

# Development Plan

## Land Not Within a Council Area (Coastal Waters)

Consolidated – 4 July 2013

This is the current version of the Development Plan as at the consolidated date shown above. It must be read in conjunction with any subsequent amendments. These can be found on the list of [Interim and Approved Plan Amendment Reports not consolidated into Development Plans.](#)



**Government of South Australia**  
Department of Planning,  
Transport and Infrastructure

**Land Not Within a Council Area  
(Coastal Waters)**

The following table is a record of authorised amendments and their consolidation dates for the Land Not Within a Council Area (Coastal Waters) Development Plan since its inception on 5 June 1997. Further information on authorised amendments prior to this date may be researched through Department of Planning, Transport and Infrastructure or by viewing Gazette records.

CONSOLIDATED	AMENDMENT – [Gazetted date]
5 June 1997	Statewide Marine Aquaculture and Offshore Development PAR ( <i>Ministerial</i> ) – [5 June 1997]
28 August 1997	Statewide Marine Aquaculture and Offshore Development PAR ( <i>Ministerial</i> ) – [5 June 1997]
26 August 1999	Section 29(2) Amendment – [12 March 1998] Waste Disposal (Landfill) PAR ( <i>Ministerial</i> ) – [19 August 1999]
13 April 2000	Section 27(5) Amendment - Waste Disposal (Landfill) PAR ( <i>Ministerial</i> ) – [9 March 2000]
Not consolidated	Telecommunications Facilities State-wide Policy Framework PAR (Interim) ( <i>Ministerial</i> ) – [31 August 2000]
1 February 2001	South Australian Ports (Disposal of Maritime Assets) Act 2000 – [25 January 2001]
22 November 2001	Telecommunications Facilities State-wide Policy Framework PAR ( <i>Ministerial</i> ) – [30 August 2001]
12 September 2002	Lower Eyre Peninsula Aquaculture PAR (Interim) ( <i>Ministerial</i> ) – [12 September 2002]
24 July 2003	Lower Eyre Peninsula Aquaculture PAR ( <i>Ministerial</i> ) – [24 July 2003] Wind Farms PAR ( <i>Ministerial</i> ) – [24 July 2003] Section 29(2)(b)(ii) Amendment – [24 July 2003]
9 August 2007	Section 29(1)(b) Amendment – [9 August 2007]
8 January 2009	Section 29(1)(b) Amendment – [18 December 2008]
5 March 2009	Section 29(1)(b) Amendment – [26 February 2009]
9 July 2009	Section 29(1)(b) Amendment – [9 July 2009]
3 December 2009	Boston Island DPA ( <i>Ministerial</i> ) – [26 November 2009]
11 March 2010	Bushfires (Miscellaneous Amendments) DPA (Interim) ( <i>Ministerial</i> ) – [10 December 2009]
31 March 2011	Bushfires (Miscellaneous Amendments) DPA ( <i>Ministerial</i> ) – [9 December 2010]
8 March 2012	Statewide Wind Farms DPA (Interim) ( <i>Ministerial</i> ) – [19 October 2011]
4 July 2013	Termination of the Statewide Wind Farms DPA ( <i>Ministerial</i> ) and its removal from the Land Not Within a Council Area (Coastal Waters) Development Plan – [18 October 2012] Statewide Wind Farms DPA ( <i>Ministerial</i> ) – [18 October 2012] Section 29(2)(c) Amendment – [29 November 2012] Section 29(1)(b) Amendment – [4 July 2013]

