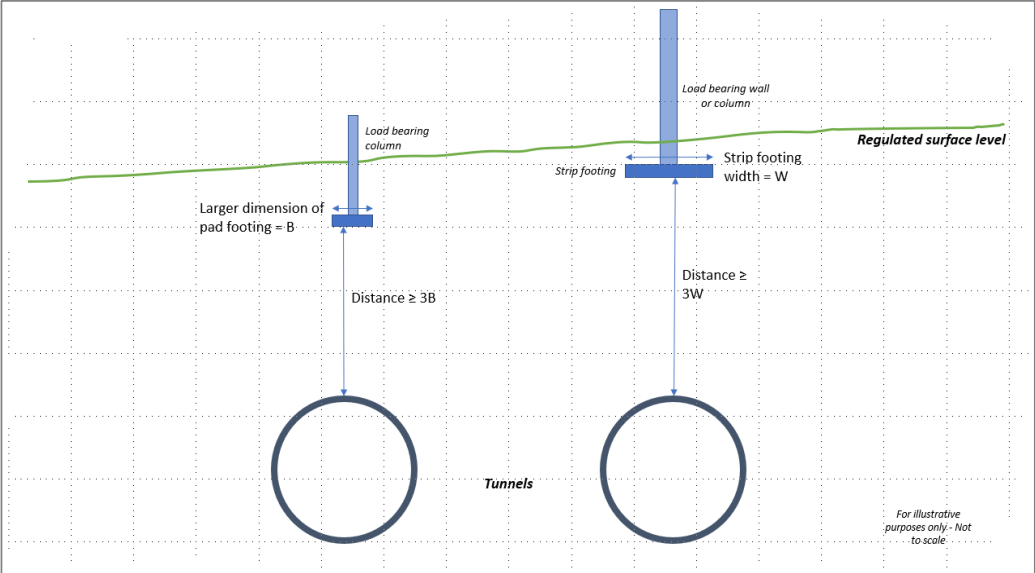
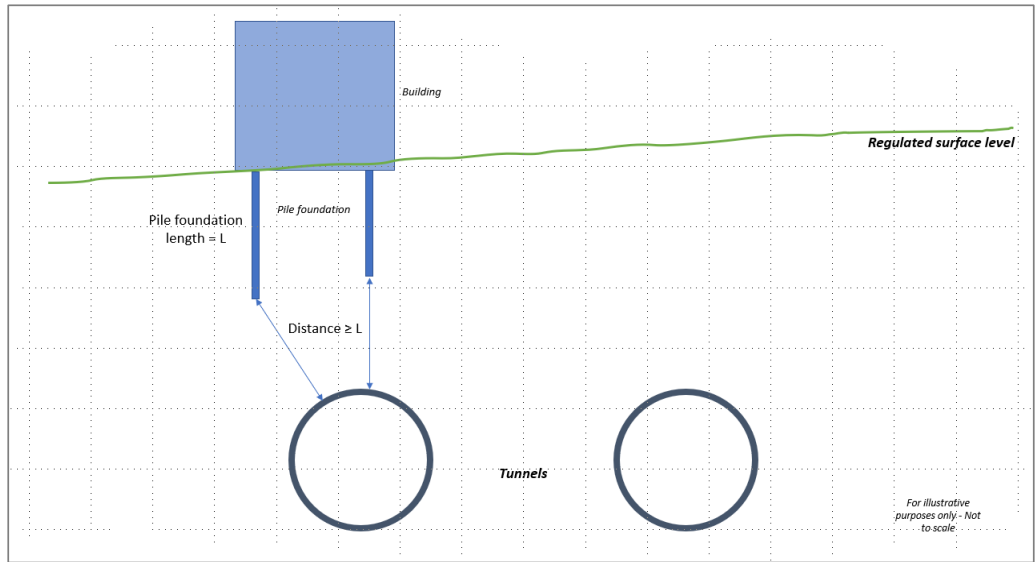


Figure 3: Load Management - Depth of Pile Foundations



### Excavation:

The T2D tunnels will also be designed for additional unloading due to excavation above or adjacent to the tunnel structure. The following provisions apply to serve as triggers for referral.

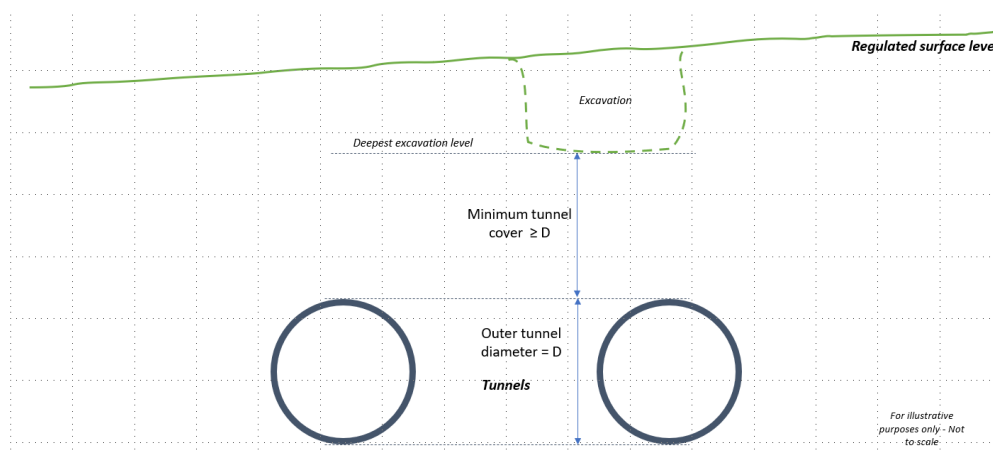
There are two important considerations for the amount of ground above tunnels (also known as overburden) to be left undisturbed. Firstly, the overburden is one of the protections against flotation of the tunnel linings that might otherwise be created by the effects of the water table above the tunnels. Secondly, particularly in rock, the surface and ground loadings arch over the tunnels and disturbance of the ground forming this arch would modify the way that loads are applied to the structural lining.

The general parameters to be applied to prevent excessive unloading in the vicinity of the T2D tunnels is that any excavation of the ground from the surface (other than locally as would be the case for a piled foundation) must maintain an overburden of at least one tunnel diameter (of bored tunnel) or one tunnel box height (of cut and cover tunnel section) between the deepest excavation level and the outside of the tunnel structure as illustrated in Figure 4.

In addition, based on the Reference Design depth of the tunnels, during the design and construction phases the depth of excavation should not exceed 2.5 metres below the existing ground without being reviewed by the T2D Engineering Team for direction. The rationale for adopting 2.5 metres as the limit for excavation before triggering a review is that it is considered not deep enough to cause significant unloading yet sufficient for the purposes of swimming pools and most utilities such as drains, pipes or underground cables.

By comparison, in Victoria there is a one metre limit for earthworks or excavation near tunnels and a 2 metre limit for an underground utility, pole, sign or retaining wall.

**Figure 4: General Parameters for Depth of Excavation**





### Extent of the Tunnel Protection Area

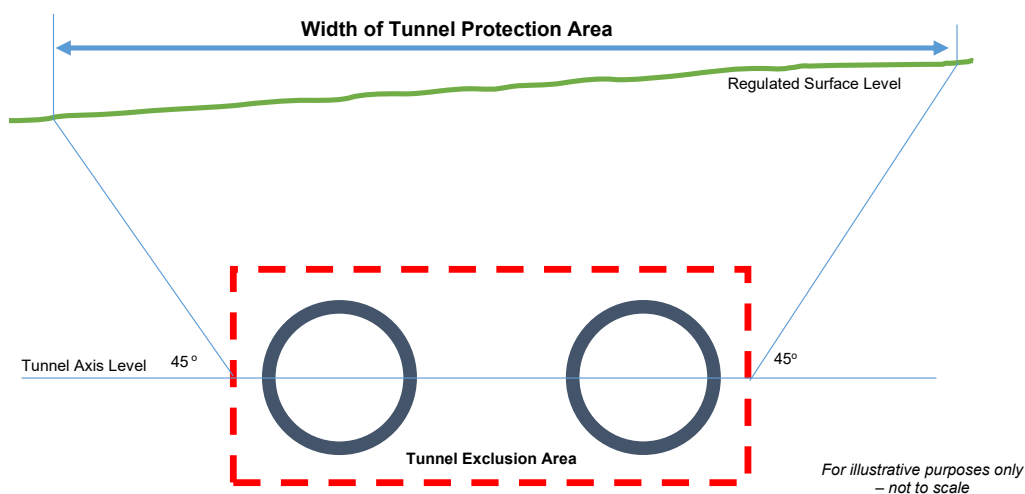
The final component of protecting the T2D tunnels is to determine the area in proximity to the tunnels within which future developments are at greatest risk of causing a change in loading beyond the design limits of the tunnels (Tunnel Protection Area).

This area is based on a range of factors including engineering specifications of the tunnel, the geological conditions of the surrounding soils and the depth of the tunnels.

The Tunnel Protection Area will extend the full length of the T2D tunnels covering both the bored and cut and cover sections. As illustrated in Figure 5, the width of the Tunnel Protection Area is determined by drawing a line at a 45 degree angle from where the centreline/axis of the Reference Design tunnels and the edge of the Tunnel Exclusion Zone intersect, to where the 45 degree line intersects with the regulated surface level. This approach will see the Tunnel Protection Area narrow as the tunnel depth decreases.

For the T2D northern tunnel (Torrensville to Hilton), the Tunnel Protection Area will need to extend a minimum of 80 metres to the west of the Reference Design tunnel alignment to provide flexibility during the design and construction phases given local ground conditions and potential for change to the final tunnel alignment.

**Figure 5: Width of the Tunnel Protection Area**



### Intent and Triggers for Referrals

The triggers for referral to the Commissioner of Highways are necessary to ensure development activity at the greatest risk of compromising the construction and ongoing structural integrity of the proposed T2D tunnels are assessed for potential impact.

The intent of the referral is so that during the detailed design and construction phase, T2D engineers are aware of development in proximity to the tunnel so they can be factored into the design and/or technical advice can be provided to the developer to mitigate risks to T2D. The introduction of referral triggers in proximity to the tunnels will not change existing zoning nor restrict future development.

The triggers have been designed to avoid unnecessary burden to applicants of proposed developments by filtering off common building/structure construction and earthworks from the need for referral. Deviation from the stated thresholds is allowable subject to referral/technical review and approval by the Department.

Based on the technical parameters discussed in this report, the following types of development activities will meet the threshold for referral to the Commissioner of Highways for technical review and direction:

- a new building (or extension to an existing building) or temporary structure exceeding 3 levels or has an increase in total loading exceeding 45kPa at the foundation level;
- development involving excavation at a depth exceeding 2.5 metres or results in significant removal of material (or overburden) above the tunnels, such as underground carpark, major water mains;
- footings and foundations that do not meet design criteria in relation to proximity to the tunnels (i.e. as shown in Figures 2 and 3);
- ground intruding activities (such as drilling, bores, anchors) at a depth exceeding 2.5 metres (to prevent potential intrusions into the Tunnel Exclusion Area during the design & construction phases; once the final alignment/depth of the tunnel is known this will be refined to reflect the actual Tunnel Exclusion Area);
- fill or earthworks that build up the ground level by more than one metre above the regulated surface level (or equivalent to surcharge loading exceeding 20kPa); or
- temporary stockpiling or storage of material or equipment over an area greater than 100 square metres (or equivalent to surcharge loading exceeding 20kPa).

Guidance to assessment bodies regarding the calculation of loadings is provided in AS1170.1. Further guidance could be provided through a technical guideline or clarification from the T2D Engineering Team.

### Definitions

**kPa** means kilopascal and is a unit of pressure measurement defined as one kilonewton per square metre.

**Surcharge loading** means any load such as fill, machinery or storage of goods or materials on a site that exerts a vertical pressure on the ground, defined as the weight of the load divided by its area and is expressed in kPa.

**Total loading** means the total load applied by a building in the form of vertical pressure at the foundation level, defined as its overall weight divided by its footprint area, and is expressed in kPa.

### 7.3 Marion Road Code Amendment

<b>Report Reference</b>	PDC231010R7.3
<b>Originating Officer</b>	<b>Senior Strategic and Policy Planner – David Barone</b>
<b>Corporate Manager</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development - Tony Lines

### REPORT HISTORY

<b>Report Reference</b>	<b>Report Title</b>
GC211214R11.12	Urban Corridor – Marion Road Code Amendment
GC210914R11.5	Urban Corridor – Marion Road Code Amendment
PDC220705R7.1	Urban Corridor – Marion Road
GC220726R12.2	Urban Corridor - Marion Road - Code Amendment

### REPORT OBJECTIVE

To seek the Committee's endorsement to discontinue the Code Amendment.

### EXECUTIVE SUMMARY

At its General Meeting of 14 December 2021, Council resolved to request that the Minister for Planning place the Proposal to Initiate for the Urban Corridor - Marion Road Code Amendment, 'on hold', whilst Council undertook further analysis on the scope and preferred policy response. This was granted by the Department on 16 December 2021.

At its General Meeting of 26 July 2022 Council resolved to amend the proposal to initiate so that the scope of the Code Amendment was limited to the residential parts of the corridor only. This amended proposal and scope was endorsed by the Minister for Planning on 16 November 2022.

At its meeting of May 2023, the Planning and Development Committee sought that the status of the Code Amendment be reviewed by the Senior Strategic and Policy Planner.

Given the preparation of the Regional Plan for Greater Adelaide is underway, and may directly influence outcomes affecting Marion Road and corridors, the Senior Strategic and Policy Planner has identified that it is appropriate that the Code amendment be abandoned.

### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Recommends Council to advise the Minister for Planning of its desire to discontinue the Marion Road Code Amendment.**

### DISCUSSION

Members are aware that the State Planning Commission has recently released a Discussion Paper on the Greater Adelaide Regional Plan (GARP). Marion Road, along with Morphett Road and South Road (from Raglan Avenue north) are all tentatively identified as corridors within the GARP Discussion Paper.

Corridors along principal arterial routes across Adelaide are long been established with specific zoning supporting mixed use and intensive forms of development (typically ranging from 6 building levels to 10 building levels). The success of the growth corridors is best represented at Prospect Road and, to a lesser extent, Churchill Road. These two locations were accompanied by a suite of public realm / streetscape improvements and the right market conditions to support investment by owners and entities. For all other locations, progress and delivery has been very slow, sporadic and generally not achieving the overall policy intent of activating these locations.

While Council had previously identified key strategic sites along Marion Road, as communicated in previous reports, it was found that most of these opportunities have now been developed and this led to a rescoping of the amendment.

The extent of the proposed Code Amendment, in its latest agreed proposal to initiate, is limited to residential properties along Marion Road and as such offers little flexibility for a broader, more holistic approach to the corridor (notwithstanding initial concerns and issues associated with traffic volumes along Marion Road). The intent was to rezone these locations to the Housing Diversity Neighbourhood Zone.

It is considered that it is more appropriate to abandon the Code Amendment, and revisit any Code Amendments along Corridors following the completion of the Greater Adelaide Regional Plan, and respond in a way that is holistic, both for the corridor itself, and the City of Marion (i.e. it may be useful to consider the function and role of the different corridors across the Council area and approach policy changes concurrently).

To pursue the Code Amendment now would potentially undermine any future strategic planning direction, and potentially lead to a misalignment of planning policy (and therefore development outcomes) with future strategic intent and opportunity. It will also avoid needing to either significantly amending or recommencing a Code Amendment process into the future.

## **ATTACHMENTS**

1. Attachment 1 - Minister's Letter of Approval of Proposal to Initiate [7.3.1 - 3 pages]
2. Attachment 2 - Proposal to Initiate - Minister Approved [7.3.2 - 26 pages]

Hon Nick Champion MP

22EXT0273

Mr Tony Harrison  
Chief Executive Officer  
City of Marion

By email: [tony.harrison@marion.sa.gov.au](mailto:tony.harrison@marion.sa.gov.au)



**Government  
of South Australia**

Minister for Trade and  
Investment

Minister for Housing and  
Urban Development

Minister for Planning

GPO Box 11032  
ADELAIDE SA 5001

T: (08) 8235 5580

E: [ministerchampion@sa.gov.au](mailto:ministerchampion@sa.gov.au)

Dear Mr Harrison

I write to advise that under section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act), I have considered the advice of the State Planning Commission (the Commission) and approved the Proposal to Initiate the Marion Road Code Amendment.

A copy of the signed Proposal to Initiate is enclosed for your reference.

The initiation approval is on the basis that, under section 73(4)(a) of the Act, the City of Marion will be the Designated Entity responsible for undertaking the Code Amendment process.

Pursuant to section 73(5) of the Act, the approval is also subject to the following conditions:

- Prior to approval of the Code Amendment, the Designated Entity must demonstrate to the satisfaction of the Minister for Planning that all necessary agreements or deeds are fully executed as required to secure the funding and/or delivery of all infrastructure required to accommodate the development of the affected area, as proposed by the Code Amendment (to the satisfaction of all relevant infrastructure providers).
- The Code Amendment is prepared by a person with qualifications and experience that are equivalent to an Accredited Professional–Planning Level 1 under the Act.
- The scope of the proposed Code Amendment does not include the creation of new planning rules, and is limited to the spatial application of zones, subzones, overlays, or technical and numerical variations provided for under the published Planning and Design Code (on the date the Amendment is released for consultation).





With regards to the latter condition, it is noted that Council seeks to introduce Maximum Building Height Technical and Numeric Variations (TNVs) which increases based on allotment size (i.e. two building levels or three building levels on sites greater than 1,200m<sup>2</sup>). The Housing Diversity Zone does not currently facilitate this level of nuanced variation and to introduce such would require a fundamental change to the Code framework (with State-wide engagement). This being the case, I do not support the proposed Building Height TNV and suggest that Council spatially identify locations where increased heights may be appropriate.

In addition, the Commission has specified under section 73(6)(e) of the Act that the Designated Entity must consult with the following stakeholders:

- Department for Infrastructure and Transport
- Utility providers including SA Power Networks, ElectraNet Pty Ltd, APA Group, SA Water, EPIC Energy, NBN and other telecommunications providers
- State Members of Parliament for the electorates in which the proposed Code Amendment applies.

Further, the Commission has, under section 73(6)(f) of the Act, resolved to specify the following further investigations or information requirements in addition to that outlined in the Proposal to Initiate:

- Undertake investigation into the potential application of a higher density residential zone over those areas to the north of Oaklands Road/Daws Road to better utilise existing public transport and infrastructure.
- Undertake an assessment of infrastructure and services capacity to support the proposed increase in land use densities and infill living.
- Identify potential interface impacts from Marion Road, in particular air and noise emissions and consider the application of appropriate interface overlay(s).

In addition, it should be noted that further investigations may be required in response to feedback or advice received through the engagement process.

Pursuant to sections 44(6) and 73(6)(d) of the Act, consultation in writing must be undertaken with:

- Owners or occupiers of the land and adjacent land in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

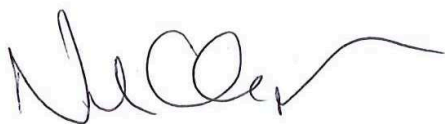
Engagement must be undertaken on the Code Amendment in accordance with the Community Engagement Charter. More information on the Community Engagement Charter is available in the Community Engagement Charter toolkit at [https://plan.sa.gov.au/resources/learning\\_and\\_toolkits/community\\_engagement\\_charter\\_toolkit/overview](https://plan.sa.gov.au/resources/learning_and_toolkits/community_engagement_charter_toolkit/overview).

To assist in this process, I encourage you to seek a peer review of the Engagement Plan prior to commencing engagement to ensure that the proposed methodology is fit-for-purpose and consistent with the intent of the Community Engagement Charter.

I will make a determination on whether to approve the proposed amendments at the completion of the Code Amendment process.

For further information, please do not hesitate to contact Ms Catherine Hollingsworth from Planning and Land Use Services on 0457 837 760 or via email at [catherine.hollingsworth@sa.gov.au](mailto:catherine.hollingsworth@sa.gov.au).

Yours sincerely



**Hon Nick Champion MP**  
Minister for Planning

16 / 11 / 2022

Encl: Signed Proposal to Initiate the Marion Road Code Amendment  
Cc: Mr David Melhuish, City of Marion ([david.melhuish@marion.sa.gov.au](mailto:david.melhuish@marion.sa.gov.au))



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**PROPOSAL TO INITIATE AN AMENDMENT TO THE  
PLANNING & DESIGN CODE****Marion Road Code Amendment**

By Marion Council

**Tony Harrison**  
Chief Executive Officer  
City of Marion

(Signature Required)

**Marion Council** *(the Proponent)*

Date: 27 July 2022

This Proposal to Initiate document together with conditions specified by the Minister forms the basis for the preparation of a proposed amendment to the Planning and Design Code for the purpose of section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016*.

**MINISTER FOR PLANNING, HOUSING AND URBAN DEVELOPMENT**

Date:

13/11/22

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## 1. INTRODUCTION

The Proponent is proposing to initiate an amendment to the Planning and Design Code (the Code Amendment) as it relates to land located on or adjacent to Marion Road, (between the tram crossing in the north to Sturt Road in the south) in Ascot Park, Marion, Mitchell Park, Park Holme, Plympton Park and South Plympton (the Affected Area).

The purpose of this Proposal to Initiate is to seek approval of the Minister for Planning (the Minister) to initiate the Code Amendment under section 73(2)(b) of the *Planning, Development and Infrastructure Act 2016* (the Act).

The Proponent is the Council for the whole of the Affected Area.

This Proposal to Initiate details the scope, relevant strategic and policy considerations, nature of investigations to be carried out and information to be collected for the Code Amendment. It also details the timeframes to be followed in undertaking the Code Amendment, should this Proposal to Initiate be approved by the Minister.