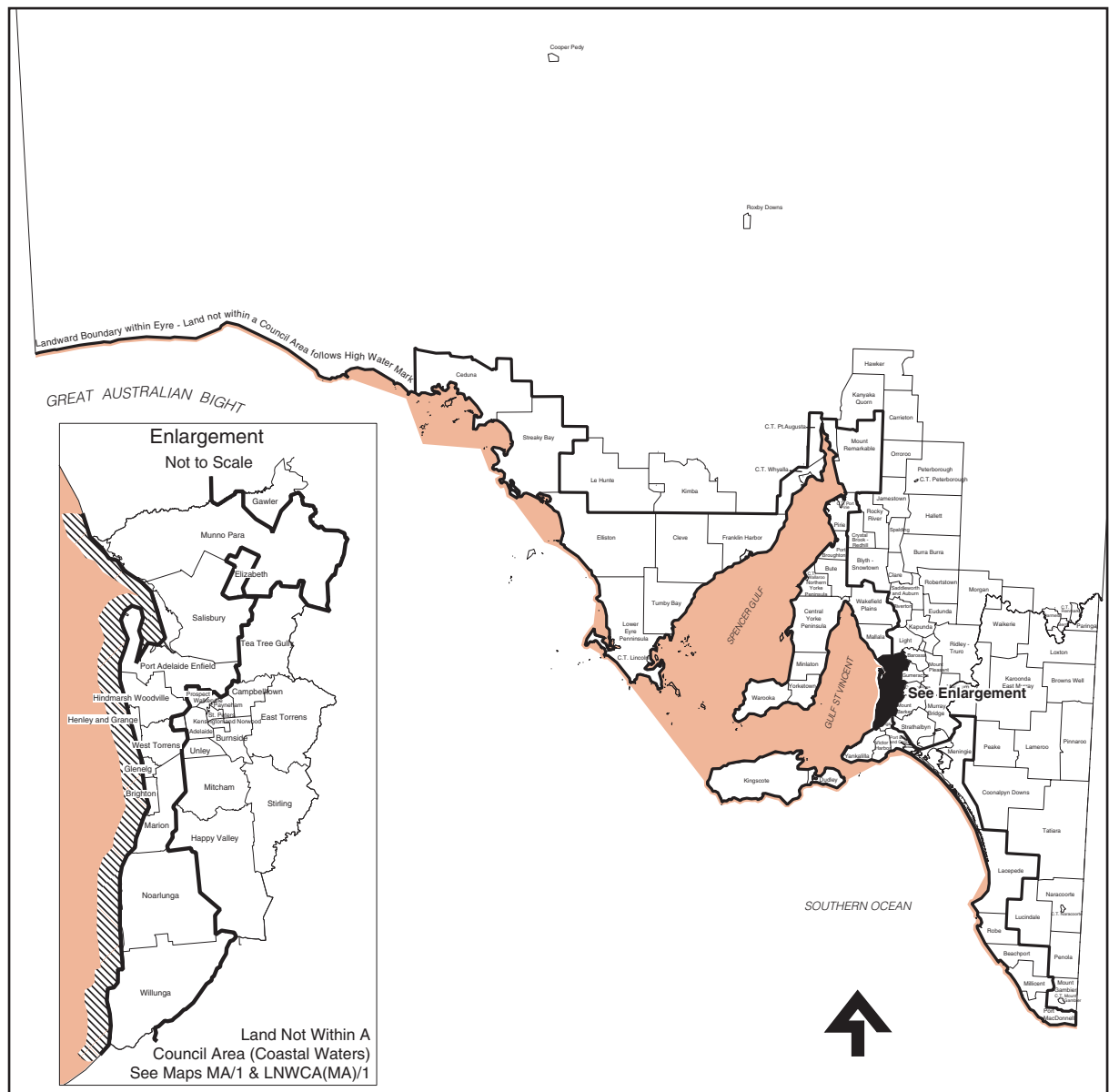
**Consolidated:** The date of which an authorised amendment to a Development Plan was consolidated (incorporated into the published Development Plan) pursuant to section 31 of the *Development Act 1993*.

**Gazetted:** The date of which an authorised amendment was authorised through the publication of a notice in the Government Gazette pursuant to Part 3 of the *Development Act 1993*.




## Preface

The objectives and principles of development control that follow apply to the area of the Land Not Within A Council Area (Coastal Waters) Development Plan as shown on the location map below. It applies to those areas assigned to the responsibility of a Council (Out of Council).

This Development Plan applies to the land bounded by the State borders with Western Australia and Victoria, the high water mark along the whole of the South Australian coast and the line three nautical miles seaward of the low water mark, and includes both the Spencer Gulf and the Gulf St Vincent, the off-shore islands and the land three nautical miles seaward of the low water mark around the off-shore islands. It does not include any land in that area which is covered by a council area Development Plan or the Land Not Within A Council Area (Metropolitan) Development Plan.



### Location Map

-  Coastal Waters Development Plan Area  
(Located between Council Boundary and the Limit of the State as defined in the Development Act 1993)
-  Boundary of Coastal Local Government Areas
-  Land Not Within A Council Area (Metropolitan)  
(as defined on Maps MA/1 & LNWCA(MA)/1)



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## COASTAL WATERS

### Introduction

The objectives and principles of development control that follow apply to the land bounded by the State borders with Western Australia and Victoria, the high water mark along the whole of the South Australian coast and the line three nautical miles seaward of low water mark, and includes both the Spencer Gulf and Gulf St Vincent, the off-shore islands and the land three nautical miles seaward of low water mark around the off-shore islands but excludes any land in that area which is covered by a council area Development Plan or the Land Not Within a Council Area (Metropolitan) Development Plan.

### OBJECTIVES

- Objective 1:** Orderly and economic development.
- Objective 2:** A proper distribution and segregation of living, working and recreational activities by the allocation of suitable areas for those purposes.
- Objective 3:** The proper location of public and community facilities.
- Objective 4:** The safe and efficient movement of people and goods.
- Objective 5:** Better public access to scenic areas along the coast in keeping with other objectives.
- Objective 6:** The protection of the landscape from undue damage from quarrying and similar extractive and associated manufacturing industries, and from prospecting and exploring for new resources.
- Objective 7:** The continued availability of metallic, industrial and construction minerals by preventing development likely to inhibit their exploitation.
- Objective 8:** The conservation, preservation or enhancement of scenically attractive areas adjoining water or scenic routes.
- Objective 9:** The preservation of trees of historical, ecological, or particular visual significance.
- Objective 10:** The conservation of buildings or sites of architectural, historical, or scientific, interest.
- Objective 11:** The retention of environmentally significant areas of native vegetation.
- Objective 12:** The retention of native vegetation where clearance is likely to lead to problems of soil erosion, soil slip and soil salinisation, flooding or a deterioration in the quality of surface waters.
- Objective 13:** The conservation and preservation of terrestrial and marine flora, fauna and scenery, and the creation of recreation areas by establishing parks and reserves.
- Objective 14:** The amenity of localities not impaired by the appearance of land, buildings, objects and structures.
- Objective 15:** Sustain or enhance the natural coastal environment in South Australia.
- Objective 16:** Preserve and manage the environmentally important features of coastal areas, including mangroves, wetlands, dune areas, stands of native vegetation, wildlife habitats and estuarine areas.
- Objective 17:** Preserve sites of heritage, cultural, scientific, environmental, educational or landscape importance.

**Objective 18:** The protection of offshore islands, their natural features and scenic beauty within and adjoining the islands.

**Objective 19:** A rural and coastal environment not disfigured by advertisements.

**Objective 20:** Location of activities, uses and development in areas zoned for that purpose.

### Coastal Development

**Objective 21:** Manage development in coastal areas to sustain or enhance the natural coastal environment.

**Objective 22:** Protect the coast from development that will adversely affect the marine and onshore coastal environment whether by pollution, erosion, damage or depletion of physical or biological resources, interference with natural coastal processes or any other means.

**Objective 23:** Development which does not interfere with environmentally important features of coastal areas, including mangroves, wetlands, dune areas, stands of native vegetation, wildlife habitats and estuarine areas.

**Objective 24:** Development which does not detract from or reduce the value of sites of ecological, economic, heritage, cultural, scientific, environmental or educational importance.

**Objective 25:** Preserve areas of high landscape and amenity value including stands of vegetation, exposed cliffs, headlands, islands and hill tops, and areas which form an attractive background to urban and tourist developments.