The Proponent acknowledges that the Minister may specify conditions on approving this Proposal to Initiate, under section 73(5) of the Act. In the event of inconsistency between this Proposal to Initiate and any conditions specified by the Minister, the conditions will apply.

### 1.1. Designated Entity for Undertaking the Code Amendment

In accordance with section 73(4)(a) of the Act, the Proponent will be the Designated Entity responsible for undertaking the Code Amendment process. As a result:

- 1.1.1. The Proponent acknowledges that it will be responsible for undertaking the Code Amendment in accordance with the requirements Act.
- 1.1.2. The Proponent declares that it has not and does not intend to enter into an agreement with a third party for the recovery of costs incurred in relation to the Code Amendment under section 73(9) of the Act. If the Proponent does enter into such an agreement, the Proponent will notify the Department prior to finalising the Engagement Report under section 73(7).
- 1.1.3. The Proponent's contact person responsible for managing the Code Amendment and receiving all official documents relating to this Code Amendment is:
  - a) David Melhuish, Senior Policy Planner
  - b) [david.melhuish@marion.sa.gov.au](mailto:david.melhuish@marion.sa.gov.au)
  - c) 08 83756721and/or
  - a) Warwick Deller-Coombs, Manager Development & Regulatory Services
  - b) [Warwick.deller-coombs@marion.sa.gov.au](mailto:Warwick.deller-coombs@marion.sa.gov.au)
  - c) 08 8375 6665
- 1.1.4. The Proponent intends to undertake the Code Amendment by:



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a) utilising professional expertise of employees of the Proponent including:

Planning Practitioners

- David Melhuish, Senior Policy Planner – MPIA
- Warwick Deller-Coombs, Manager Development and Regulatory Services – MPIA
- Nicholas Timotheou, Senior Development Officer Planning

Community Engagement

- Council's Media and Engagement Department

## 1.2. Rationale for the Code Amendment

Council originally investigated applying an Urban Corridor Zone along Marion Road as part of the Housing Diversity DPA, under the Development Act 1993. The zone was to provide opportunity for multi-storey mixed-use development (retail/commercial/residential) in appropriate locations and help relieve the pressure for infill development in local streets in the inner suburbs. However, this zone was not implemented at that time.

Further investigations have identified matters with respect to the proposed zoning which required further analysis. This included traffic, built form and land use character, 'strategic sites', and the suitability of a blanket zoning approach along Marion Road.

Council has compared the circumstances of Marion Road with those of other roads which have been subject to, and partially developed under, similar Corridor-type Zones, including Churchill Road and Prospect Road. Differences in existing character, traffic volumes and likely development outcomes were identified, implying that the form these roads have taken would be difficult to replicate on Marion Road.

Further analysis revealed that many of the 'strategic sites' along Marion Road, which were considered as catalysts for the Urban Corridor Zone during the Housing Diversity DPA, have now been developed.

An Urban Corridor Zone, facilitating mixed use development, may not be the most appropriate zone for Marion Road, as much of the existing land uses (both residential and non-residential) are unlikely to be redeveloped for the foreseeable future, and an increase in traffic volumes from higher density development and further commercial type land uses may have detrimental impacts on an already heavily trafficked road system.

There are currently no 'mixed use' developments along Marion Road, however, there is a substantial number of both residential and non-residential uses on separate sites. Recent development on other main roads covered by an Urban Corridor Zone (i.e. Prospect Road and Churchill Road) comprises predominantly multi-storey residential buildings, with very few examples of mixed use development. As there appears to be little take-up for mixed-use type development, developers may therefore seek to retain the separation of these uses rather than pursue a mix of uses that there may be little demand for.

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For these reasons it may be appropriate to leave the current non-residential zones/land uses as they are, letting the market decide future outcomes, within the policy parameters of the zones.

Even though there is already a substantial number of multi-dwelling developments along Marion Road, rezoning the existing residential areas to an alternate neighbourhood zone such as the Housing Diversity Neighbourhood Zone, which allows local variations, would provide opportunity for a greater diversity of dwelling types on the sites yet to be redeveloped, and could facilitate better development outcomes than the site dimension policy criteria within the current General Neighbourhood Zone.

## 2. SCOPE OF THE CODE AMENDMENT

### 2.1. Affected Area

The proposal seeks to amend the Code for the Affected Area, being land located on or adjacent to Marion Road (between the tram crossing in the north to Sturt Road in the south) in Ascot Park, Marion, Mitchell Park, Park Holme, Plympton Park and South Plympton as shown in the mapping in **Attachment A**.

### 2.2. Scope of Proposed Code Amendment

#### Area 1 – Affected Area along Marion Road currently within the General Neighbourhood Zone

Current Policy	<p><b>General Neighbourhood Zone</b></p> <p><u>Overlays</u></p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated) (All structures over 15 metres)</li> <li>• Affordable Housing</li> <li>• Building Near Airfields</li> <li>• Future Road Widening</li> <li>• Hazards (Flooding - Evidence Required)</li> <li>• Major Urban Transport Routes</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Traffic Generating Development</li> <li>• Urban Tree Canopy</li> </ul> <p><u>TNVs</u></p> <ul style="list-style-type: none"> <li>• Nil</li> </ul>
Amendment Outline	<p>Replacing the General Neighbourhood Zone with the Housing Diversity Neighbourhood Zone which allows local variations, which would provide opportunity for a greater diversity of dwelling types on the sites yet to be redeveloped, and could facilitate better development outcomes than the site dimension policy criteria within the current General Neighbourhood Zone.</p>



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Intended Policy	Housing Diversity Neighbourhood Zone
	<p><u>Overlays</u></p> <ul style="list-style-type: none"> <li>• Airport Building Heights (Regulated) (All structures over 15 metres)</li> <li>• Affordable Housing</li> <li>• Building Near Airfields</li> <li>• Future Road Widening</li> <li>• Hazards (Flooding - Evidence Required)</li> <li>• Major Urban Transport Routes</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Traffic Generating Development</li> <li>• Urban Tree Canopy</li> </ul> <p><u>TNVs (potential)</u></p> <ul style="list-style-type: none"> <li>• Maximum building height is 2 building levels and 9m, except where the site:             <ul style="list-style-type: none"> <li>A. is at least 1200m<sup>2</sup> in area and</li> <li>B. has a frontage of at least 30m</li> </ul>             - where maximum building height is 3 building levels and 12m           </li> <li>• Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 7m; group dwelling is 18m; residential flat building is 18m)</li> <li>• Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 220 sqm; row dwelling is 200 sqm; group dwelling is 200 sqm; residential flat building is 200 sqm)</li> </ul>

### 3. STRATEGIC PLANNING OUTCOMES

Proposed Code Amendments occur within a state, regional and local strategic setting, which includes:

- State Planning Policies (SPPs)
- Regional Plans
- Other relevant strategic documents.

#### 3.1. Summary of Strategic Planning Outcomes

The key strategic planning considerations are summarised as follows:

- Facilitate the opportunity for an increased diversity in housing types and densities to meet the varying needs of the community.

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- A higher density of housing encouraged in locations with convenient access to shopping and community facilities and public transport.
- Relieve the pressure for infill development within local streets.
- Consideration of the need for suitable transitions between existing lower density residential areas and proposed higher density development.

### 3.2. Alignment with State Planning Policies

The State Planning Policies (SPPs) set out the State's overarching goals and requirements for the planning system. Under section 66(3)(f) of the Act, the Code must comply with any principle prescribed by a SPP.

The Code Amendment should be initiated because the strategic planning outcomes sought to be achieved through the Code Amendment align with or seeks to implement the following SPPs:

State Planning Policy (SPP)	Code Amendment Alignment with SPPs
<p><b>Principles of Good Planning</b></p> <p><u>Urban renewal principles</u></p> <p><i>Preference should be given to accommodating the expected growth of cities and towns through the logical consolidation and redevelopment of existing urban areas.</i></p> <p><i>Urban renewal should seek to make the best use (as appropriate) of underlying or latent potential associated with land, buildings and infrastructure.</i></p>	<p>The amendment seeks to provide opportunity for the replacement of existing lower density residential uses, located along a major transit route (Marion Road), with a greater diversity of residential development, with convenient access to public transport and shopping/community facilities.</p>
<p><b>Integrated Planning</b></p> <p><i>1.7 Regenerate neighbourhoods to improve the quality and diversity of housing in appropriate locations supported by infrastructure, services and facilities.</i></p>	<p>The amendment seeks to provide opportunity for the replacement of existing lower density residential uses, located along a major transit route (Marion Road), with a greater diversity of residential development, with convenient access to public transport and shopping/community facilities.</p>
<p><b>Design Quality</b></p> <p><i>2.9 Respect the characteristics and identities of different neighbourhoods, suburbs and precincts by ensuring development considers existing and desired future context of a place.</i></p> <p><i>2.11 Manage the interface between modern built form of different scales with more traditional dwelling forms, including through the management of streetscape character, access to</i></p>	<p>The amendment will consider the need for suitable transitions, through various design elements, between existing lower density residential areas and proposed higher density and potentially taller development along the Marion Road corridor.</p>

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natural light, visual and acoustic privacy, massing and proportions.	
<b>Housing Supply and Diversity</b> 6.6 A diverse range of housing types within residential areas that provide choice for different household types, life stages and lifestyle choices.	<p>The amendment seeks to provide opportunity for the replacement of existing lower density residential uses, located along a major transit route (Marion Road), with a greater diversity of residential development, with convenient access to public transport and shopping/community facilities.</p> <p>A greater diversity and choice of dwelling types would better provide for the changing lifestyle needs of the community.</p>

### 3.3. Alignment with Regional Plans

As with the SPPs, the directions set out in Regional Plans provide the long term vision as well as setting the spatial patterns for future development in a region. This includes consideration of land use integration, transport infrastructure and the public realm.

The 30-Year Plan for Greater Adelaide (2017 Update) volume of the Planning Strategy is relevant for this Code Amendment.

Regional Plan Identified Priorities or Targets	Code Amendment Alignment with Regional Plan
<b>Principle 1: A compact and carbon-neutral city</b>	The Code Amendment will seek to facilitate the provision of additional housing opportunities at increased densities which can be adequately serviced by infrastructure such as public transport within the footprint of the existing metropolitan area.
<b>Principle 2: Housing diversity and choice</b>	
<b>Principle 4: A transit-focused and connected city</b>	Providing additional housing opportunities near public transport services.
<b>Transit corridors, growth areas and activity centres</b>	
<b>Policy 1. Deliver a more compact urban form by locating the majority of Greater Adelaide's urban growth within existing built-up areas by increasing density at strategic locations close to public transport.</b>	The Code Amendment proposes to investigate an increase in residential density on a major road corridor, serviced by public transport.



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Housing mix, affordability and competitiveness	
<b>Policy 37.</b> <i>Facilitate a diverse range of housing types and tenures (including affordable housing) through increased policy flexibility in residential and mixed-use areas.....</i>	<p>The Code Amendment will facilitate greater diversity of residential housing types on a major road corridor, serviced by public transport.</p> <p>The Affordable Housing Overlay will be applied to the subject land.</p>
<b>Policy 45.</b> <i>Promote affordable housing in well located areas close to public transport and which offers a housing mix (type and tenure) and quality-built form that is well integrated into the community.</i>	

### 3.4. Alignment with Other Relevant Documents

Additional documents may relate to the broader land use intent within the scope of this proposed Code Amendment (or directly to the Affected Area) and therefore are identified for consideration in the preparation of the Code Amendment.

The following table identifies other documents relevant to the proposed Code Amendment:

Other Relevant Document	Code Amendment Alignment with Other Relevant Document
Housing Diversity Development Plan Amendment	<p>The previous Housing Diversity DPA (HDDPA) sought the creation of an Urban Corridor Zone along much of Marion Road. This Zone was to provide opportunity for multistorey mixed - use development (retail/commercial/residential) in appropriate locations and help relieve the pressure for infill development in local streets in the inner suburbs.</p> <p>However, an Urban Corridor Zone may not be the most appropriate zone for Marion Road, as much of the existing land uses (both residential and non-residential) are unlikely to be redeveloped for the foreseeable future, and an increase in traffic volumes from higher density development and further commercial type land uses may have detrimental impacts on an already heavily trafficked road system.</p>

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## 4. INVESTIGATIONS AND ENGAGEMENT

## 4.1. Investigations Already Undertaken

The table below identifies what investigations have already been undertaken in support of the proposed Code Amendment.

Investigation Undertaken	Summary of Scope of Investigations	Summary of Outcome of Recommendations
<b>Marion Road Urban Design Study -- 2009</b> Oxygen and Connor Holmes	To provide guidelines which aid future strategic and development decisions along and adjacent to Marion Road including informing Council's strategic planning process, particularly relating to future amendments to the (former) Development Plan.	<ul style="list-style-type: none"> <li>• Introduce more flexible policy to encourage redevelopment of sites in the corridor, including encouraging mixed use development outcomes along the whole corridor.</li> <li>• Encourage development of 3 to 5 storeys within the corridor, including non-residential uses at street level to activate the street, with residential development above</li> <li>• Consider opportunities to increase the depth of existing zones in certain areas to further encourage redevelopment and potentially enhance interface issues.</li> </ul>
<b>Marion Road – Feasibility Study: Urban Corridor Zone</b> (as part of former Housing Diversity DPA)	Analysis identifying the key development opportunities along Marion Road and consideration of policy mechanisms to achieve the desired outcomes	<p>Identified 6 key sites with highest potential for redevelopment.</p> <p>Three of these sites have since been approved and/or developed. Two of the sites for forms of development not previously envisaged (lower density/not mixed use).</p>

## 4.2. Further Investigations Proposed

In addition to the investigations already undertaken and identified above, the table below outlines the additional investigations that will be undertaken to support the Code Amendment.



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Further Investigations Proposed	Explanation of how the further investigations propose to address an identified issue or question
Demand for the nature and extent of development anticipated in the zone	Identify the appropriateness of rezoning the extent of land proposed to ensure that it reflects the demand for the nature of development anticipated in the zone.

#### 4.3. Engagement Already Undertaken

The following engagement occurred on the previous Housing Diversity Development Plan Amendment in 2019:

- The community were advised of the proposed changes to the zoning and associated policy affecting those properties to be included in the (then) proposed Urban Corridor Zone along Marion Road.
- Public notification (including letter drop to all properties within the Council, notices in newspapers, Council's web site and Government Gazette) was undertaken and the community was given an opportunity to provide response.
- Council received 66 responses regarding the proposed changes to Marion Road.

It is noted that, as an Urban Corridor Zone, facilitating mixed use development, is no longer considered to be the most appropriate zone for Marion Road, many of the responses received are no longer relevant to the proposed Code Amendment.

#### 4.4. Further Engagement Proposed

In addition to the engagement already undertaken and identified above, the table below outlines what additional engagement will be undertaken to support the Code Amendment.

Further Engagement Proposed	Explanation of how the further engagement propose to address an identified issue or question
<ul style="list-style-type: none"> <li>• 8-week consultation process on the Draft Code Amendment.</li> <li>• A copy of the Code Amendment in the Plan SA Portal.</li> <li>• A notice in the Advertiser Newspaper.</li> <li>• Information on Council's 'Making Marion' website, with information on the Code Amendment including, but not limited to a copy of the draft Code Amendment, FAQs and information on how to make comments.</li> <li>• A written notice to all property owners within the affected area and property owners immediately surrounding the</li> </ul>	<p>The broad intent of the engagement process will be to:</p> <ul style="list-style-type: none"> <li>• Alert attention to the draft Code Amendment, its scope and intent.</li> <li>• Highlight any specific issues identified during the drafting process.</li> <li>• Provide details on the Code Amendment process and opportunities for input/comment.</li> <li>• Provide information on how to seek further information.</li> <li>• Consider responses received during consultation process and make amendments</li> </ul>

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<p>affected area (as considered appropriate) inviting them to review and comment on the draft policy.</p> <ul style="list-style-type: none"> <li>• Information brochure outlining what the Code Amendment is about, the proposed policy amendments, and how interested persons can comment.</li> <li>• Notification of the draft Code Amendment to relevant State Government departments/agencies, Members of Parliament, adjacent Councils, infrastructure providers and other interested parties.</li> <li>• Copies of draft Code Amendment and information brochure to be made available at Council offices and libraries.</li> <li>• The scheduling of a Public Meeting (if required) at the conclusion of the consultation process, at which any interested person may appear before Council's Planning and Development Committee to make representations on the proposed amendment.</li> </ul>	<p>to the Code Amendment where necessary/appropriate.</p>
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## 5. CODE AMENDMENT PROCESS

### 5.1. Engagement Plan

The Code Amendment process will occur in accordance with the Community Engagement Charter and Practice Direction 2 – Consultation on the Preparation or Amendment of a Designated Instrument.

The Designated Entity will prepare an Engagement Plan prior to the commencement of engagement on the proposed Code Amendment. The Engagement Plan will include the following mandatory consultation requirements (which may be in addition to the engagement outlined in this Proposal to Initiate):

- the Local Government Association must be notified in writing of the proposed Code Amendment;
- if the Code Amendment has a specific impact on 1 or more particular pieces of land in a particular zone or subzone (rather than more generally), the Designated Entity must take reasonable steps to give a notice in accordance with Regulation 20 of the *Planning, Development and Infrastructure (General) Regulations 2017*, to:
  - the owners or occupiers of the land; and
  - owners or occupiers of each piece of adjacent land;
- consultation must also occur with any person or body specified by the State Planning Commission under section 73(6)(e) of the Act.

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**5.2. Engagement Report**

Once engagement on the Code Amendment is complete, the Designated Entity will prepare an Engagement Report under section 73(7) of the Act.

The Designated Entity must ensure that a copy of the Engagement Report is furnished on the Minister and also published on the SA Planning Portal. This will occur in accordance with Practice Direction 2.

The Engagement Plan and the Engagement Report will also be considered by the State Planning Commission during the final stages of the Code Amendment process. The Commission will provide a report to the Environment, Resources and Development Committee of Parliament under section 74(3) of the Act. The Commission's report will provide information about the reason for the Code Amendment, the consultation undertaken on the Code Amendment and any other information considered relevant by the Commission.

**5.3. Code Amendment Timetable**

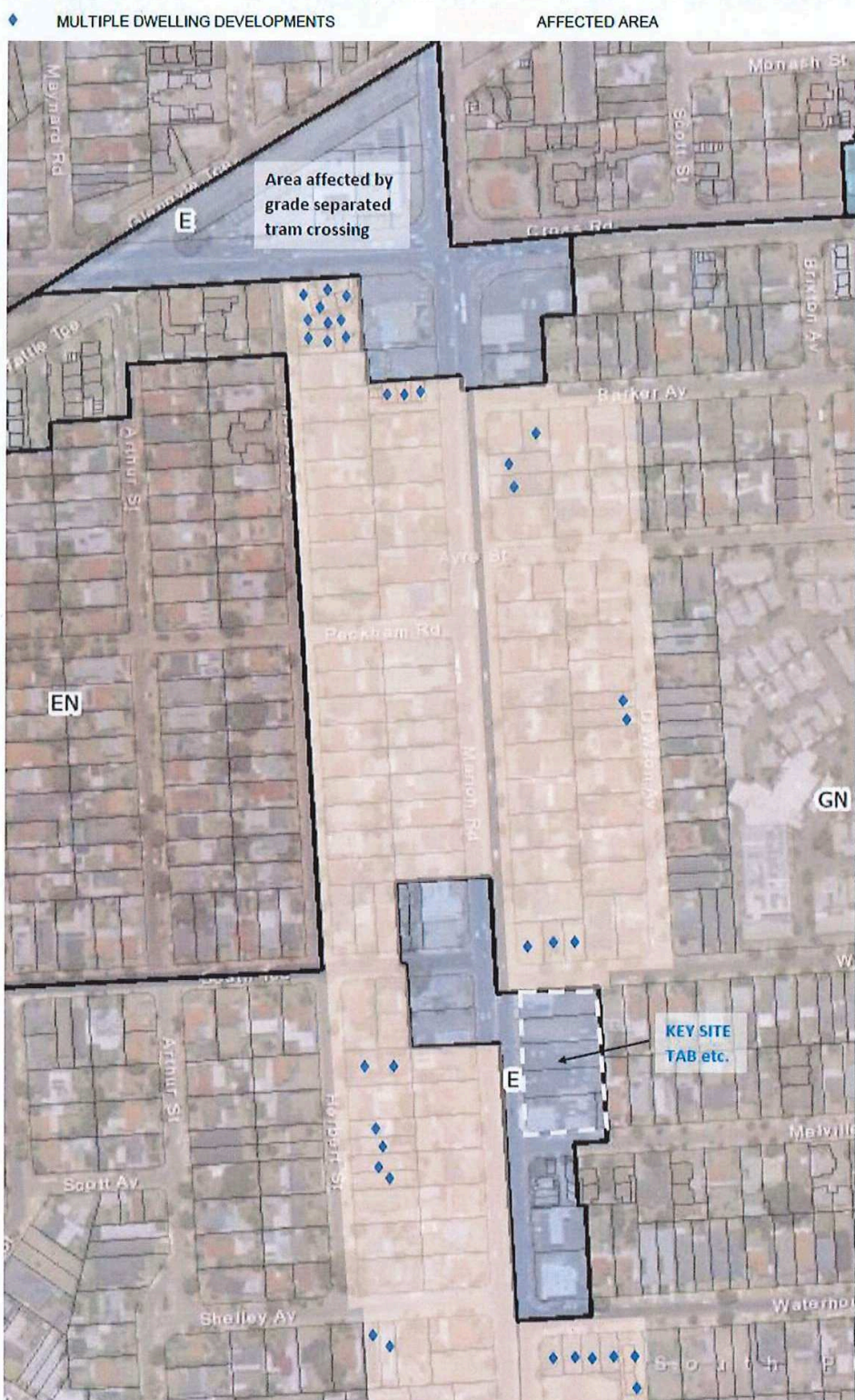
The Proponent (where it is also the Designated Entity) commits to undertaking the Code Amendment in line with the timeframe outlined in **Attachment B**. If a timeframe is exceeded (or expected to be exceeded) the Proponent agrees to provide an amended timetable to the Department with an explanation of the delay, for approval by the Minister of an extension of time for the Code Amendment.