**Objective 26:** Development which maintains or enhances public access to coastal areas in keeping with objectives for protection of the environment, heritage and amenity by provision of:

- (a) planned, appropriate easy to use public access to and along beaches;
- (b) coastal reserves and lookouts;
- (c) convenient and safe public boating facilities at selected locations;
- (d) convenient vehicular access to points near beaches and selected points of interest; and
- (e) adequate car parking.

**Objective 27:** Development only undertaken on land which is not subject to, or can be appropriately protected from, coastal hazards such as:

- (a) inundation by storm tides or combined storm tides and stormwater;
- (b) coastal erosion; or
- (c) sand drift.

**Objective 28:** Development located and designed to allow for changes in sea level due to natural subsidence and probable climate change during the first 100 years of the development. This change to be based on the historic and currently observed rate of sea level rise for South Australia with an allowance for the nationally agreed most-likely predicted additional rise due to global climate change.

**Objective 29:** Development which will not require, now or in the future, public expenditure on protection of the development or the environment.

**Objective 30:** The protection of the physical and economic resources of the coast from inappropriate development.



- Objective 31:** Development of coastal urban settlements, coastal rural living areas, tourist complexes and marinas only in environmentally acceptable areas.
- Objective 32:** Urban development including housing, holiday houses, tourist accommodation, and rural living, as well as land division for all such purposes, only in the zones specifically created for such developments.
- Objective 33:** Development of coastal urban settlements, coastal rural living, tourist accommodation, marinas and ports in an orderly and economic manner which provides for a range of sites while ensuring the number of locations and the size of the zones do not exceed that which is indicated as being required by a realistic assessment of future demand.
- Objective 34:** To re-design and re-develop coastal living areas which do not satisfy environmental, health or public access standards for coastal areas.

### **Aquaculture Development**

- Objective 35:** Development of the marine environment and in particular the marine aquaculture industry:
- (a) in an ecologically sustainable way;
  - (b) in a manner which recognizes other users of marine and coastal areas and ensures a fair and equitable sharing of marine and coastal resources;
  - (c) to conserve environmental quality, in particular water quality, and other aspects of the coastal environment including sea floor health, visual qualities, wilderness, ecosystems, and biodiversity;
  - (d) to minimise conflict between water and land based uses including:
    - (i) aquaculture;
    - (ii) wildfisheries;
    - (iii) recreational fishing;
    - (iv) passive and active recreation activities (eg. boating, skiing, sailing, swimming, diving, sightseeing, enjoyment of coastal wilderness);
    - (v) farming;
    - (vi) residential, other urban development, and holiday areas;
    - (vii) tourism;
    - (viii) industrial development;
    - (ix) defined national and conservation parks, and wilderness areas;
    - (x) mining and areas with significant mineral deposits;
  - (e) to maintain adequate safety standards, including navigational safety;
  - (f) to minimise the risk of pollution from external sources and activities;
  - (g) so that onshore support facilities and activities are appropriately designed and located;
  - (h) to maintain public access to the foreshore and coastal waters;

- (i) to minimise adverse impact on the visual amenity of the coastal environment, and unspoilt views adjacent to the coast;
- (j) to minimise any adverse impacts on sites of ecological, economic, cultural, heritage or scientific significance such as:
  - (i) Indigenous, Non-Indigenous or Natural Heritage sites;\*
  - (ii) National Parks, Conservation Parks and reserves;
  - (iii) Recreation reserves;
  - (iv) Marine Parks and reserves;
  - (v) Sites of scientific importance;
  - (vi) Mineral reserves;
  - (vii) Areas of high public use;
  - (viii) Areas valued for their beauty or amenity;
  - (ix) Breeding grounds for both marine and terrestrial species
- (k) in a manner which recognises the social and economic benefits to the community.

\*Note: Heritage sites are recorded under the Register of the Aboriginal Heritage Act, 1988, the Register of the Heritage Act, 1993, the Register of the Historic Shipwrecks Act, 1976 (Commonwealth of Australia), and the Register of the Historic Shipwrecks Act, 1981, (South Australia)

### Telecommunications Facilities

**Objective 36:** Telecommunications facilities provided to meet the needs of the community.

**Objective 37:** Telecommunications facilities located and designed to minimise visual impact on the amenity of the local environment.