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**ATTACHMENT A**  
**Maps of Affected Area**

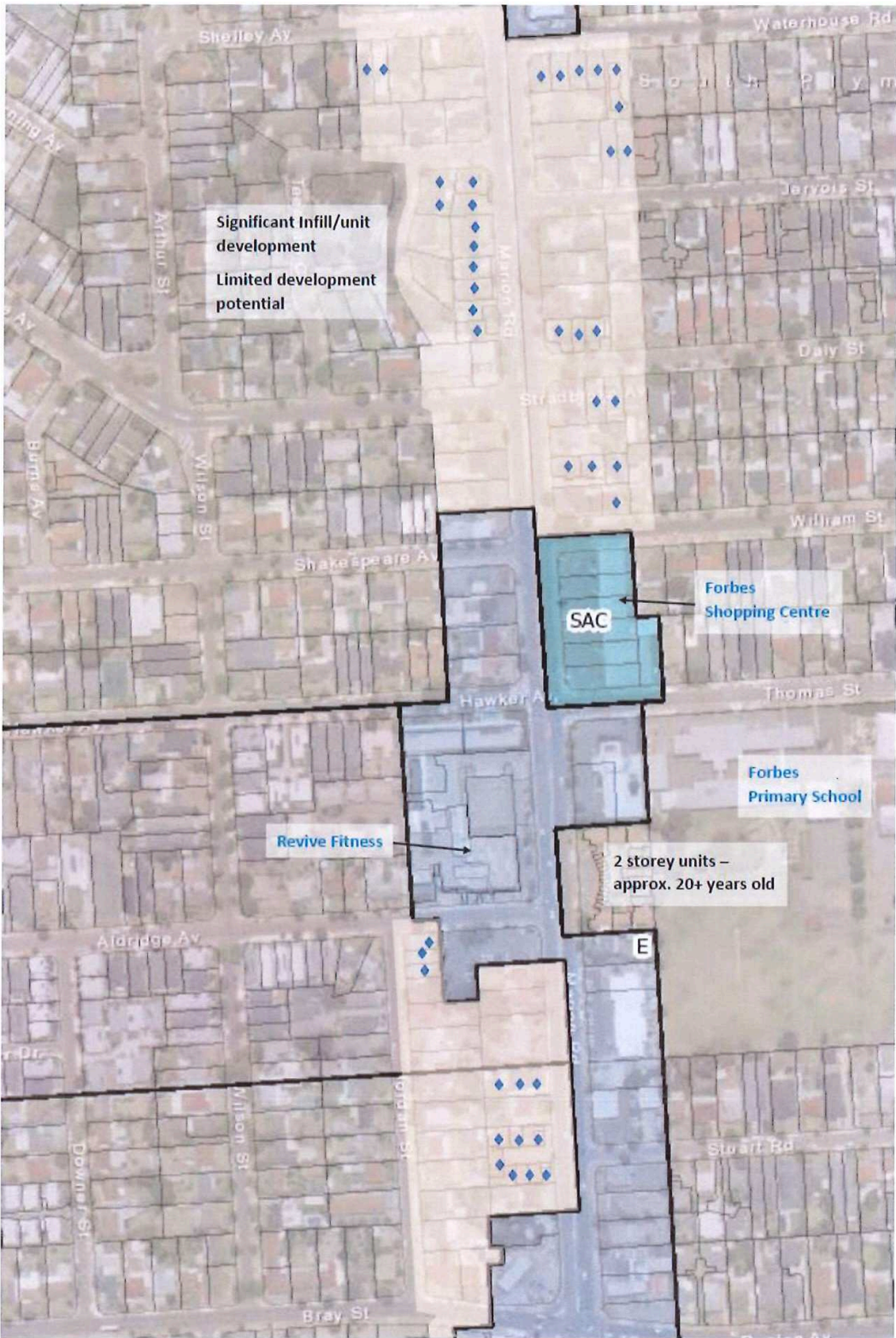


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**MARION ROAD – POTENTIAL FOR REDEVELOPMENT OF RESIDENTIAL AREAS**

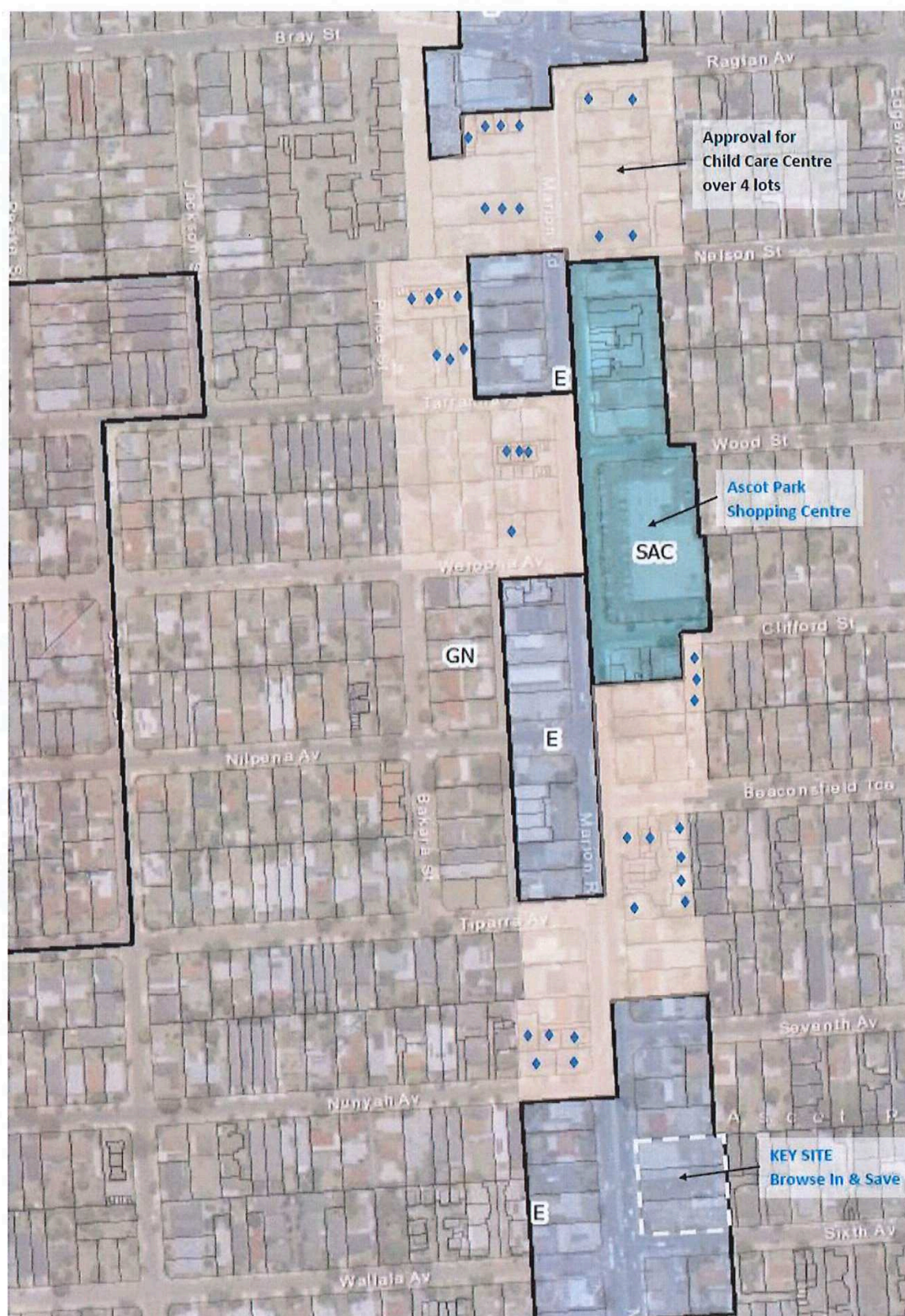


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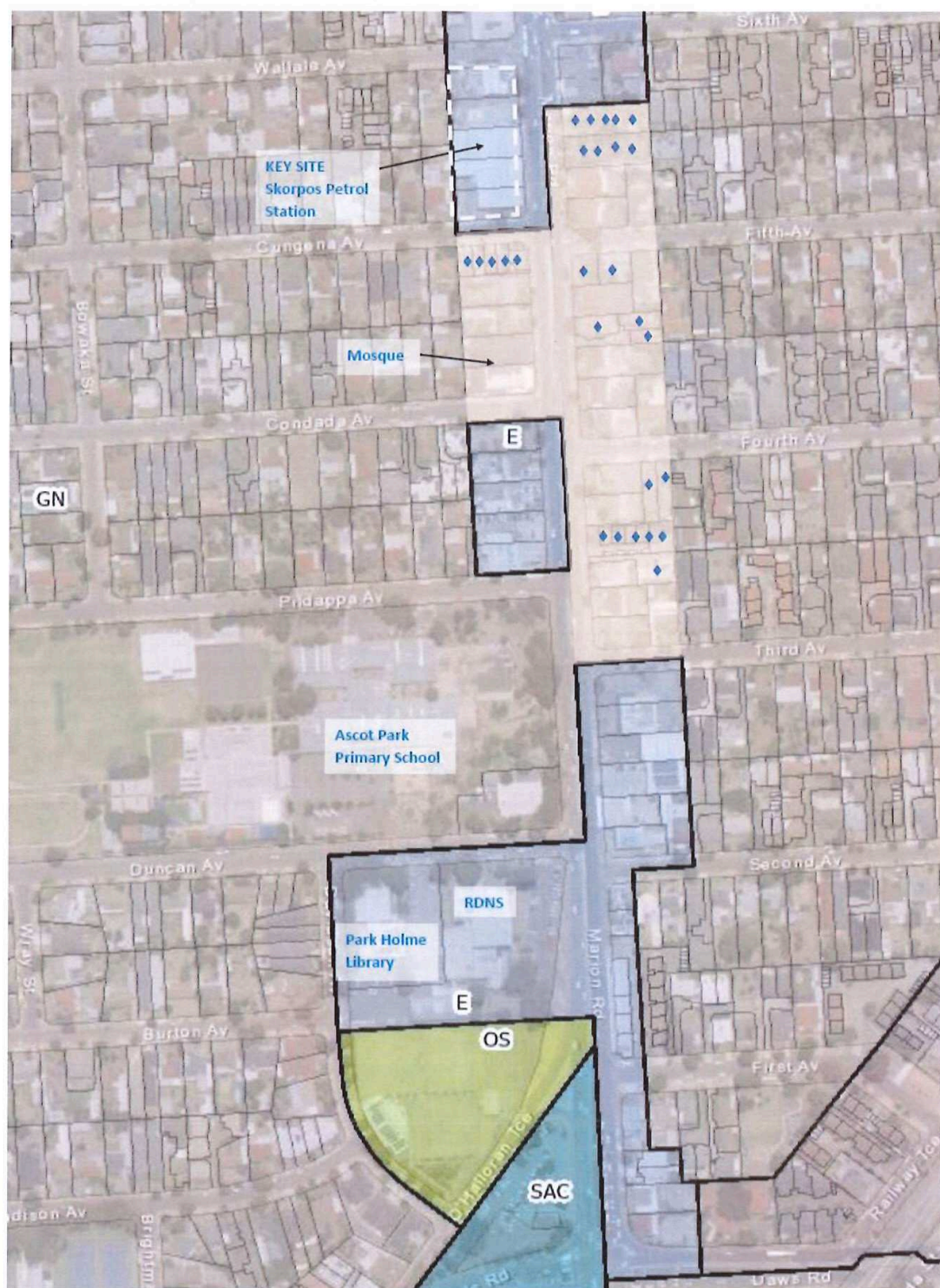


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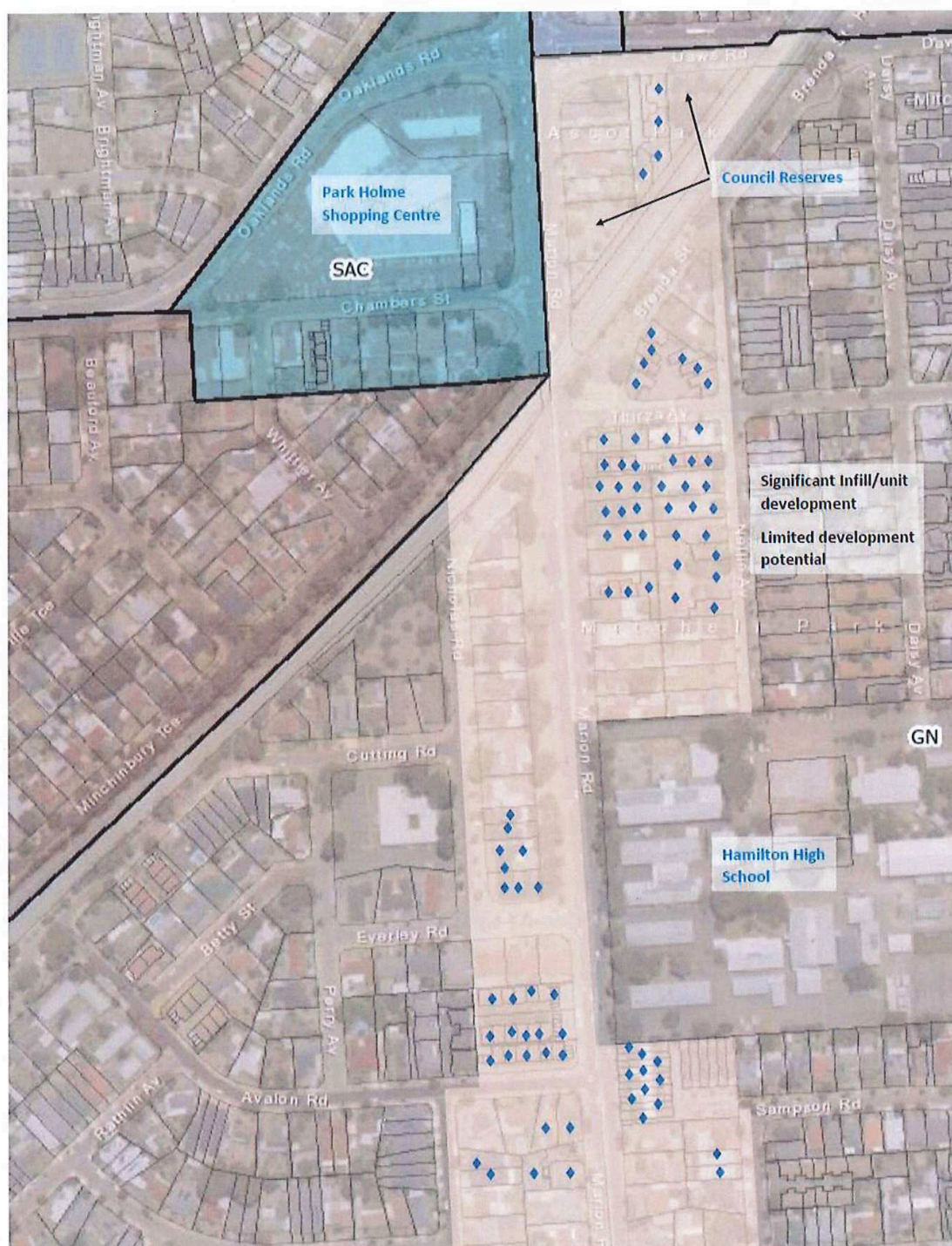


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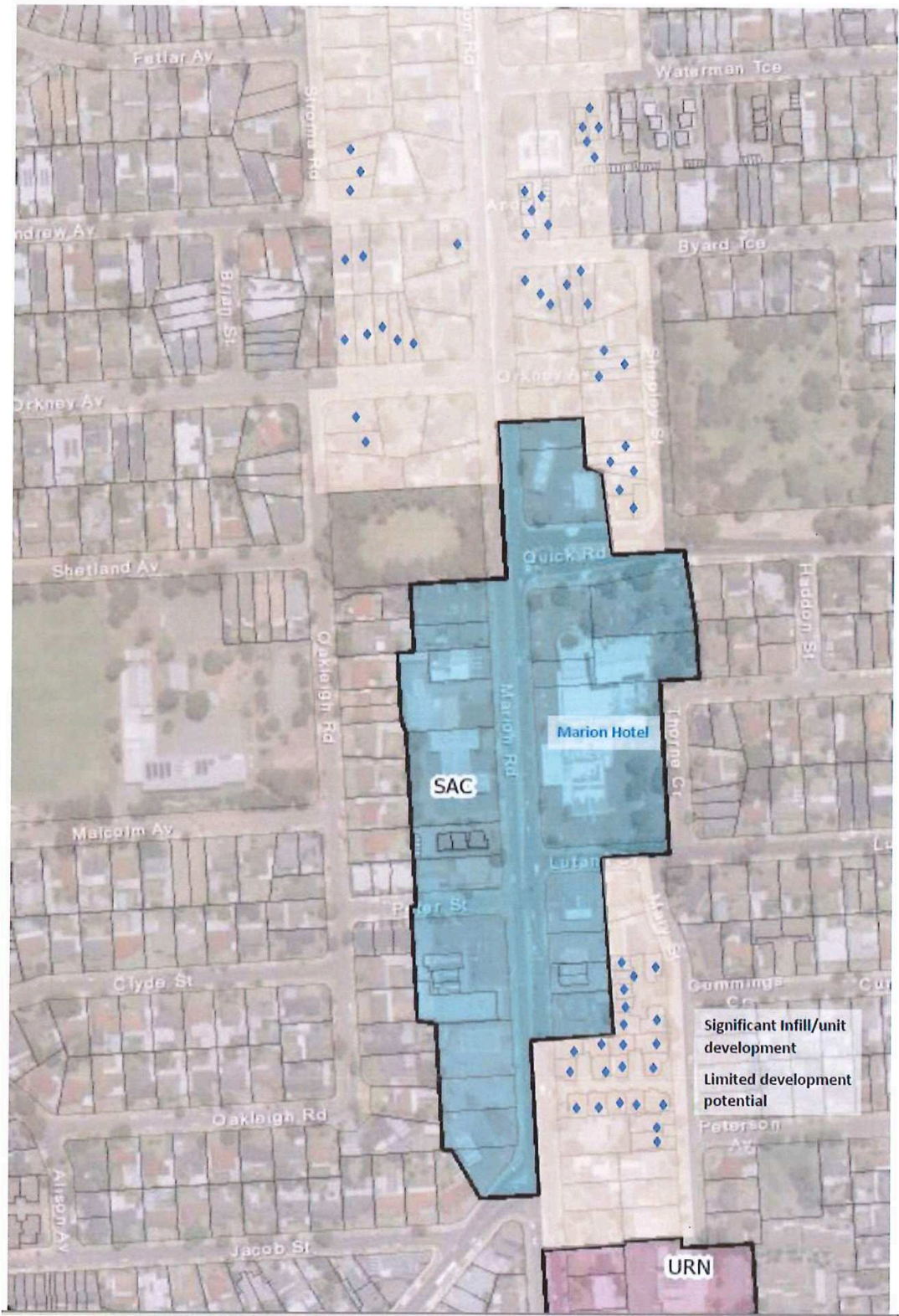


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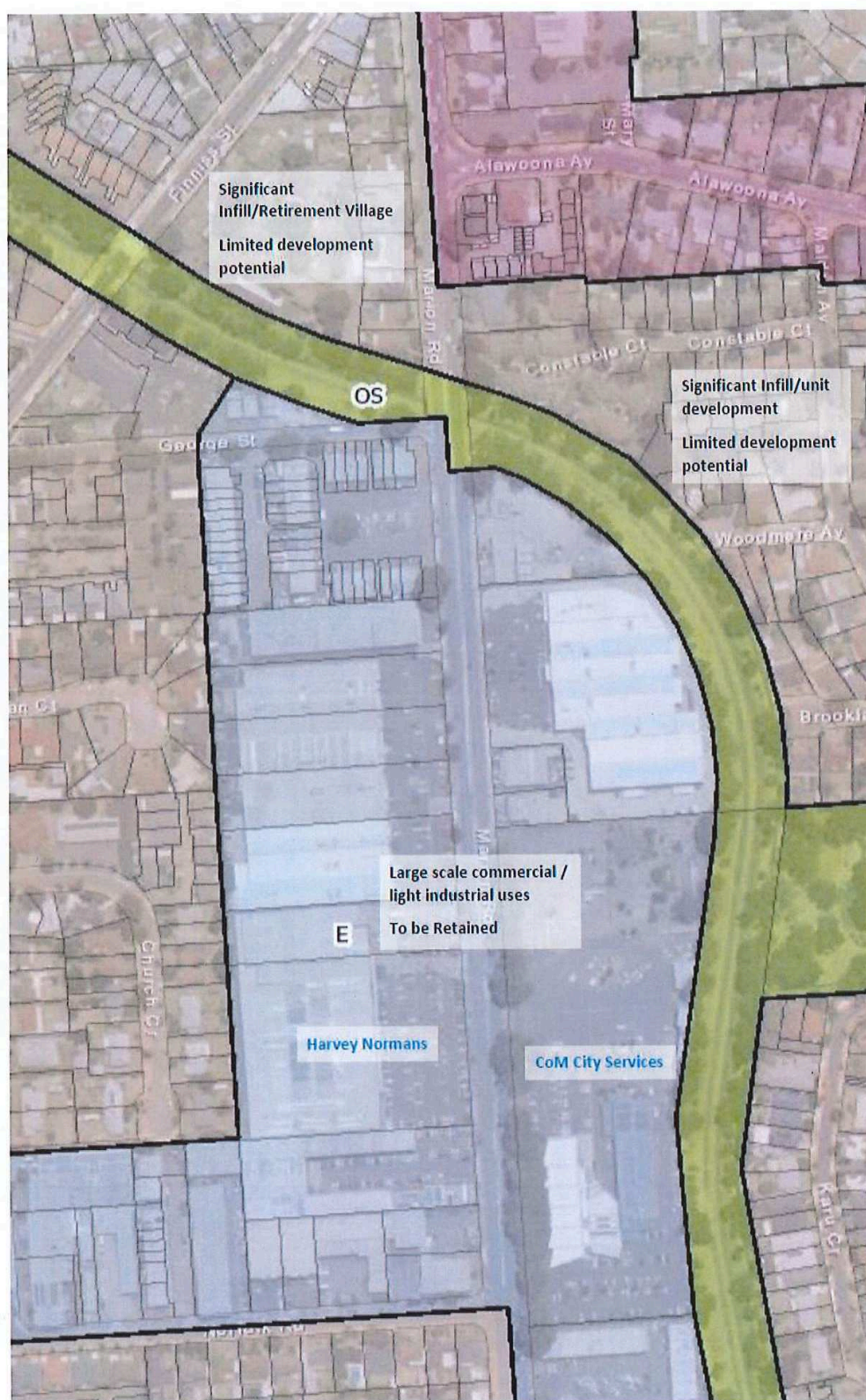