Telecommunications facilities are an essential infrastructure required to meet the rapidly increasing community demand for communications technologies. To meet this demand there will be a need for new telecommunications facilities to be constructed.

The Commonwealth Telecommunications Act 1997 is pre-eminent in relation to telecommunications facilities. The Telecommunications (Low-impact Facilities) Determination 1997 identifies a range of facilities that are exempt from State planning legislation. The development of low impact facilities to achieve necessary coverage is encouraged in all circumstances where possible to minimise visual impacts on local environments.

Where required, the construction of new facilities is encouraged in preferred industrial and commercial and appropriate non-residential zones. Recognising that new facility development will be unavoidable in more sensitive areas in order to achieve coverage for users of communications technologies, facility design and location in such circumstances must ensure visual impacts on the amenity of local environments are minimised.

### Renewable Energy Facilities

**Objective 38:** Development of renewable energy facilities that benefit the environment, the community and the state.

**Objective 39:** The development of renewable energy facilities, such as wind farms and ancillary development, in areas that provide opportunity to harvest natural resources for the efficient generation of electricity.

**Objective 40:** Location, siting, design and operation of renewable energy facilities to avoid or minimise adverse impacts on the natural environment and other land uses.

## PRINCIPLES OF DEVELOPMENT CONTROL

### Form of Development

- 1 Landfill facilities should not be located in existing or future urban, township, living, residential, commercial, centre, office, business, industry or institutional zones, or environment protection, conservation, landscape, open space or similar zones, or in a Water Protection Area.

### Coastal Areas

The following principles of development control are applicable to all development which could impact on coastal areas, affect coastal processes or be subject to effect or hazard from coastal processes now or in the future, whether or not the development is located in a designated coastal zone.

### Environmental Protection

- 2 Development, including flood, erosion and wave protection measures, should not adversely affect the ecology of coastal areas, the seabed or coastal waters by pollution, significant loss of habitat, interference with coastal processes or any other means.
- 3 Development should not be located in delicate or environmentally sensitive coastal features such as sand dunes, wetlands or important remnants of native vegetation.
- 4 Development should not, nor be likely in the future to, adversely affect the ecology and stability of environmentally sensitive coastal features.
- 5 Development should not be undertaken where it will create or aggravate coastal erosion, or where it will require coast protection works which cause or aggravate coastal erosion.
- 6 Land should only be divided in such a way that:
  - (a) it or the subsequent development and use of the land will not adversely affect the management of the land, adjoining land or the coast;
  - (b) sand dunes, wetlands and remnant vegetation are maintained in single parcels;
  - (c) the number of allotments abutting directly onto the coast or onto a reserve for conservation purposes is minimised; and
  - (d) outside of urban, tourist-accommodation and rural living zones it will not result in allotments with frontages to the coast or coastal reserve shorter than the depth of the allotment (or less than the square root of the area for irregular shaped allotments);
- 7 Development should be designed for solid or fluid wastes and stormwater run-off to be disposed of so that it will not cause pollution or other detrimental impacts on the marine and on-shore environment of coastal areas.
- 8 Effluent disposal systems incorporating soakage trenches or a similar system should be located not less than 100 metres or greater where it is necessary to avoid effluent migration onto the inter-tidal zone, the 100 metres to be measured from:
  - (a) the mean high water mark at spring tide adjusted for any subsidence for the first 50 years of development plus a sea level rise of one metre; or
  - (b) the nearest boundary of any erosion buffer determined in accordance with principle of development control numbered 34;

whichever is the greater. Except where SA Health Commission standards can be met by a lesser set-back.