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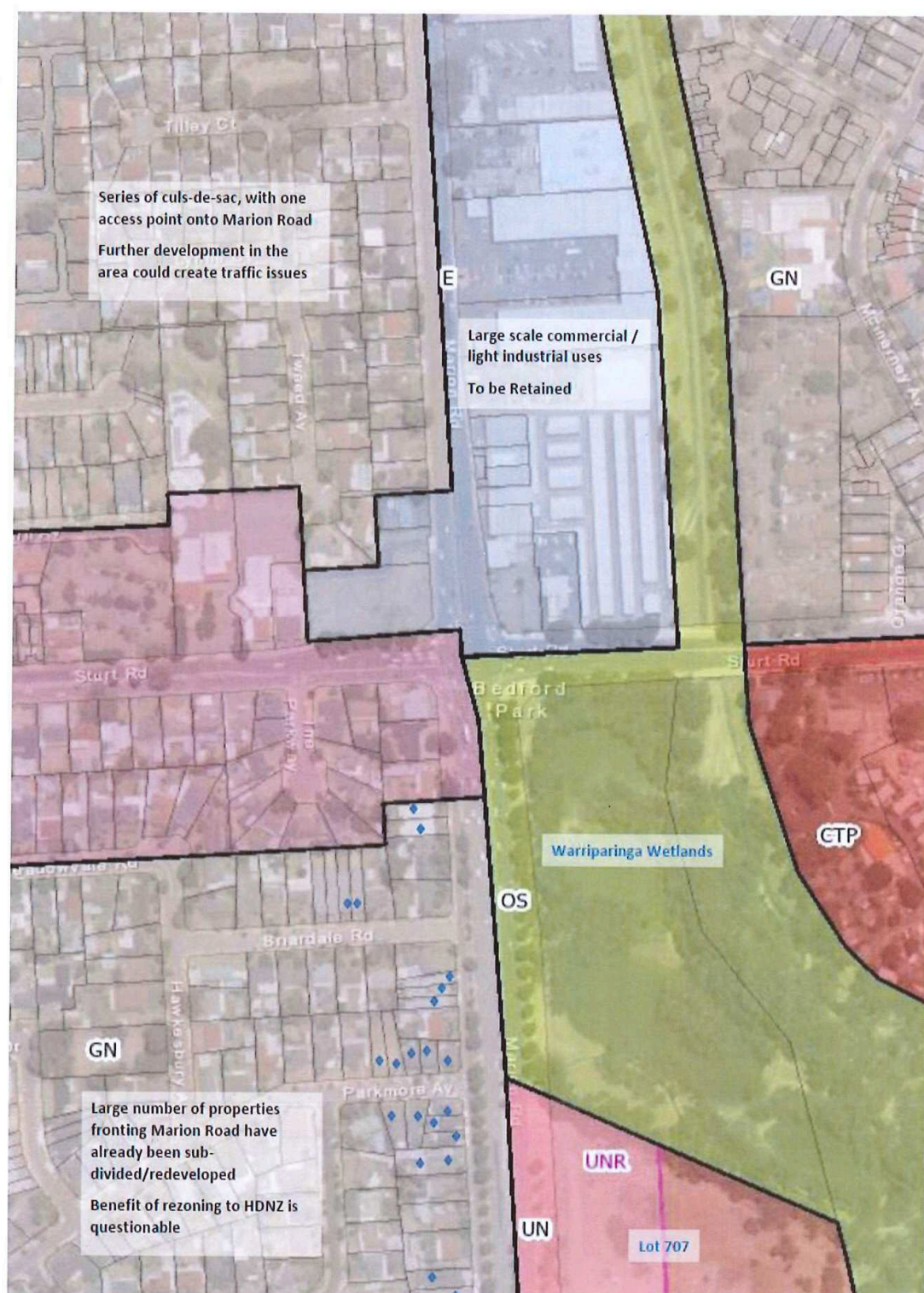


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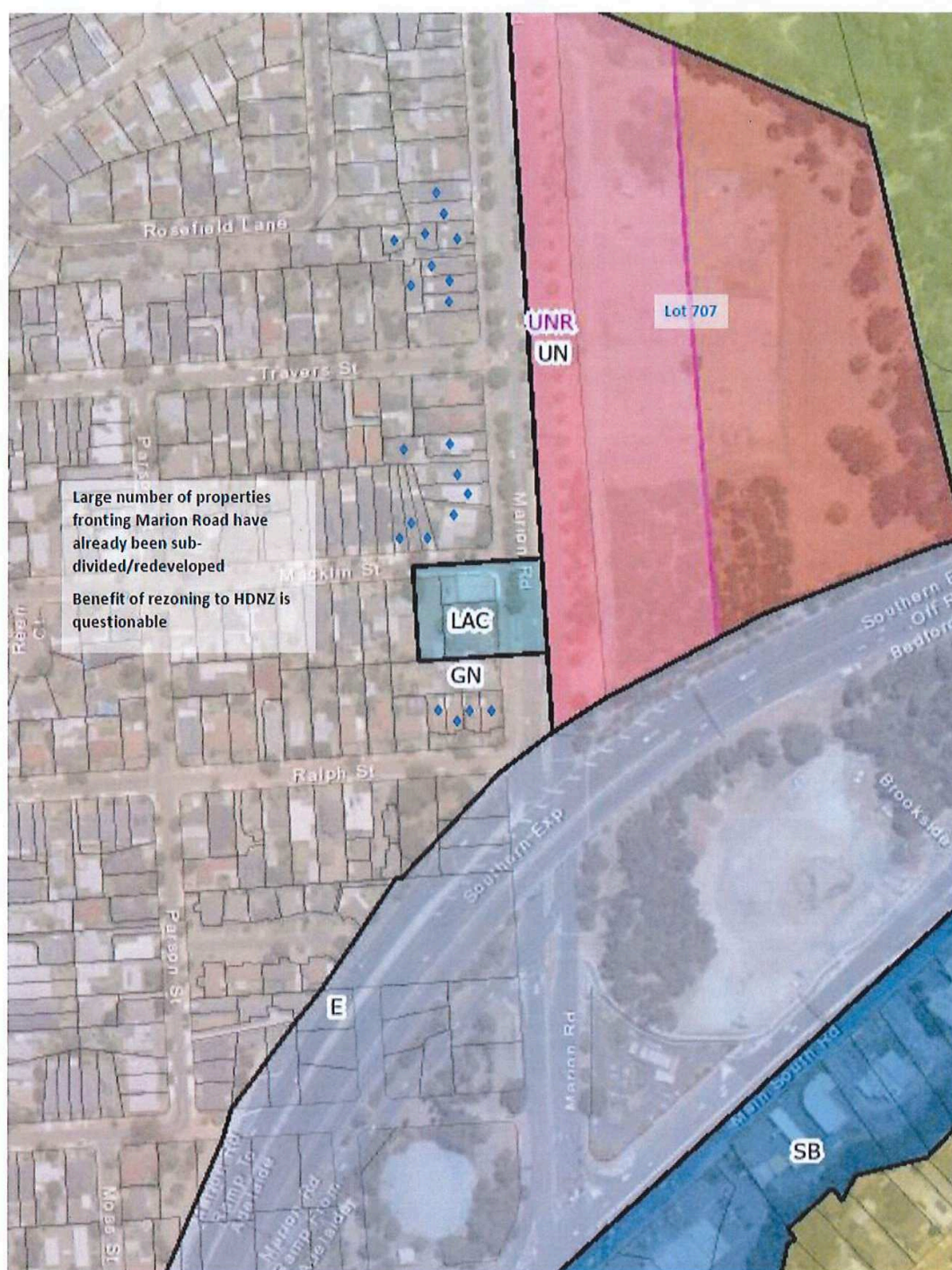


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## ATTACHMENT B

## Timetable for Code Amendment by Proponent

Step	Responsibility	Timeframe
<b>Approval of the Proposal to Initiate</b>		
Review of Proposal to Initiate to confirm all mandatory requirements are met (timeframe will be put on hold if further information is required). Referral to the Minister to request advice from the Commission	AGD	2 weeks <i>(includes lodgement and allocation + referral to Government Agencies within the first week)</i>
Minister requests advice from the Commission.	Minister	2 weeks
Referral to Government Agencies for comment (where necessary)	AGD, Relevant Government Agencies	+ 2 weeks
Consideration of Proposal to Initiate and advice to the Minister	Commission (Delegate)	3 weeks
	Commission	+ 3 weeks
<b>Proposal to Initiate</b> agreed to by the Minister	Minister	2 weeks
<b>Preparation of the Code Amendment</b>		
Engagement Plan Prepared. Investigations conducted; <b>Code Amendment Report</b> prepared The Drafting instructions and draft mapping provided to AGD	Council	12 weeks
AGD prepares Amendment Instructions and Mapping and provides to Council for consultation purposes	AGD	1 week
Preparation of Materials for Consultation	Council	6 weeks
<b>Engagement on the Code Amendment</b>		
<b>Code Amendment Report</b> released for public consultation in accordance with the Community Engagement Charter and the prepared <b>Community Engagement Plan</b>	Council	12 weeks
<b>Consideration of Engagement and Finalisation of Amendments</b>		
Submissions summarised; Amended drafting instructions provided, <b>Engagement Report</b> prepared and lodged with AGD	Council	8 weeks
Assess the amendment and engagement. Prepare report to the Commission or delegate <i>Timeframe will be put on hold if further information is required, or if there are unresolved issues</i>	AGD	4 weeks
Consideration of Advice	Commission (Delegate)	2 weeks <i>(includes 1 week to process through Minister's office)</i>
	Commission	+ 3 weeks

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Step	Responsibility	Timeframe
<b>Decision Process</b>		
Minister considers the <b>Code Amendment Report</b> and the <b>Engagement Report</b> and makes decision	Minister	3 weeks
<b>Implementing the Amendment (operation of the Code Amendment)</b>		
Go- Live- Publish on the PlanSA Portal	AGD	2-4 weeks
<b>Parliamentary Scrutiny</b>		
Referral of approved <b>Code Amendment</b> to ERDC	AGD	8 weeks



## 8 Reports for Noting

### 8.1 Development Services Activities Update

<b>Report Reference</b>	PDC231010R8.1
<b>Originating Officer</b>	Team Leader - Planning – Alex Wright
<b>Corporate Manager</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development – Tony Lines

### REPORT HISTORY

<b>Report Reference</b>	<b>Report Title</b>
<a href="#">PDC220906R8.1</a>	Development Services Activities Update
<a href="#">PDC230307R8.1</a>	Development Services Activities Update
<a href="#">PDC230502R8.1</a>	Development Services Activities Update

### REPORT OBJECTIVE

To provide the Planning and Development Committee with an overview of the status of the planning system from a performance, planning, building and compliance perspective. The Planning and Design Code (the Code) commenced on 19 March 2021 and is now the legislated rule book for processing and assessing development applications.

### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Notes the report.**

### DISCUSSION

#### 1. Update on Legislation, Code and Systems

##### 1.1 Legislation

- The Minister for Planning approved the Tunnel Protection Overlay Code Amendment for early commencement on 28 July 2023, with the relevant Overlay and consultation period commencing 31 August 2023.

The purpose of the Code Amendment is to provide protections to the structural integrity of the future North-South Corridor tunnels from activities that may impact on the structural loads over the top of them and provide DIT ability to have a say and direction on relevant proposals through a new referral trigger.

More information on this Code Amendment is contained within a separate Tunnel Protection Overlay Code Amendment Report.

- Amendments to the Schedule 6A, Clause 3 of the Planning, Development and Infrastructure (General) Regulations 2017 occurred in August. These amendments provide changes to the types of dwellings in a Master Planned Neighbourhood Zone or a Master Planned Township Zone which can be considered under the 'Accepted' pathway and therefore negate the need for a Building Envelope Plan.

These changes are generally geared towards promoting fast-tracked approvals on large greenfield sites and unlikely to benefit infill sites (at this stage) as many of the built form outcomes proposed in Seacliff or Oaklands Green project sites won't meet the 'Accepted' Criteria.

## 1.2 Planning & Design Code

The Tunnel Protection Overlay, and supporting policies, have been introduced into the Planning & Design Code. The Overlay contains a policy suite that includes:

- Limitations to 3 building levels (DPF) for the land uses envisaged across the zones
- Limitations to filling of land 1m
- Limitations to storage of materials and equipment or stockpiling larger than 100m<sup>2</sup> (regardless of content, weight or height)
- Limiting excavation or ground intruding activity greater than 2.5m

## 1.3 E-planning

Planning and Land Use Services (PLUS) continues to make updates and enhancements to the ePlanning Portal to improve workflow efficiencies, user interface, and resolve ongoing system errors. Regular reports providing the status of completed, in progress and planned improvements can be found on the [PlanSA system enhancements page](#).

The reporting available to staff through the portal is continuing to be updated and future enhancements are in progress. Staff continue to participate in workgroups coordinated by PlanSA discussing and testing reporting and system improvements, with the current focus being on Essential Safety Provisions (fire systems maintenance) documentation and Building Notifications reporting.

A 'beta' version of an updated dashboard for the portal is currently in a testing mode and provides improved reporting and workload monitoring abilities for staff. It is expected that PlanSA will implement the updated dashboard soon, subject to review of feedback.

## 2. Development Services Overview

### 2.1 Total Development Applications

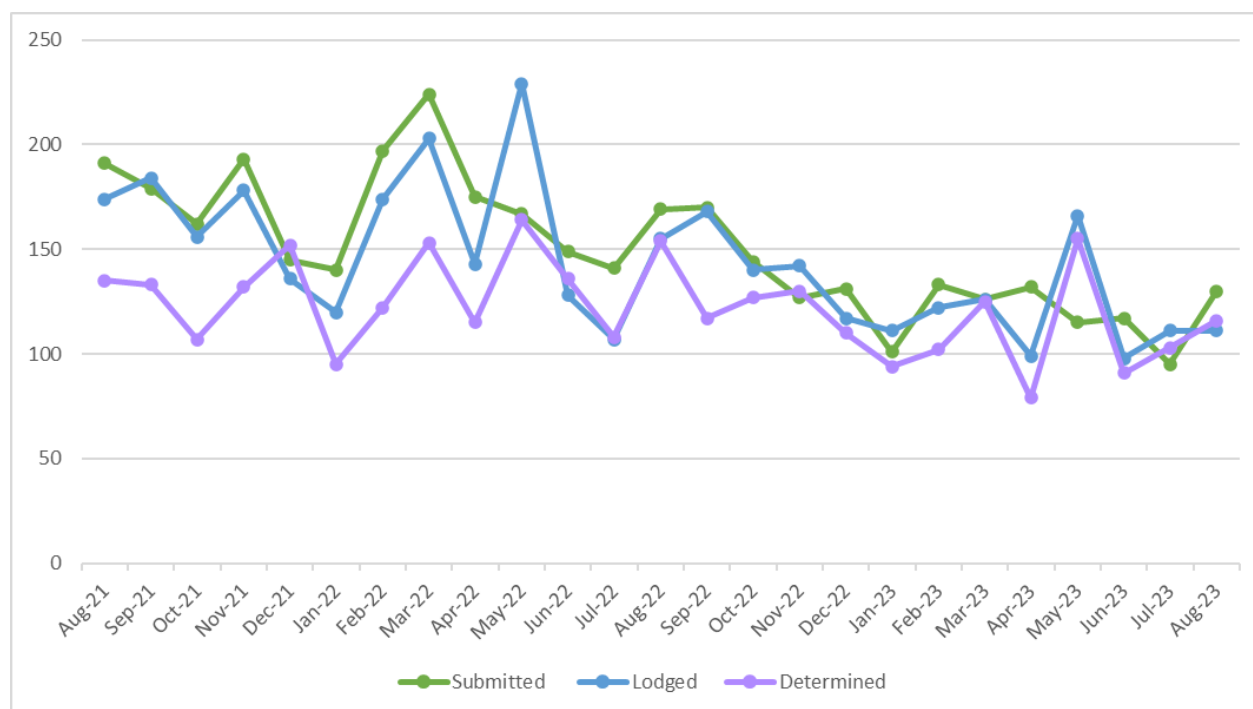
Figure 1 depicts the current trends, illustrating the number of applications submitted, lodged, and determined each month over a two-year period.

**Submitted:** When a user clicks on 'submit' for a new application, the application becomes submitted and receives a submitted date.

**Lodged:** The lodgement date of an application is recorded on the day that fees have been paid, for the fees raised during verification of the first consent (and the application becomes publicly visible).

**Determined:** Decision granted/refused by the relevant authority.

**Figure 1 – Number of applications submitted, lodged and determined over a two-year period.**



**Comment:** Application submissions increased steadily in August, following the lowest number of submissions (July) received in the previous 24 months. The number of applications determined in July and August increased.

It is expected that several major projects will contribute to an increase in applications this year.

## 2.2 Customer Interactions

Development advice is provided to customers via phone, email and in person at the Administration Centre. Rostered Duty Planner and Duty Building Officers are available to answer preliminary and general enquiries during Administration Centre opening hours.

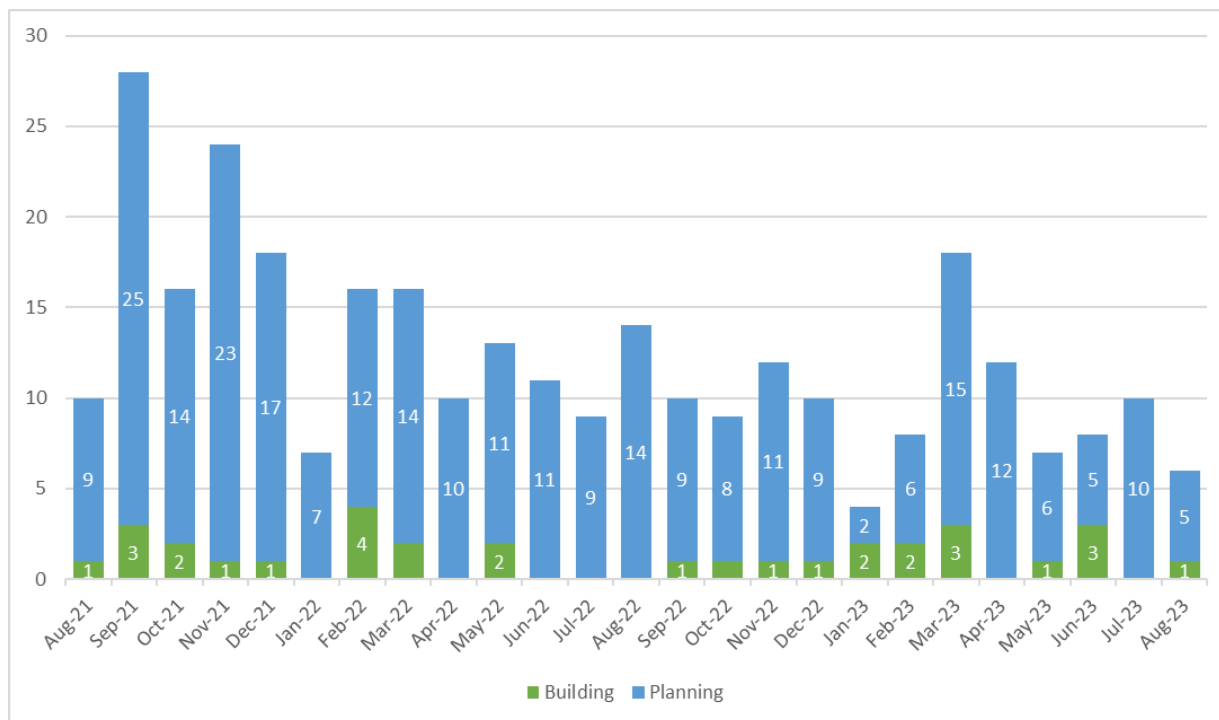
The Development Administration team is also available to answer general questions, lodgements, and copies of plans enquiries, communication is made via phone, email, and MS teams chat directly with the Customer Service team. Bookings are not taken for Administration team enquiries.

Development Services offers a booking service for consultations with a duty planning or building officer, generally 15 minutes in length. Below is how many consultations have been booked in advance with a planning or building officer each month.

Face to face consultations relates to specific 'customer bookings' whereby the customer has a set appointment with a planning or building officer, and this meeting has occurred. This is managed through the Development Services bookings system. Staff have taken a proactive approach and typically contact the customer beforehand to seek further information; anecdotally approximately 70-80% of booked appointments are resolved prior via phone or email.



**Figure 2 - Number of scheduled face to face consultations.**

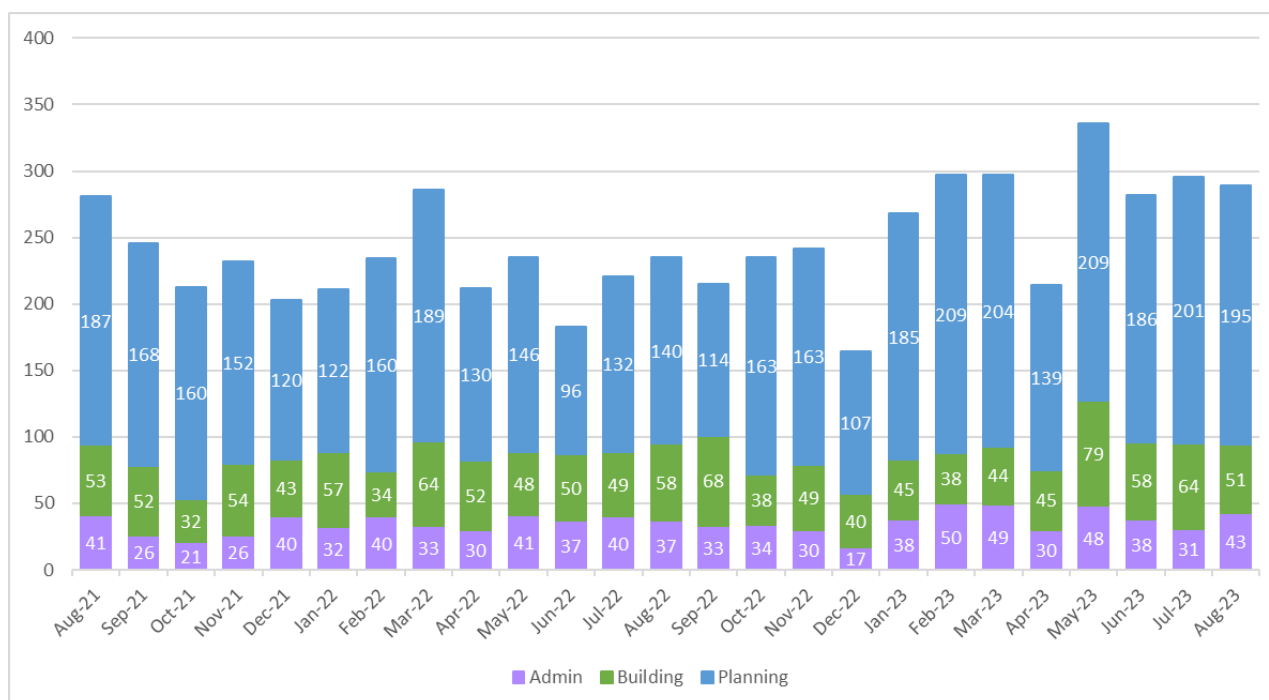


Source: Development Services Bookings Calendar

Note: This data does not include data on 'walk in' consultations, appointments made directly with individual officers or counter queries answered by the administration team.

Figure 3 illustrates the number of requests received each month via the Customer Relationship Management System (CRM), separated by the team responsible for responding to the customer.

**Figure 3 – Number of customer requests received.**



Source: Salesforce

*Note: This data does not include ad-hoc enquiries, calls answered at the time of first contact with Development Services or queries answered by the Customer Service Centre Team.*

**Comment:** The number of customer interactions remains high, with the Planning team receiving the bulk of day-to-day queries. It should be noted, whilst a number of events would be simple and require the provision of limited information, others may require considerable time resources and provisions of detailed and comprehensive information. Face to face consultations increased dramatically in March and April, before returning to typical trends.

The department is continuing to investigate ways to record data not captured in Salesforce or the Development Services Booking Calendar. This includes calls that are resolved at customer first contact, which are not captured in Salesforce, and walk-in consultations including the length of time spent on these enquiries.

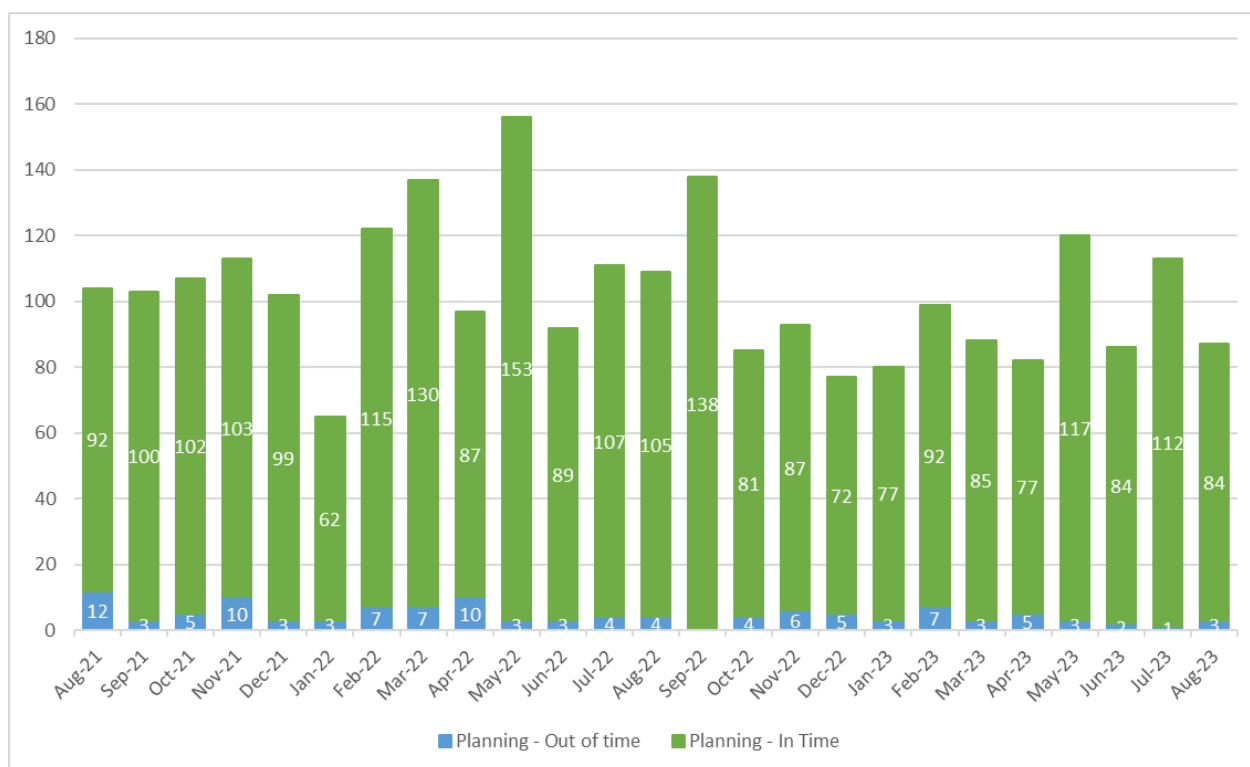
### 3. Planning Update

#### 3.1 Verification of Planning Consent

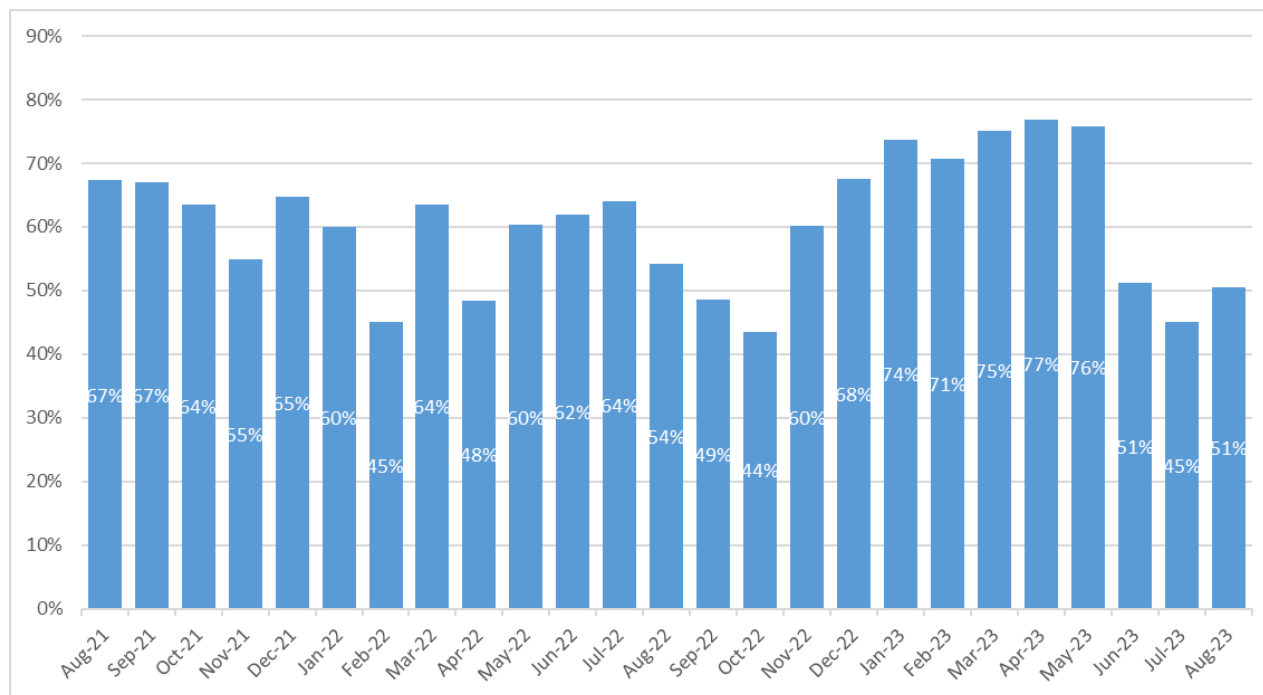
The verification process, broadly, requires the assessing officer to determine if all mandatory information has been received and undertake an assessment to determine the correct Relevant Authority (i.e. Panel or Assessment Manager) and assessment pathway (whether the proposal is Deemed-to-Satisfy or Performance Assessed, are referrals required, is Public Notification required etc).

Figures 4 and 5 illustrate the total number of development applications verified each month and the percentage of these that required further documentation at verification.

**Figure 4 - Verification of deemed to satisfy and performance assessed consents.**



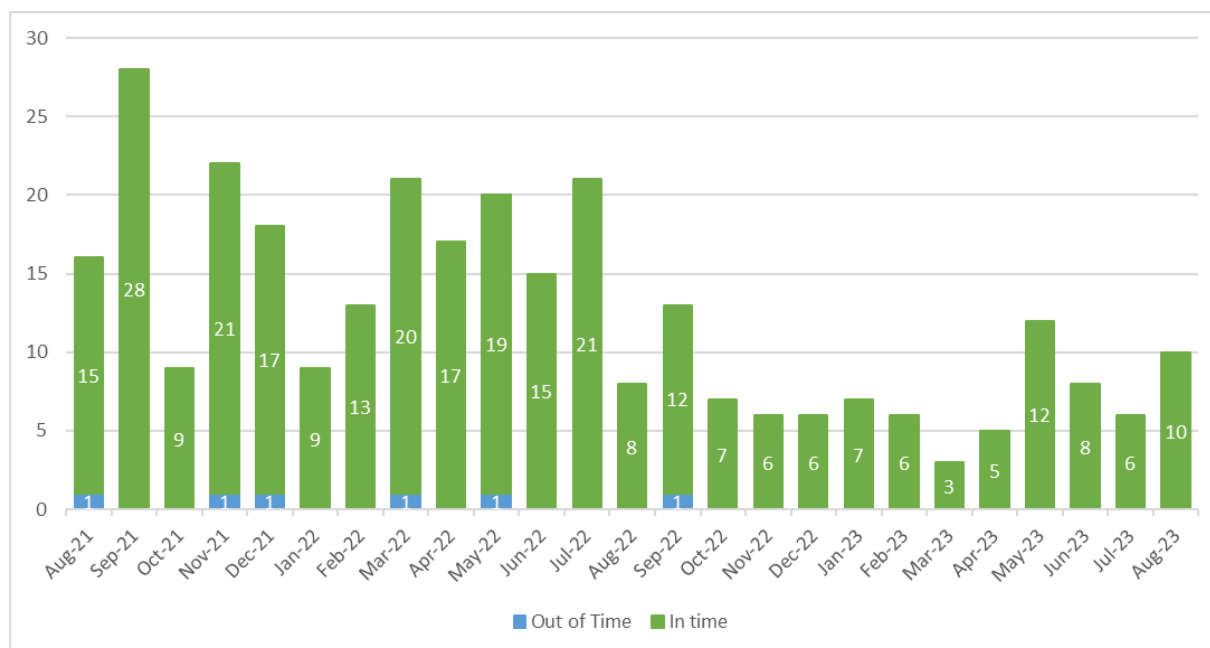
**Figure 5 - Percentage of deemed to satisfy and performance assessed consents requiring additional documentation at verification.**



**Comment:** The number of applications requiring verification remains consistent. It is noted that approximately 50% of applications require additional documentation to satisfy the mandatory requirements (in the last 3 months). Whilst staff use discretion to accept a lack of minor information (such as missing notations etc) it is evident that a significant number of applications still fail to provide the base minimum. It is noted that payment of fees only occurs after verification has been finalised, illustrating the high volume of work being undertaken prior to the 'formal' assessment process. PLUS is aware of these issues.

### 3.2 Planning Consents

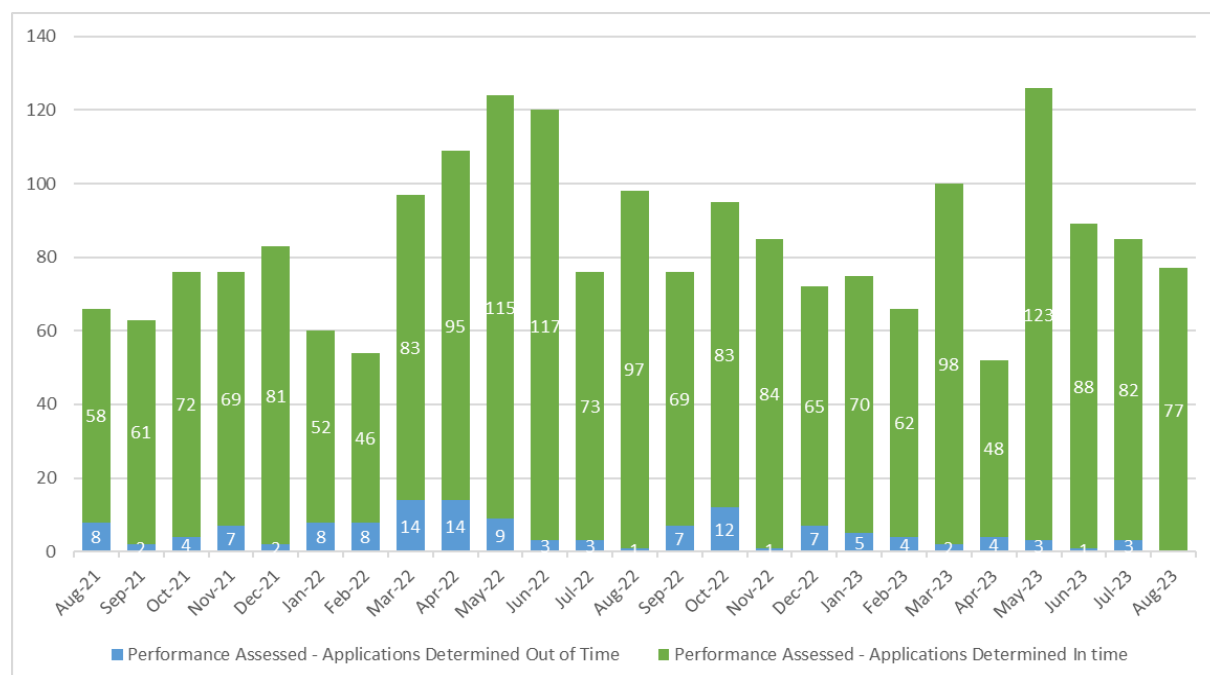
Figure 6 illustrates the number of Deemed-to-Satisfy development applications determined by planning staff each month. DTS applications must be determined within 5 business days.

**Figure 6 - Applications determined in/out of time – Deemed-to-Satisfy (DTS)**


**Deemed to Satisfy:** Five business day are provided for the 'Tick & flick' planning assessment.

Figure 7 illustrates the number of Performance Assessed development applications determined by planning staff each month.

Performance Assessed applications include proposals that have undergone Public Notification or external agency referral. The types of applicants range from minor DA's (i.e. carports/sheds) through to large scale commercial and residential DA's (i.e. large land divisions, medical centres, apartment buildings etc). Assessment timeframes range from 20 business days through to 70 business days.

**Figure 7 - Applications determined in/out of time – Performance Assessed**


**Performance Assessed:** Twenty business days are provided for the assessment against the Code's Desired and Performance Outcomes (additional time is provided for applications requiring Public Notification or proposing land division).

**Comment:** The number of applications determined 'out of time' continue to be low, with 100% of applications in August considered within legislative timeframes. This is the first time since commencement of the portal where this has occurred.

### Deemed Consents

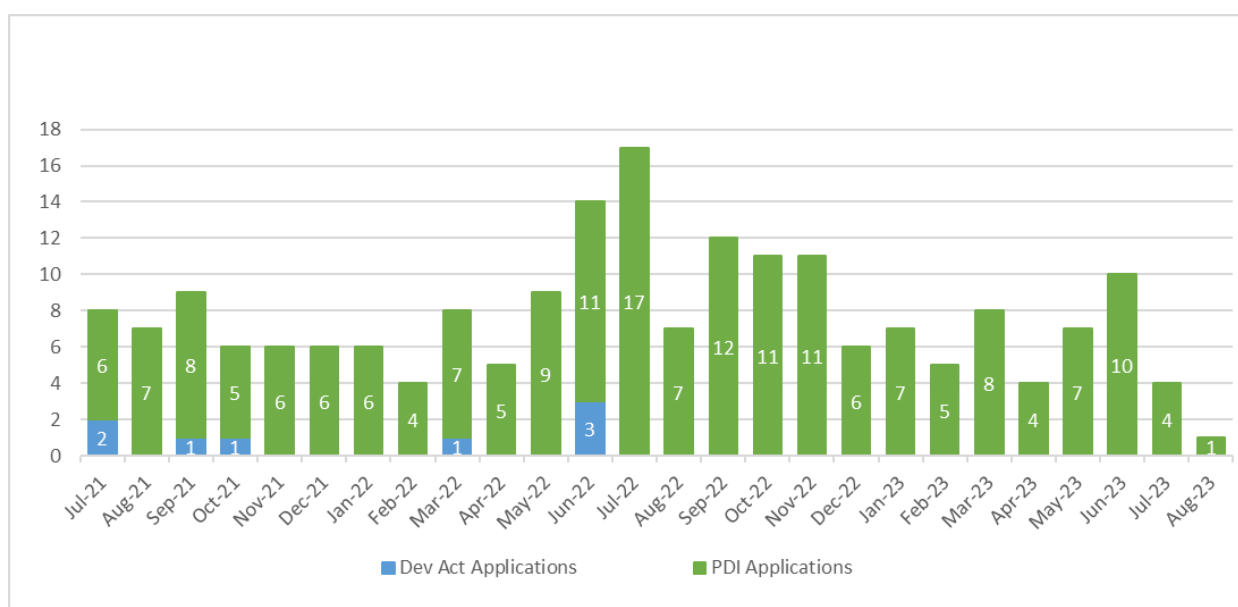
To date, Council has received 1 Deemed Consent Notice (December 2022), which has since been superseded by Council's approval and relevant planning conditions.

Planning application timeframes are monitored by the Executive Leadership Team through the Corporate KPI – Performance Organisational Review process.

### 3.3 Public Notification

Figure 8 illustrates the total number of applications placed on Public Notification in the respective month. The notification process involves the assessing officer and administration staff preparing the correct information, generating the sign and letters and undertaking required Portal work. This work is split between the Planning and Administration teams.

**Figure 8 – Number of applications requiring public notification.**



15 business days for public notification and 15 business days for applicant response.

**Comment:** The number of applications placed on notification in July and August dropped. This can be attributed to the changes brought in by the Miscellaneous Code Amendment which removed ancillary structures, in most zones, from the Public Notification process. Typically, non-residential uses and dwellings (either incorporating a boundary wall exceeding the maximum length and/or height requirements or located within the Hills Neighbourhood Zone and exceeding height and/or retaining requirements) are the most common forms types of applications requiring Public Notification.