- 9** Development should preserve natural drainage systems and should not significantly increase or decrease the volume of water flowing to the sea. Where necessary it should incorporate stormwater management schemes including:
- (a) on-site harvesting of water and land based disposal systems;
  - (b) retention basins to facilitate settlement of pollutants and to regulate water flow; and
  - (c) infiltration.
- 10** Development should not cause deleterious effects on the quality or hydrology of groundwater.
- 11** Development proposed to include or create confined, coastal waters (whether partially or wholly), including water subject to the ebb and flow of the tide, should ensure the quality of such waters is maintained at an acceptable level.
- 12** Development should not preclude the natural geomorphological and ecological adjustment to changing climate, sea level or other conditions. For example landward migration of coastal wetlands should not be prevented by embankments. Development should be designed to allow for new areas to be colonised by mangroves and wetland species and for removal of existing embankments where practical.
- 13** Marine aquaculture should be located, sited, designed, constructed and managed to be ecologically sustainable, to minimise interference and obstruction to the natural processes of the marine environment, and to allow maintenance of the environmental quality of the foreshore, coastline, ocean and ocean bed. Marine aquaculture should be developed and undertaken:
- (a) in areas which will not contaminate the product for human consumption;
  - (b) a suitable distance from pollution sources including country townships, urban and residential areas, established shack areas, industrial development, stormwater or other drainage outlets, sewage treatment facilities and outfall;
  - (c) a sufficient height above the sea floor and in a manner to minimise seabed damage, and in areas with adequate water current to disperse sediments to prevent the build up of waste (except where waste can be removed);
  - (d) to avoid damage to sensitive ecological areas, creeks, estuaries, wetlands and significant seagrass and mangrove communities;
  - (e) to avoid the risk of pollution to and from external sources including any accidental discharge of pollutants;
  - (f) to ensure satisfactory removal and disposal of litter, disused material, shells, debris, detritus, faecal matter, and dead animals from the farm to prevent fouling of waters, publicly owned wetlands, or the nearby coastline;
  - (g) so as not to involve the discharge of human waste on the site, or any adjacent land, or into nearby waters (if required, sanitary facilities should be provided);
  - (h) to avoid adverse impacts to wildlife (marine and terrestrial, plants and animals), and on breeding grounds and habitats of native marine mammals and terrestrial fauna, especially migratory species;
  - (i) to minimise harm or destruction of marine predators such as seals, dolphins and birds;
  - (j) to facilitate relocation or removal of structures in the case of emergency such as oil spills, algal blooms and altered waterflows.
  - (k) at a suitable distance from any tidal creek to ensure that adverse impacts are minimised.

- (l) of a sufficient standard of construction to ensure that structures can withstand normal marine conditions.

#### **Preservation of scenic, heritage and other values**

- 14** Development should not result in the disturbance or the devaluation of sites of heritage, cultural, scientific or educational significance.
- 15** Development which is proposed to be located outside of urban and tourist zones should be sited and designed to not adversely affect:
  - (a) the natural, rural or heritage character of the area;
  - (b) areas of high visual or scenic value;
  - (c) views from the coast, near-shore waters, public reserves, tourist routes and walking trails; or
  - (d) the amenity of public beaches by intruding into undeveloped areas.
- 16** Development within urban and tourist accommodation zones should be designed and sited in sympathy with the existing natural and built character of its locality. It should not be out of scale, of conflicting colour or materials or detract from any natural backdrop to the zone, nor project above the skyline visible from the coast.
- 17** Marine aquaculture and other offshore development should:
  - (a) minimise adverse impacts on the visual amenity or natural character of the coast and foreshore, particularly in areas of outstanding beauty or areas of high public use;
  - (b) avoid adverse impacts on:
    - (i) National Parks, Conservation Parks and Conservation Reserves;
    - (ii) Marine Parks and Reserves;
    - (iii) Recreation Reserves;
    - (iv) Indigenous, Non-Indigenous and natural heritage sites including shipwrecks;\*
    - (v) Sites of scientific importance including geological monuments and habitats of rare species;
    - (vi) Mineral reserves;
    - (vii) Areas valued for their outstanding beauty or amenity.

\*Note: Heritage sites are recorded under the Register of the Aboriginal Heritage Act, 1988, the Register of the Heritage Act, 1993, the Register of the Historic Shipwrecks Act, 1976 (Commonwealth of Australia), and the Register of the Historic Shipwrecks Act, 1981, (South Australia)

- 18** Marine aquaculture and other offshore development should be located at least:
  - (a) 550 metres from a proclaimed shipwreck;
  - (b) 1000 metres seaward from the boundary of any Reserve under the National Parks and Wildlife Act, unless a lesser distance is agreed with the Minister responsible for that Act.