### 3.4 Council Assessment Panel (CAP) Reports and Operations

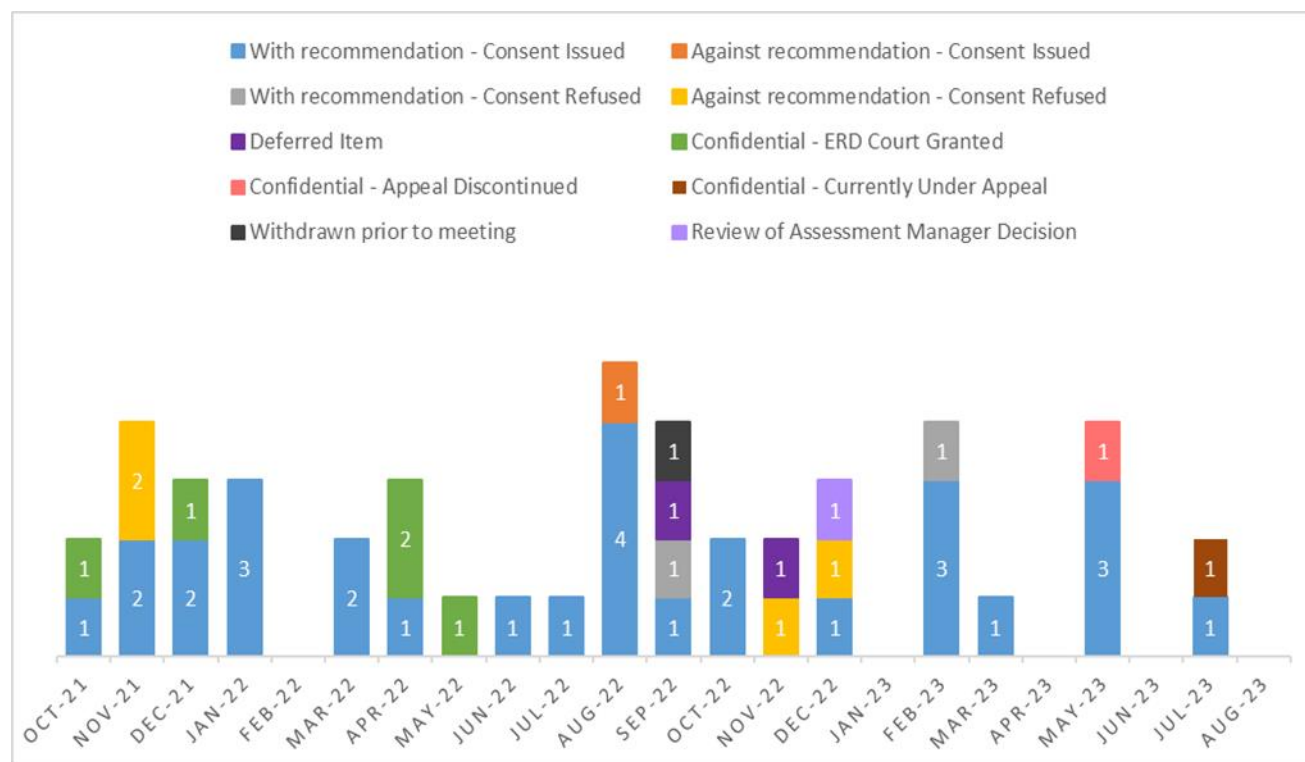
Figure 9 provides an outline on annual CAP operations, including the number of meetings held, applications considered, and applicants and representors heard.

**Figure 9 – Number CAP Meetings held, applications heard and attendance.**

	Meetings Held	PDI Applications	Dev Act Applications	Applicants Heard	Representors Heard
<b>2021</b>	11	7	21	17	19
<b>2022</b>	11	21	5	18	15
<b>2023 (to date)</b>	7	10	1	10	8

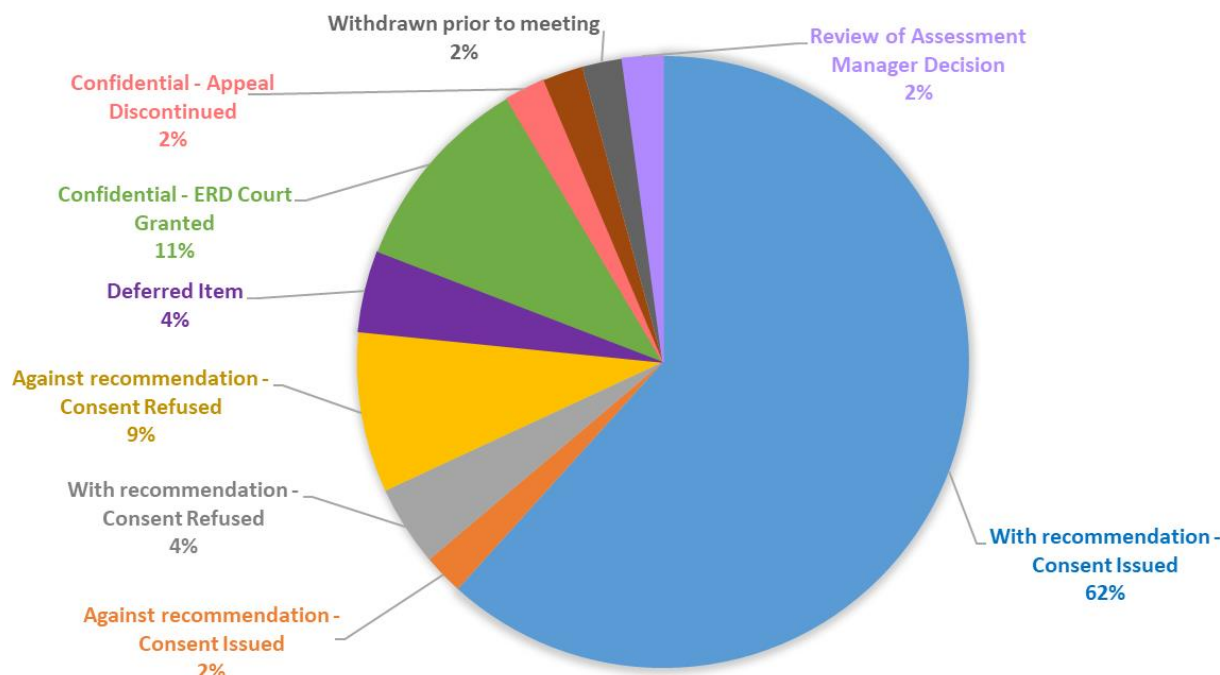
Figures 10 and 11 illustrate decisions made by the Council Assessment Panel and whether the decision was with or against the staff recommendation, deferred, withdrawn prior to meeting and if the item was confidential. Figure 11 shows this as a percentage of the total over a two-year period.

**Figure 10 – Council Assessment Panel Decisions**





**Figure 11 – Council Assessment Panel Decisions (Percentage) – July 2021 to June 2023**



**Comment:** The number of applications considered by the Panel have decreased as a result of less applications undergoing Public Notification. Many applications requiring consideration by the Panel are current either under assessment or 'on hold' pending further information and/or design changes.

### 3.5 Appeals

#### **Environmental, Resources and Development (ERD) Court**

**Figure 12 – Environmental, Resources and Development (ERD) Court appeals**

Address	Appeal Lodged	Delegated or CAP Decision	Current Status
216 Seacombe Road, Seaview Downs	20 February 2023	CAP Decision to Refuse	<i>Appeal Settled</i> Amended scheme considered and supported by the Panel.
1 Wattle Terrace, Plympton Park	4 November 2022	CAP Decision to Refuse	<i>Appeal Withdrawn</i>

#### **Assessment Manager**

The Council Assessment Panel processed its first review of an Assessment Manager decision in December 2022. The relevant application proposed a 1-into-2 land division with retention of (and alterations to) an existing dwelling in Hallett Cove and was refused by staff under delegation from the Assessment Manager. The Council Assessment Panel affirmed the decision of the Assessment Manager with the same reasons for refusal.

*Note: For planning consent applications where the Assessment Manager is the relevant authority, the PDI Act introduces a new means of appeal for applicants as an alternative to appealing to the ERD Court. Applicants may seek a review of a prescribed decision of the Assessment Manager by*

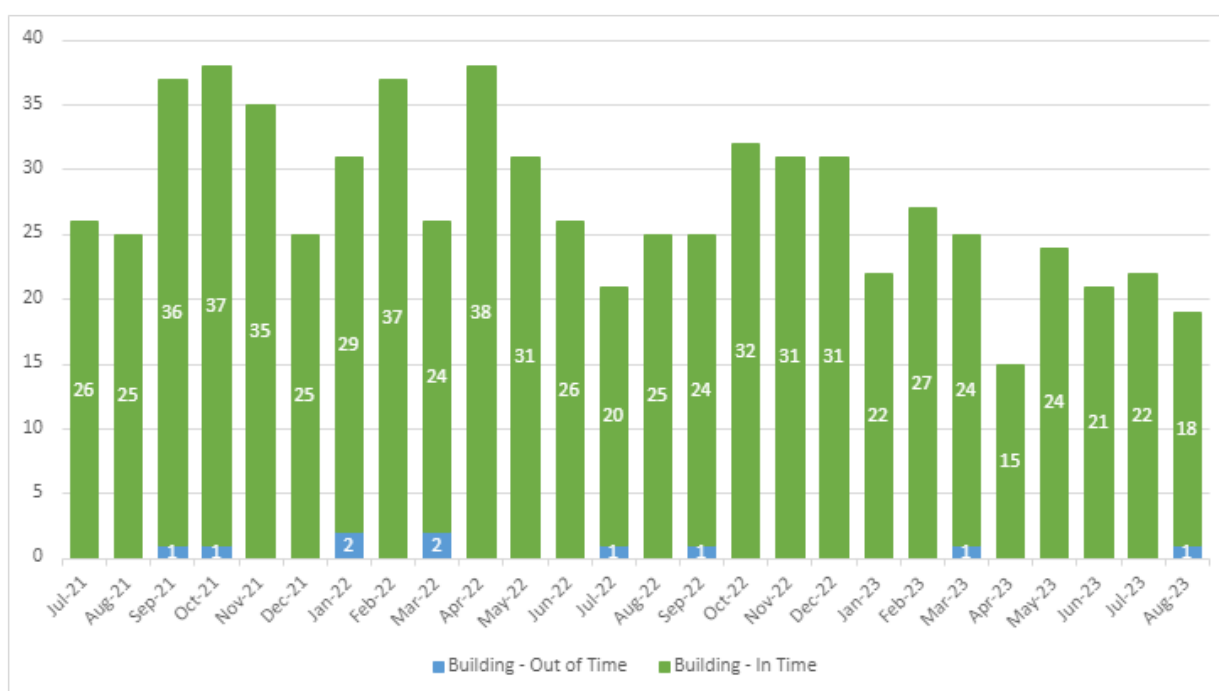
the Council Assessment Panel. The CAP has adopted a [Review of Decision of Assessment Manager Policy](#) to guide this process.

#### 4. Building Update

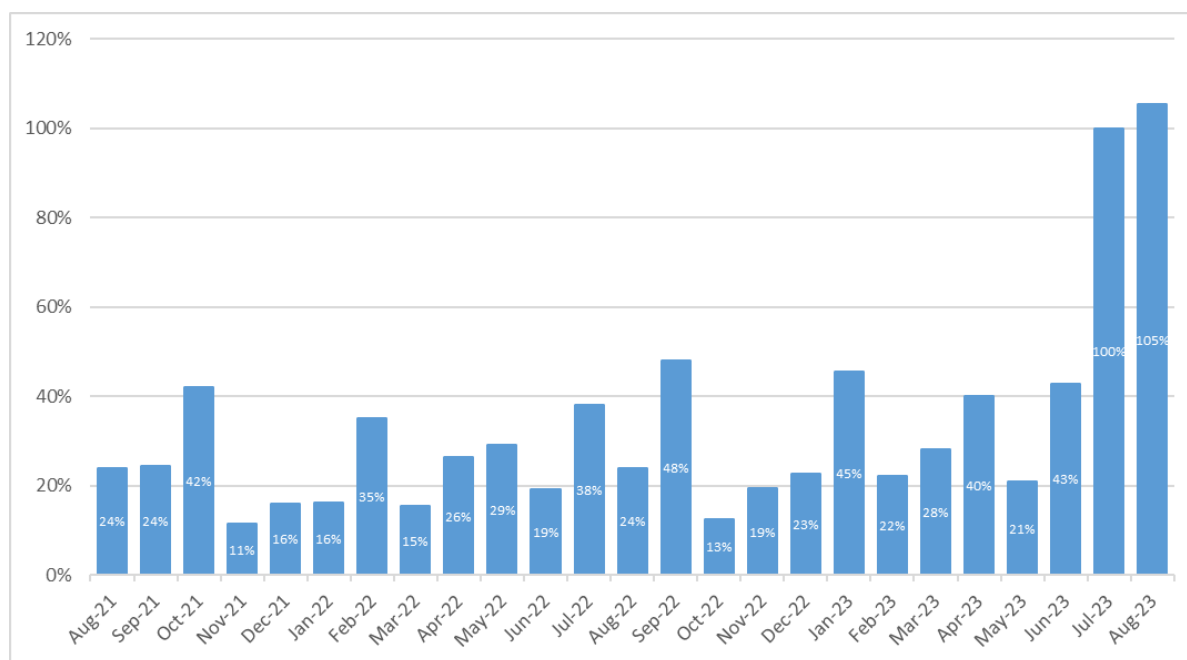
##### 4.1 Verification of Building Consent

Figure 13 illustrates the total number of building consent applications verified each month by council building staff. The verification process, broadly, requires the assessing officer to determine if all mandatory information has been received and undertake an assessment.

**Figure 13 – Verification of building consents undertaken by council staff.**



**Figure 14 – Percentage of building consents requiring additional documentation at verification.**

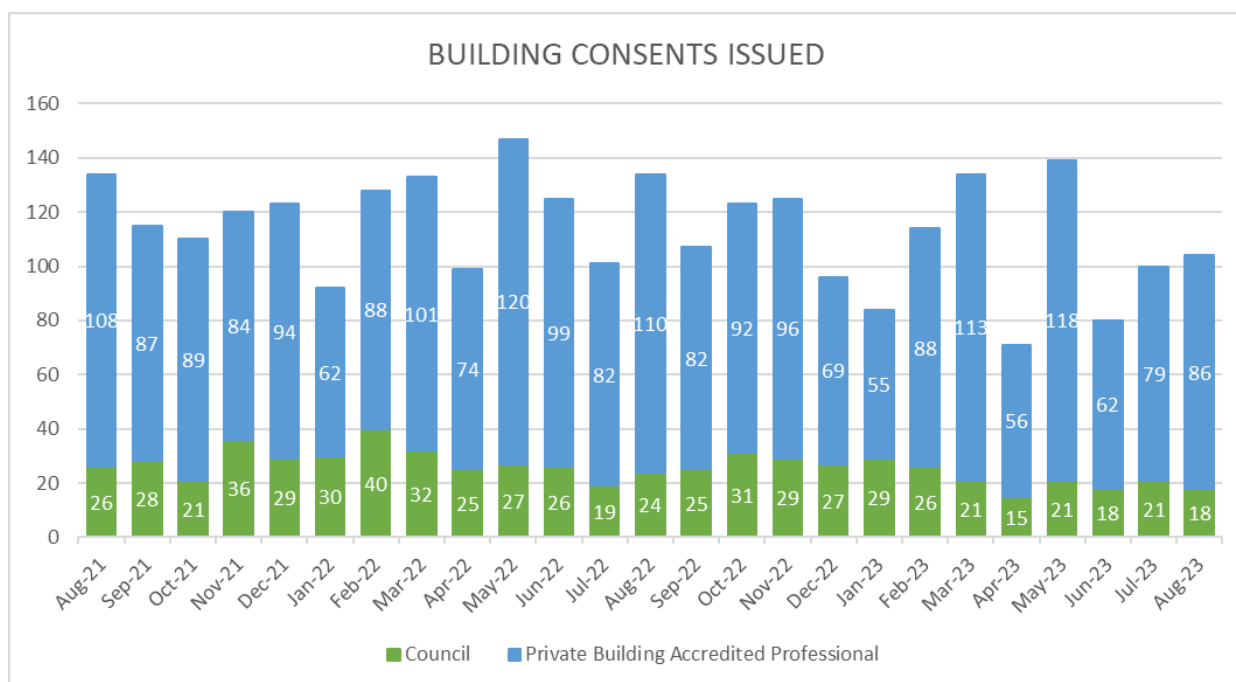


July and August saw a significant rise in the number of applications requiring additional documentation. This can be explained by the resignation of two building surveyors just prior to July leaving the team significantly understaffed, with Council's consultant building surveyor engaged to assess applications. A system review found that the consultant used the Portal in a different manner to Council staff. Specifically, further information would be requested at the verification stage in lieu of requesting the information at the later assessment stage. This has skewed the statistics for the period.

## 4.2 Building Consents

Figure 15 illustrates the number of building consents determined by council building staff and private building accredited professionals each month.

**Figure 15 – Building consents issued – Council and Private Building Accredited Professional**



*Note: Building Rules Consents are assessed by Council or private assessors known as Private Certifiers, these privately certified assessments still need to be registered, checked and Development Approval issued by Council.*

**Comment:** Building consents determined by Council officers has dropped in the last quarter compared with the Jan-Mar quarter. If it is to follow the usual trend, we can expect to see it gradually increase peaking around October/November.

### 4.3 Building Inspections

Builders must notify Council when a site is ready for inspection, at various stages throughout construction such as commencement, footings, framing, fire safety, completion. Council can inspect a site at any stage and may inspect sites multiple times/stages. Sites containing multiple dwellings may also see staff undertake multiple inspections on one site. Non-compliant sites can be re-inspected multiple times.

The main issues encountered with non-compliant sites includes:

- Builders not undertaking construction to the approved plan
- Minor structural deficiencies
- Fire wall deficiencies
- Storm water connection
- Inadequate documentation
- Pool barrier safety upon installation of child-safety barriers
- Essential safety provisions documentation for commercial and industrial buildings
- Statement of compliance documentation for all classes of building work

Council is required to inspect:

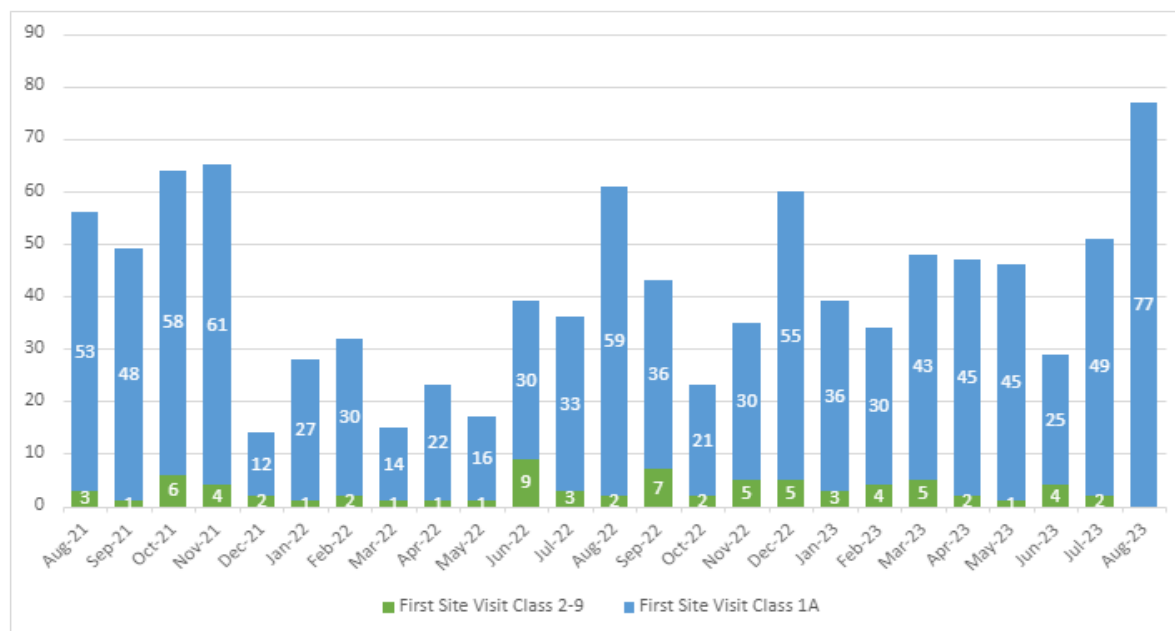
- Minimum 66% building class 1, at least once
- Minimum 90% building classes 2-9, at least once
- 100% swimming pools and pool fences, at completion

Figure 16 illustrates the number of new sites inspected by council building staff each month, split by building class.

**Class 1A:** Residential Development – Dwellings, Dwellings Additions, Boarding Houses

**Class 2-9:** Commercial, Industrial, Public Buildings, Schools, Retail, Hotels and Offices

**Figure 16 – Number of new sites inspected.**

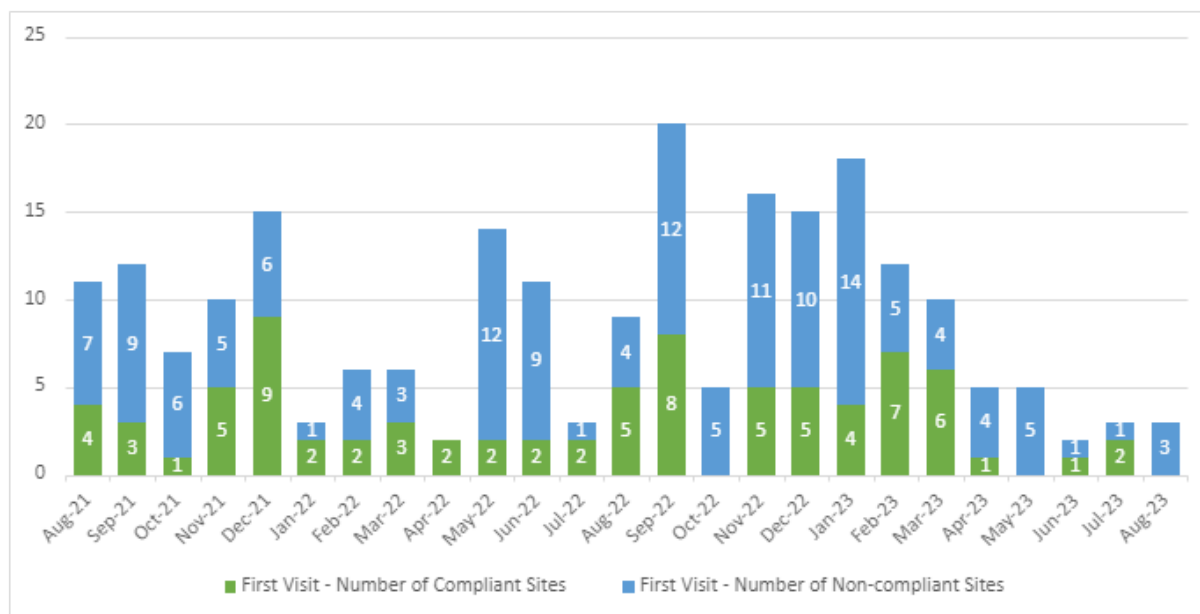


**Note:** New sites inspected does not include follow up or additional inspections made by staff and does not consider whether a site contains multiple buildings requiring inspection.

**Comment:** The number of new site visits undertaken was stable from March through to May, with the number dropping in June. This is attributed to an increase in compliance matters which required prioritisation.

Figure 17 illustrates the compliance of newly constructed swimming pools upon first inspection. Non-compliant sites are scheduled for further inspection(s). The follow up inspections are included in Figure 18.

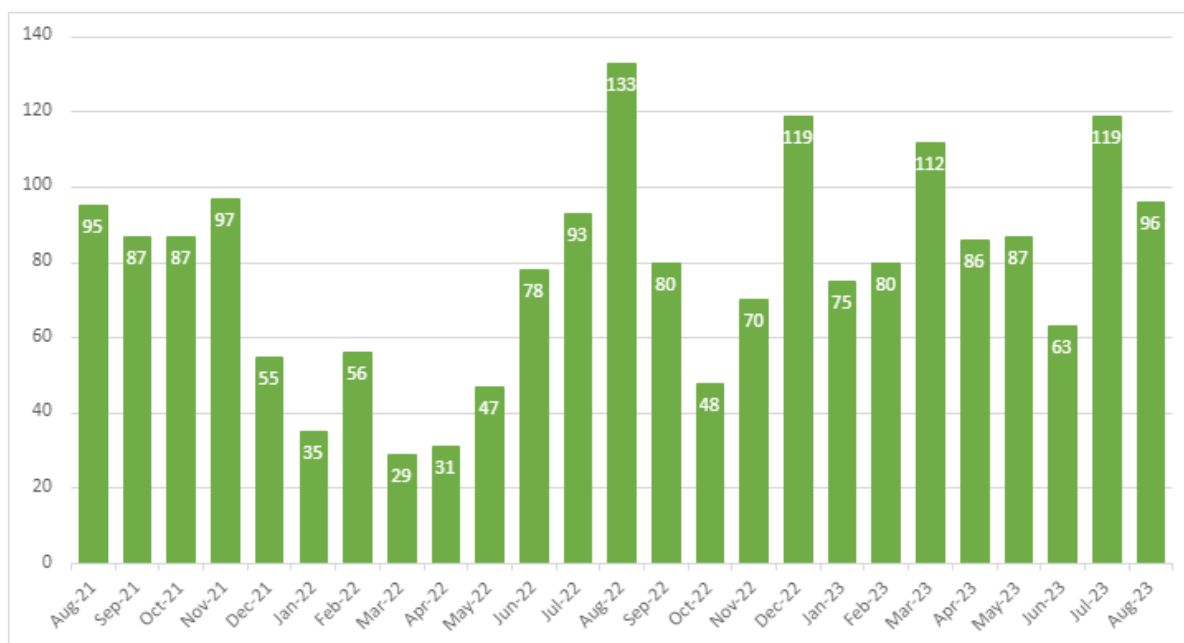
**Figure 17 – Swimming pools – Compliance on first site inspection.**



**Comment:** The number of first visit pool inspections required to be undertaken is following a general downward trend, however we would expect to see this pick up again over the next few months as more pools are approved and works are completed prior to summer.

Figure 18 illustrates the total number of site inspections undertaken by council building staff. It includes all swimming pool inspections, first site inspections and follow-up inspections.

**Figure 18 – Total number of site inspections – first visits and all follow-ups.**





## 5. Admin Update

### 5.1 Verification of Accepted Developments

Accepted development includes minor and standard applications which only require building consent. Upon lodgement these applications are reviewed by Administration to ensure they comply with the 'Accepted' criteria.

Figure 19 illustrates the total number of applications verified by administration staff as 'Accepted Development'. Applications meeting the 'Accepted Development' criteria are typically minor forms of development (small sheds, swimming pools etc) which met strict 'tick box' development assessment criteria.

**Figure 19 – Verification of accepted development consents.**

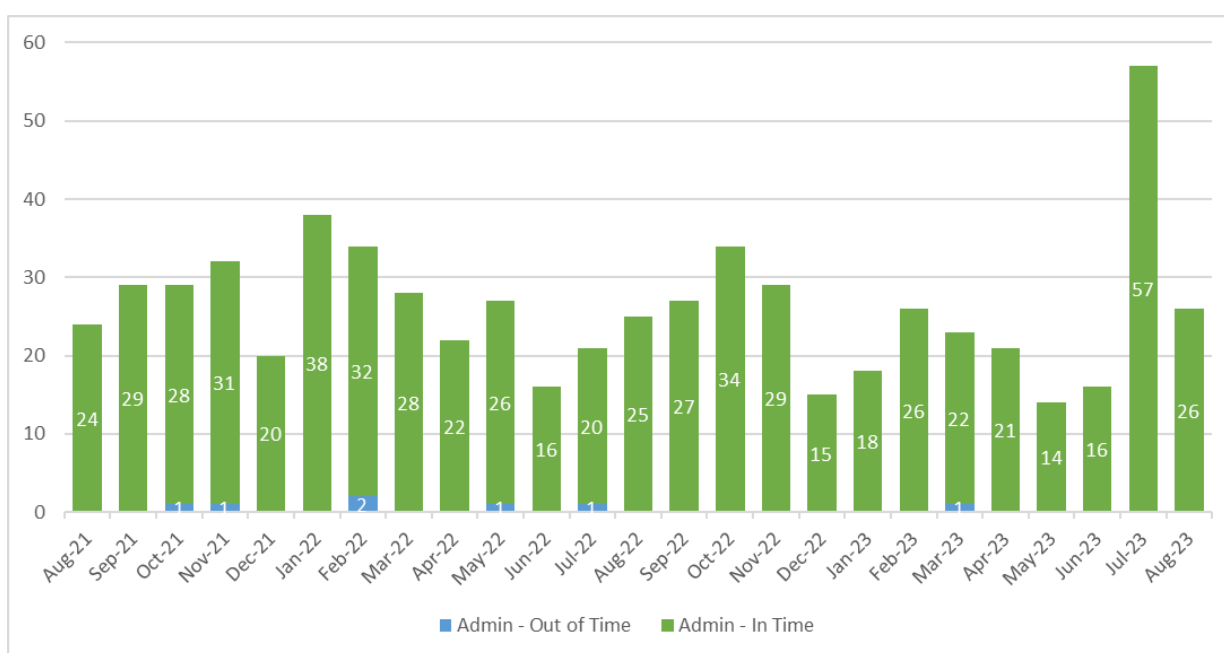
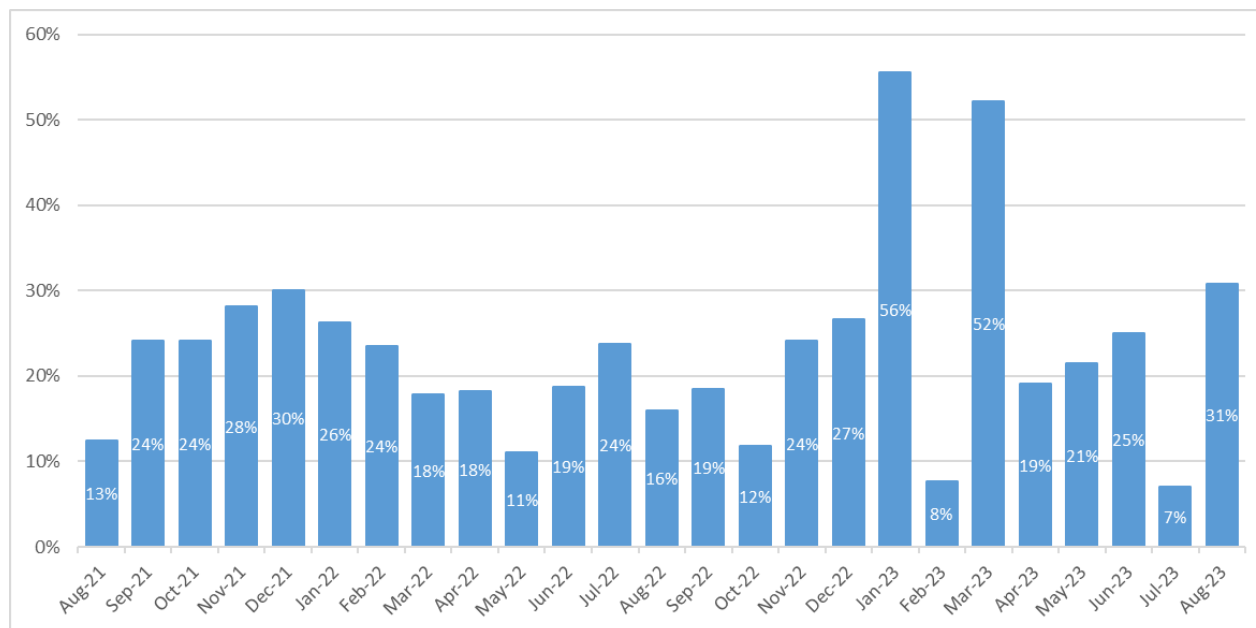


Figure 20 illustrates the number of 'Accepted' Development applications which require further mandatory information prior to continuing the process.

**Figure 20 – Percentage of accepted development consents requiring additional documentation at verification.**



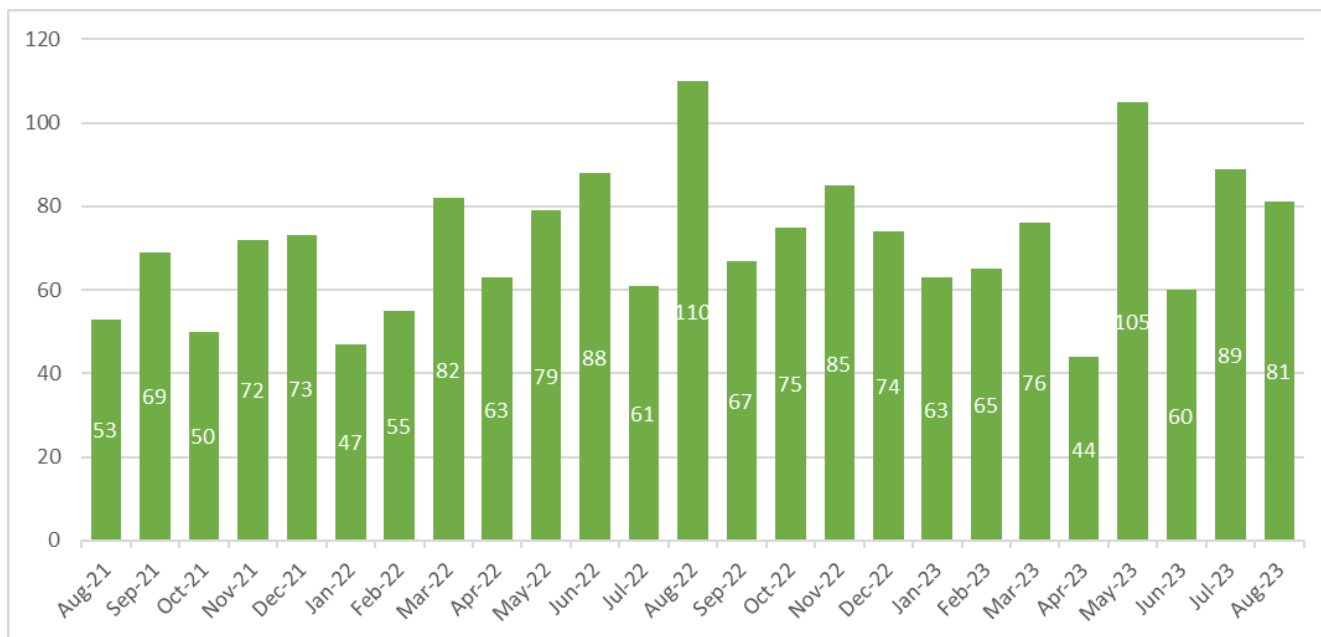
**Comment:** The number of ‘Accepted’ checks in July increased considerably because of Council receiving the ‘Oaklands Green’ dwelling applications. These applications were able to be processed as ‘Accepted’ as the design reflected a previously approved ‘Building Envelope Plan’ (BEP). The BEP provided predetermined setbacks, site coverage, private open space and car parking parameters. Given the complexity of these proposals, the accepted checks were split between planning and admin staff.

## 5.2 Consistency Checks

Consistency checks are undertaken when building rules consent is received from the Private Certifier. The plans approved by the Private Certifier are checked against the Planning Consent to ensure that the plans are consistent. Consistency checks are primarily undertaken by the Administration Team. Planning staff will check large residential, commercial and/or industrial developments.

Figure 21 illustrates the number of checks undertaken which have resulted in full development approval being issued. In the event of an inconsistency, either a planning or administration officer will advise the applicant Development Approval cannot occur until this is resolved.

**Figure 21 – Consistency Checks undertaken by administration.**



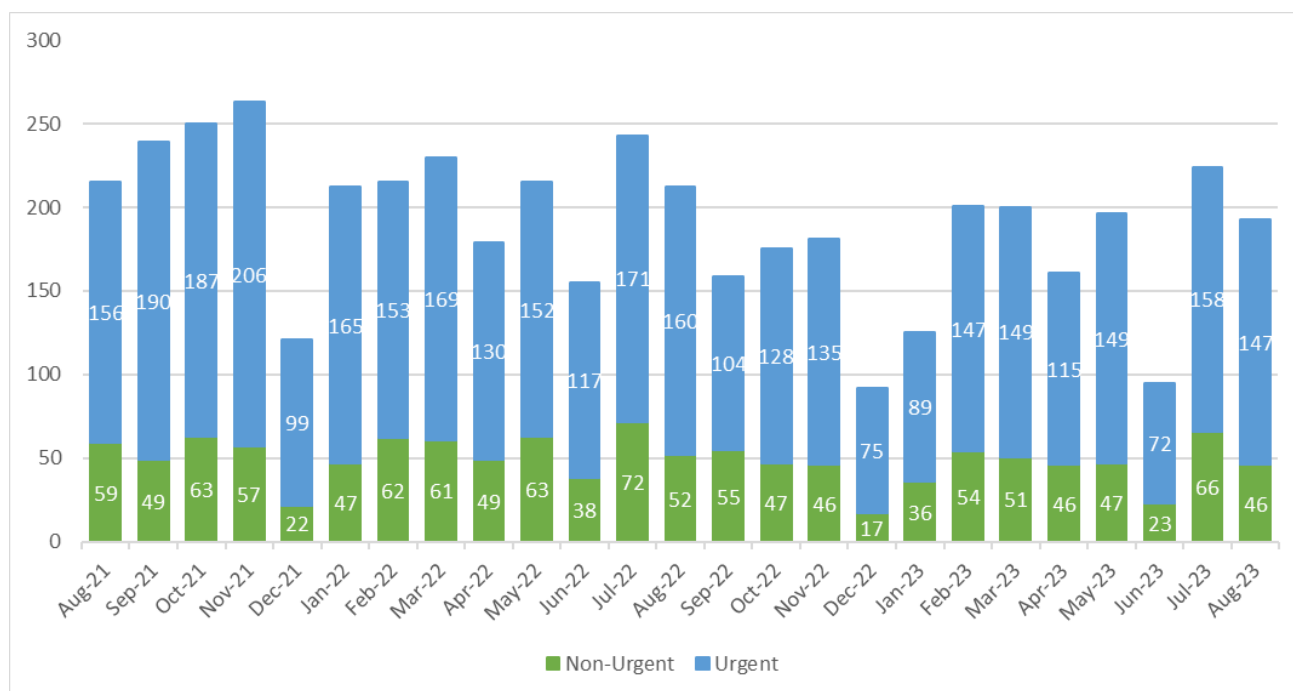
### 5.3 Property and Land Information Requests

When a property is purchased, the purchasers are provided with a Form 1. Council contributes to the Form 1 providing a certificate to the potential purchaser with all relevant known history for the property. A search is done on previous applications to check for continuing conditions, a copy of the indemnity insurance (if available) is attached, and any Land Management Agreements or current notices issued for that particular property are supplied with the certificate.

A property and land information request is calculated per Certificate of Title (CT) noting some CT's have multiple parcels and each parcel must be checked and a certificate provided for each parcel.

Figure 22 illustrates the number of urgent and non-urgent property and land information requests processed each month.

**Figure 22 – Property and land information requests**



**Urgent:** Given priority and generally completed within 24 hours of payment.

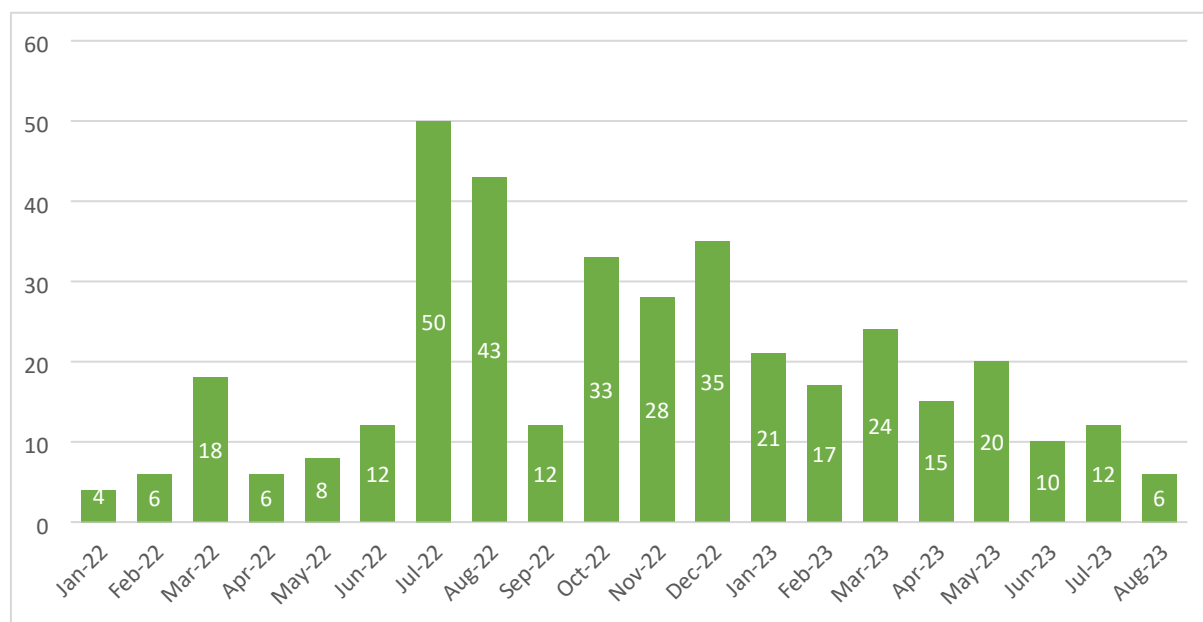
**Non-urgent:** Council has 8 working days from the day payment is received to complete the search. This data does not include Rates Certificate only requests.

## 6. Compliance Update

### 6.1 Planning Compliance

Figure 23 details the total number of formal compliance matters completed each month. A formal compliance matter is where a salesforce case has been created and the issue investigated. The graph does not illustrate any day-to-day compliance queries.

**Figure 23 – Number of planning compliance matters completed per month.**

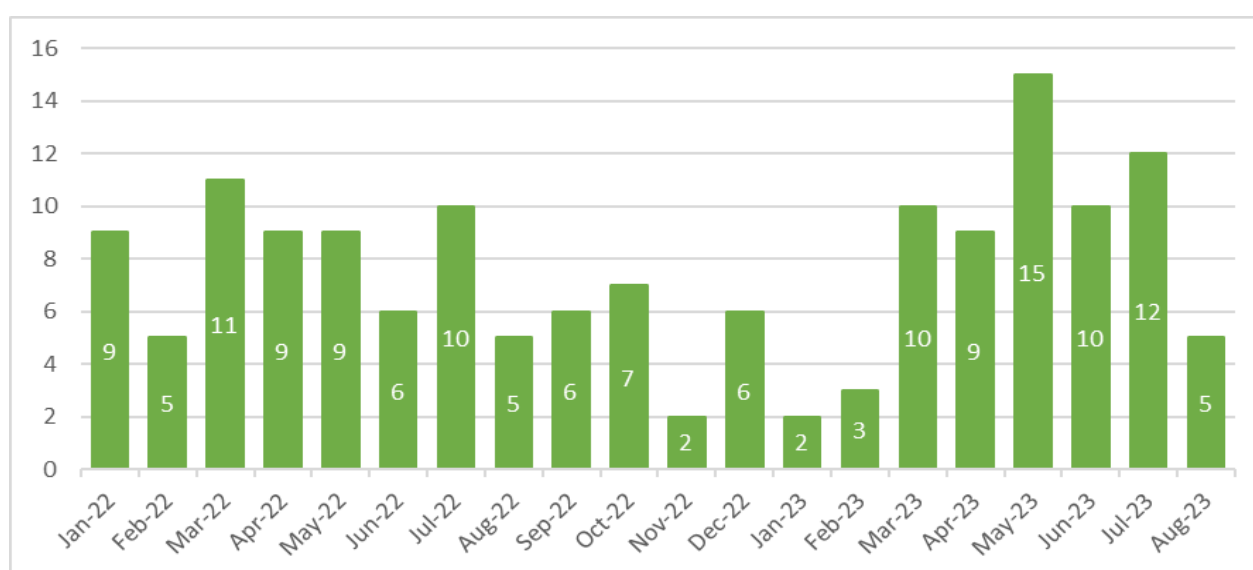


**Comment:** The total number of matters closed between June-August were lower as a result of annual leave and considerable resourcing being dedicated to the on-going Felmeri Homes failure.

## 6.2 Building Compliance

Figure 24 details the total number of formal compliance matters completed each month. A formal compliance matter is where a salesforce case has been created and the issue investigated. The graph does not illustrate any day-to-day compliance queries.

**Figure 24 – Number of building compliance matters completed per month.**



**Comment:** Building compliance matters have steadily risen, peaking in May and June 2023 with a number requiring further follow-up to rectify matters. This can be attributed to an increase in stormwater related matters due to autumn/winter rainfall.

There are 12 active building compliance matters received between January and June 2023, these are either on hold pending rectification works being completed, or negotiating suitable outcomes.

**ATTACHMENTS**

Nil



## 8.2 Land Development Projects Update

<b>Report Reference</b>	PDC231010R8.2
<b>Originating Officer</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>Corporate Manager</b>	N/A
<b>General Manager</b>	General Manager City Development – Tony Lines

### REPORT OBJECTIVE

To provide the Planning and Development Committee with a status update on major land development projects.

### RECOMMENDATION

**That the Planning and Development Committee:**

1. Notes the report.

### DISCUSSION

Within the City of Marion, there are several major land development projects ongoing. This report is a standing report to keep the Committee informed on the progress of each.

#### Morphettville Racecourse (Morphettville)

<b>Project value (if known)</b>	\$350 million
<b>Land size (approximately)</b>	10 hectares
<b>Description</b>	New housing and commercial developments at the racecourse site.
<b>Comments</b>	CoM component includes approximately 200 dwellings (300 less than previously envisaged now that the Magic Millions site is not included), Potential infield open space activation as part of the broader SAJC Masterplan. Commercial and residential buildings up to 8-10 storeys are envisaged in the City of West Torrens component.
<b>Project Update</b>	Villawood has submitted a Land Division application for the project (10 July 2023). Fees were paid on 25 September and is now under assessment. CoM will work with the developer to agree on open space allocations and best solutions for access and stormwater.

Oaklands Green (Oaklands Park)

<b>Project value (if known)</b>	\$135 million
<b>Land size (approximately)</b>	16.5 hectares
<b>Description</b>	New housing, social housing and upgraded open space.
<b>Comments</b>	<p>740 homes including the replacement of 250 social housing properties. Note increase from 650 due to reconfigurations of allotment layouts.</p> <p>The sales centre operates from 56 Barry Road.</p>
<b>Project Update</b>	<p>Stage 1A civil works complete and remaining defects being rectified on Stage 1B – delays occurred due to poor weather. The project has sold out of each release of allotments – 34 to July plus 13 social housing allotments.</p> <p>All dwelling applications for Stages 1A &amp; 1B have received approval.</p> <p>A new land division application proposing a further 19 allotments (Stager 1C) is currently under assessment.</p>

Seacliff Village (Seacliff Park)

<b>Project value (if known)</b>	\$200+ million
<b>Land size (approximately)</b>	12 hectares
<b>Description</b>	New housing, open space, retail, and medical centre.
<b>Comments</b>	110 terraced housing units, 630 residential apartments, shopping centre and medical centre.
<b>Project Update</b>	<p><b>Suburb renaming</b></p> <p>An update provided by Surveyor-General's Office on 14 July is that a recommendation is on its way to the Minister with no timeline available, there has been no update to this.</p> <p><b>Council Boundaries</b></p> <p>The developer requested the Boundaries Commission to consider a proposal to move the boundary to include the whole site within the City of Marion.</p> <p>Following discussions with the Boundaries Commission executive officer, it was determined to allow the CoM Stage 1 proposal to lapse by default of the 31 August deadline. This was determined to be the logical process to allow the Seacliff – led proposal to progress.</p> <p>The site owners are pursuing a process through City of Holdfast Bay to be registered on their electoral role to meet the eligibility criteria outlined by the Boundaries Commission.</p>

	<p><b>Development projects</b></p> <p>The developers presented a project update to Council at the Forum on 8 August.</p> <p>They have since lodged plans for a 2-level (3 story) medical centre on the corner of Scholefield Road and Ocean Boulevard, this project is entirely within existing CoM boundary and has been lodged with CoM (not SCAP).</p>
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Cove Point (Hallett Cove)

<b>Project value (if known)</b>	TBC
<b>Land size (approximately)</b>	12 hectares
<b>Description</b>	New suburban residential development
<b>Comments</b>	<p>180 low-density allotments are envisaged.</p> <p>The area was rezoned in 2019/20 and the site officially transferred to the Marion Council from Onkaparinga Council, through a boundary realignment process (approved in 2021).</p>
<b>Project Update</b>	The development is still on hold pending open space and stormwater considerations. CoM has facilitated discussions with Onkaparinga in regards to the potential use of the stormwater basin adjacent the desalination plant. Use of this infrastructure may allow better open space outcomes for the site.

Dover Gardens (100 Folkstone Road)

<b>Project value (if known)</b>	TBC
<b>Land size (approximately)</b>	3.5 hectares
<b>Description</b>	New suburban residential development
<b>Comments</b>	Application for residential land division was submitted in May 2023. The application has not yet been formally lodged or assessed as it is pending required information.
<b>Project Update</b>	Pending Council assessment; awaiting further information from the applicant.

Former Hills Industries (Edwardstown)

<b>Project value (if known)</b>	N/A
<b>Land size (approximately)</b>	8 hectares
<b>Description</b>	Former home of Hills Industries, the site was previously earmarked for expansion of the Castle Plaza shopping centre. Council previously facilitated a developer-funded development plan amendment for the site to allow the expansion and mixed-use development.
<b>Comments</b>	DIT has acquired a portion of the site but the remainder remains a strategic value site within CoM.

	The site has been marked as “Strategic Infill” as part of the Greater Adelaide Regional Plan discussion paper.
<b>Project Update</b>	TBA

**ATTACHMENTS**

Nil

## 9 Workshop / Presentation Items

### 9.1 Greater Adelaide Regional Plan Discussion Paper

<b>Report Reference</b>	PDC231010R9.1
<b>Originating Officer</b>	Senior Strategic and Policy Planner – David Barone
<b>Corporate Manager</b>	Manager Development and Regulatory Services – Warwick Deller-Coombs
<b>General Manager</b>	General Manager City Development - Tony Lines

#### REPORT OBJECTIVE

To inform members of the Greater Adelaide Regional Plan Discussion Paper released for Consultation by the State Planning Commission in preparation of a workshop discussion that will inform Council's submission.

#### EXECUTIVE SUMMARY

The Greater Adelaide Regional Plan (GARP) Discussion Paper aims to explore ideas for the future growth of the Greater Adelaide area for the next 30 years with the aim of stimulating discussion amongst all stakeholders and informing the preparation of the GARP next year.

The Discussion Paper is released for consultation until 6 November 2023, although Councils have been granted an opportunity to finalise and submit their comments immediately following their November meetings.

Staff have held two workshops with the Development Services team and a broader cross organisation workshop, as well as participated in an Inner Southern Region Council staff workshop held by Planning and Land Use Services.

An elected member workshop is proposed to further explain the ideas set out within the Discussion Paper, explore how the concepts proposed do or could apply to the City of Marion (and the implications of these) as well as identify other opportunities and constraints not addressed or considered in the Discussion Paper.

It is intended that the outcomes of the workshop discussion will form the basis of a draft submission which will be presented to Council in November.

#### RECOMMENDATION

**That the Planning and Development Committee:**

- 1. Provides feedback on the Greater Adelaide Regional Plan Discussion Paper for staff to present to Council for response to the State Planning Commission.**

#### DISCUSSION

The State Planning Commission is required by the Planning, Development and Infrastructure Act, 2016 to prepare Regional Plans which represent a spatial application of the SA Planning Policies. Regional Plans identify the priorities and aims of locations and guide the future directions of the regions. The City of Marion forms part of the Greater Adelaide Region and the 30 Year Plan for Greater Adelaide has been adopted as the current regional plan.

Regional Plans are important strategic statutory documents and guide all future Code Amendments, as well as inform assessments on Restricted Development. It is therefore important that the

Regional Plan reflects and responds to the future needs of communities and Council, particularly as the legislation now allows Code Amendments to be proposed, prepared and delivered by private entities/landowners outside of the direct control of Council.

The State Planning Commission is in the process of preparing a new Greater Adelaide Regional Plan (GARP) and has released a Discussion Paper following its initial phase of investigations which have included renewed population projections for the State and Adelaide, along with an assessment of future trends.

The Discussion Paper identifies an aspiration to plan for an additional 670,000 people over the next 30 years across greater Adelaide, derived from population projections, and specifically the high scenario modelling prepared. Planning for the high growth scenario has some merit, even if the achievement of this population growth ends up taking 40 or 50 years (ie is slower than planned).

This aspirational population target translates to needing to deliver 300,000 additional houses in the equivalent timeframe, of which approximately 200,000 can be delivered through current planning regime arrangements (ie zoned urban land or capacity within existing infill areas).

For the Inner South Region (comprising City of Marion, City of Holdfast Bay and City of Mitcham), the population and housing targets are an additional 28,946 people (to 2041) and approximately 13,800 dwellings.

The Discussion Paper frames four key outcomes that are desired for the Regional Plan as being:

- a greener, wilder and climate resilient environment
- a more equitable and socially – cohesive place
- a strong economy built on a smarter, cleaner, regenerative future
- a greater choice of housing in the right places.

In responding to the aspirations and desired outcomes, the Discussion Paper asks two questions to which it seeks feedback:

- How should Adelaide grow?
- Where should Adelaide grow?

The Commission has utilised seven principles to guide ideas and discussion around the above questions. These relate to:

- planning for the high growth scenario (300,000 dwellings)
- applying targets for sub-regions (such as Inner South Adelaide) to distribute opportunities (but also responsibility)
- future lands must take into account existing capacity of land within existing boundaries
- no further encroachment into the Character Preservation Areas (Barossa Valley and McLaren Vale) and Hills Face Zone
- provide more land than is needed to account for where land is not made available for development
- identification and prioritisation based on transparency of costs to community for differing forms of supply (infill versus greenfield and delivery of trunk and social infrastructure).

### **Key Ideas from the Discussion Paper**

The ideas represented in the Discussion Paper are not considered to be revolutionary, but rather an evolution of those represented in the 30 Year Plan for Greater Adelaide, particularly as they relate to the City of Marion. Accommodating future growth is identified as able to be achieved through the following forms:

- greenfield and satellite cities in four spines focussed around investigations areas of Roseworthy, Concordia (north-east spine), Two Wells and Riverlea (north-west spine), Murray Bridge in the east (as a satellite city) and Victor Harbor and Goolwa in the south;
- Adelaide CBD with intent to double the population in the next 20 years;
- strategic infill sites being large sites of underutilised land that provides for master planned infill developments (such as Tonsley, Bowden or Lightview). For Marion these are identified at Edwardstown (former Hills site) and Tonsley (opposite Flinders campus);
- urban corridors that support increased housing choices near transport and services, as a stage 2 of the previously implemented corridors along Anzac Highway, Greenhill Road, Prospect Road, and Churchill Road. For Marion, these are identified at Marion Road, Morphett Road, and South Road (up to Castle Plaza);
- urban activity centres (previously TODs) being the focus for infrastructure investment, public transport, and retail / services (Westfield Marion is our current example of this);
- Regenerative neighbourhoods where areas of public housing or ageing housing stock benefit from coordinated rejuvenation to provide more housing choice (including social and affordable).

Importantly general infill continues to play a role, however, may have less importance if growth can be achieved through other forms (although not clear how this could or would be represented).

Refer to Attachments 1 and 2 to identify the above components as they relate to the City of Marion.

The Discussion Paper seeks to explore the proportion of growth between greenfield and urban infill as the right mix moving forward, considering a range of factors (including immediate needs for housing, longer term costs to the community and the social licence for infill). The 30 Year Plan for Greater Adelaide currently has this split as 85% established urban areas and 15% greenfield development, although more recent trends have identified that this is being delivered at approximately 70% infill and 30% greenfield housing. Where the final targets land is likely to be derived from further investigations following consultation of the Discussion Paper.

Perhaps the most important element of the Discussion Paper is the strong direction of new growth areas (be they greenfield or infill) to have an urban form that supports what is being termed 'Live Locally'. The concept involves people being able to live, work, recreate and socialise within a 15-to-20-minute walkable catchment of their home (also commonly referred to as 15-minute city). This requires the transformation of not just growth areas, but established neighbourhoods, particularly how they can support living locally in established locations where land use patterns and road networks do not necessarily support the concept.

## **Engagement Activities**

Council staff have participated in a workshop with the Planning and Land Use Services staff for the Inner South Adelaide Region, where exploration of potential strategic infill locations, regenerative neighbourhoods and broader discussion on the matters required to support live locally were considered. The Mayor also attended a digital briefing on the Discussion Paper.

Internally, administration staff across all work areas have participated in a workshop exploring how the potential future growth could be accommodated within the City of Marion, including what, if any, opportunities and constraints exist to be fed back to the State in response to the discussion paper.

The Government has held a community drop-in session for the broader community at the City of Marion (Administration Centre) on 18 September as part of the suite of engagement activities scheduled.

## **Key considerations for Council**

Some of the key considerations for further discussion and direction for Council within the workshop



discussion include:

- consensus on identified potential strategic infill sites in the Council area.
- the format and extent of the identified corridors along Marion, Morphett and South Roads.
- whether the identified regeneration areas in the right locations or if other areas would also be suitable or better.
- whether there are any specific locations that should avoid growth or be protected from further infill.

## Summary

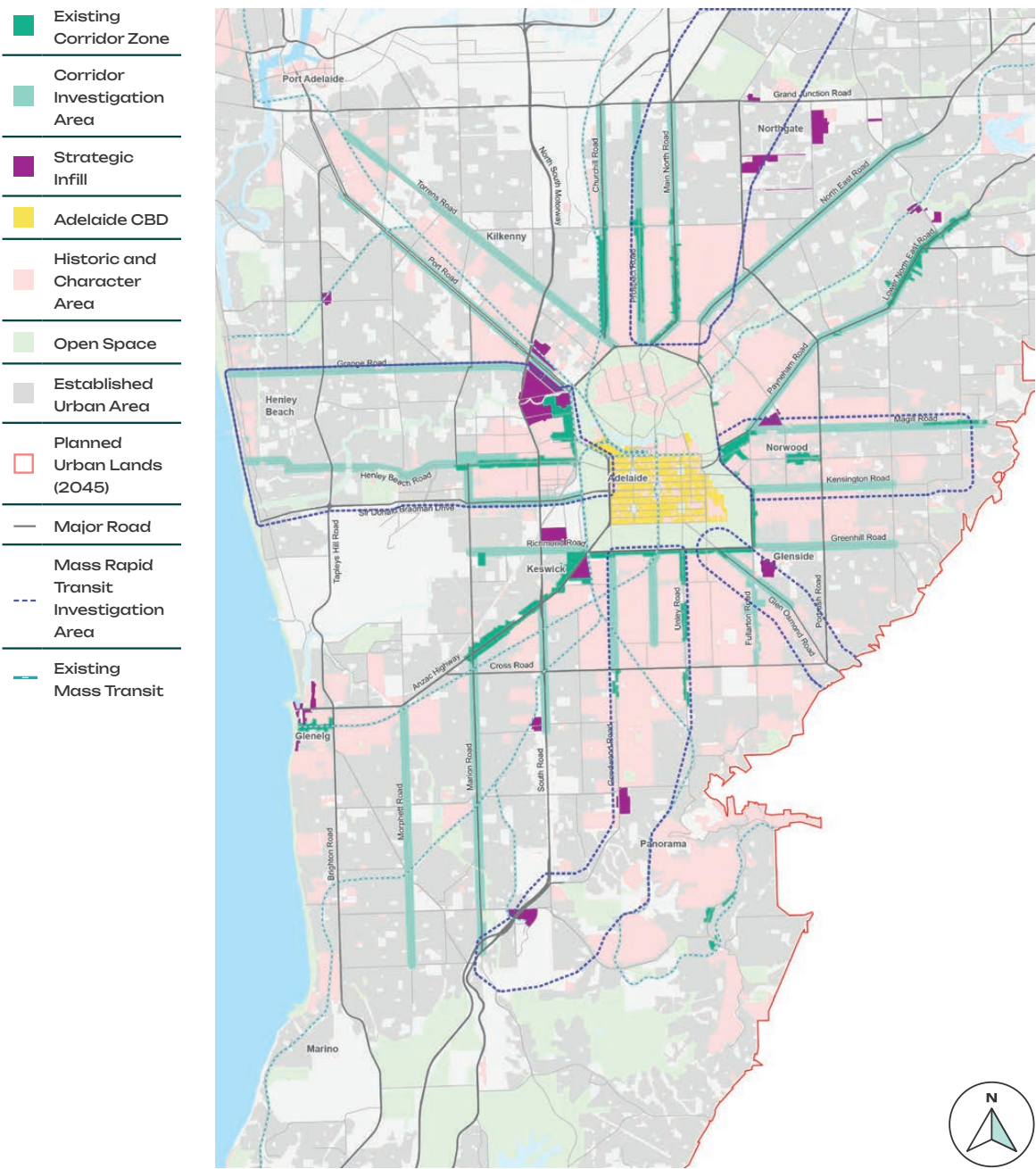
The Regional Plan is an important strategic planning document which will influence state, Council and private sector investment and decision making into the future. Feedback on the [Discussion Paper](#) provides an opportunity to highlight key issues of concern or new opportunities not previously identified for the State Planning Commission's consideration.

In considering its feedback for the [Discussion Paper](#) Council should be clear on its strategic spatial priorities and challenges, which requires discussion on the merits or otherwise of the concepts proposed within the [Discussion Paper](#), and likely to be represented in any future Regional Plan.

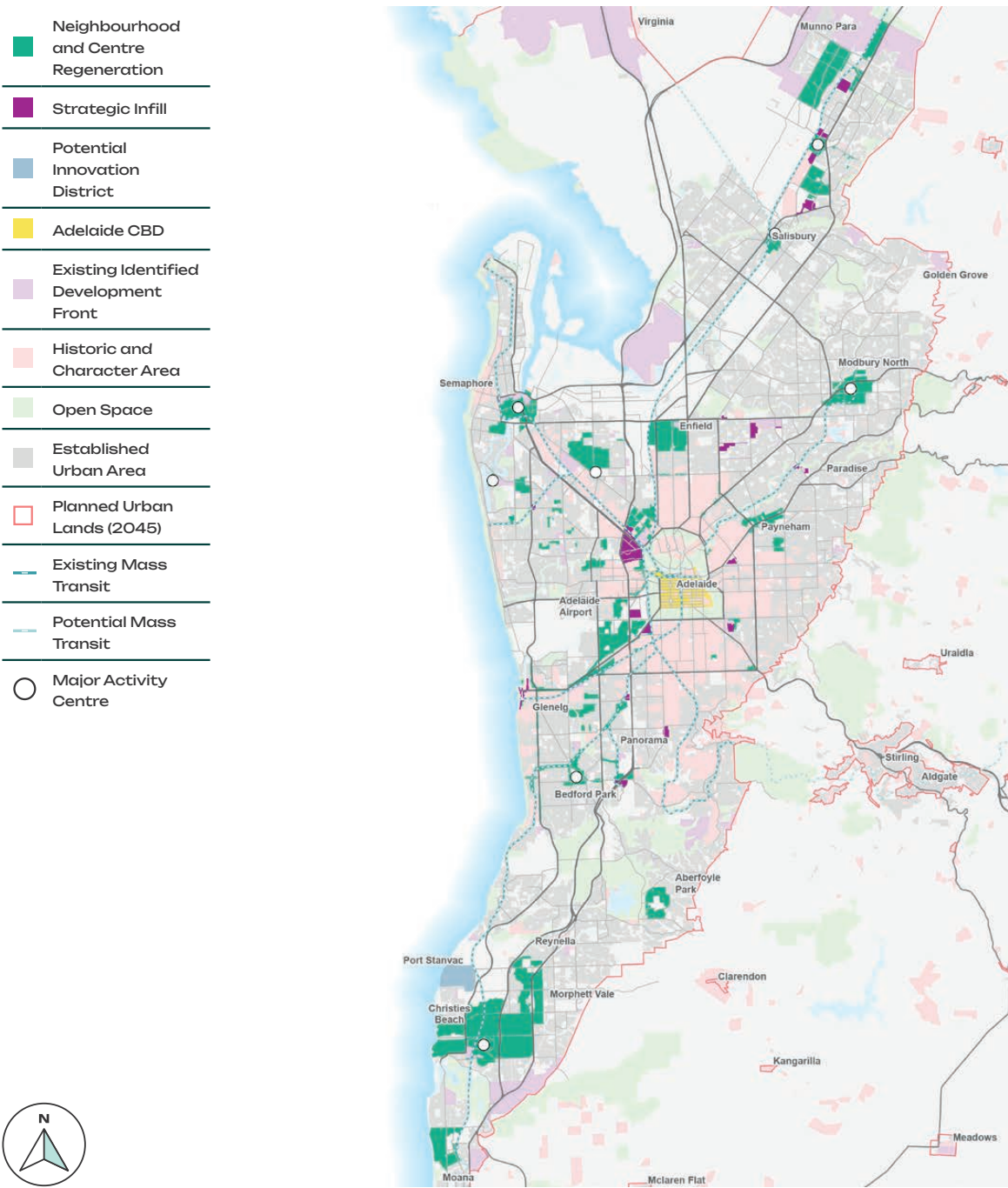
## ATTACHMENTS

1. Attachment 1 - Figure 10 - Strategic Infill and Corridor Growth [9.1.1 - 1 page]
2. Attachment 2 - Figure 11 - Urban Activity Centres and Neighbourhood Regeneration [9.1.2 - 1 page]

**Figure 10 – Proposed areas of investigation:**  
Strategic infill and corridor growth



**Figure 11 – Proposed areas of investigation**  
Urban activity centres and neighbourhood regeneration



**10 Other Business****11 Meeting Closure**

The meeting shall conclude on or before 7.00pm unless there is a specific motion adopted at the meeting to continue beyond that time.