- 19** Racks, floats and other farm structures associated with marine aquaculture or other offshore development should be as visually unobtrusive as possible, apart from those required by the relevant authority for navigational safety. Development should:
- (a) blend visually with the environment and have a low profile;
  - (b) be constructed of non reflective materials;
  - (c) use uniform, subdued colours throughout a development, suited and in keeping with the local surrounding features;
  - (d) use feed hoppers which are painted in subdued colours, and suspended as low as possible above the water;
  - (e) design and locate structures in relation to surrounding features;
  - (f) position structures to protrude the minimum distance practicable above water;
  - (g) not jeopardise the attainment of visual amenity provisions by incorporating unnecessary shelters and structures above cages and platforms.

#### **Maintenance of public access**

- 20** Development adjacent to the coast should not be undertaken unless it has or incorporates the provision of a public reserve, not including a road or erosion buffer provided in accordance with principle of development control numbered 33, of at least 50 metres width between such development and the toe of the primary dune or the top edge of the escarpment, unless the development relates to small-scale infill development in a predominantly urban zone or to development associated with the operation of ports.
- 21** Development which abuts or includes a coastal reserve for scenic, conservation or recreational purposes should be located and designed in such a way as to have regard to the purpose, management and amenity of the reserve and to prevent illegal incorporation of reserve land into private land.
- 22** Development, including marinas, should be located and designed to allow public access along the waterfront, to beaches, and to coastal reserves, except where public safety reasons preclude or where operational requirements at ports renders this inappropriate.
- 23** Access to beaches and reserves should be, by means of walkways and roads suitably designed and constructed to meet the environmental objectives and principles of development control for coastal areas.
- 24** Access roads to the coast and lookouts should preferably be spur roads. Tourist routes may be loop roads but should be located back from the coast and only where the road will not detract from the amenity of the area or lead to management problems.
- 25** Marine aquaculture and other offshore development should:
- (a) be located to minimise adverse impacts on public access to beaches, public watercourses, or the foreshore;
  - (b) be located to take into account the requirements of traditional both indigenous and non-indigenous historic fishing grounds;
  - (c) in ocean waters be located a minimum of 100 metres seaward of high water mark;
  - (d) be located not to obstruct nor interfere with navigation channels, access channels, frequently used natural launching sites, safe anchorage areas, known diving areas, commercial shipping movement patterns or activities associated with existing jetties and wharves;

- (e) be developed to maintain existing rights of way within or adjacent to a site;
- (f) where possible use existing and established roads, tracks, ramps and paths to or from the sea.

**26** Marine aquaculture access, launching and maintenance facilities wherever possible should be developed co-operatively, and co-located to serve the needs of the industry and community as a whole, and where necessary may be located on the foreshore.

#### **Hazard risk minimisation**

**27** Development should not occur on land where the risk of flooding is unacceptable having regard to personal and public safety and to property damage.

**28** For the purposes of assessing coastal developments the standard sea-flood risk level for a development site is defined as the 100-year average return interval extreme sea level (tide, stormwater and associated wave effects combined), plus an allowance for land subsidence for 50 years at that site.

**29** Land should not be divided for commercial, industrial or residential purposes unless a layout can be achieved whereby roads, parking areas and adequate development sites on each allotment are at least 0.3 metres above the standard sea-flood risk level, unless the land is or can be protected in accordance with principle of development control numbered 32.

**30** Commercial, industrial or residential development should only be undertaken where:

- (a) building floor-levels are at least 0.25 metres above the minimum site level of principle of development control numbered 29 (ie: 0.55 metres above the standard sea-flood risk level), unless the development is or can be protected in accordance with principle of development control numbered 32; and
- (b) there are practical measures in accordance with principle of development control numbered 32 available to the developer, or subsequent owners, to protect the development against a further sea level rise of 0.7 metres above the minimum site level determined by principle of development control numbered 29.

**31** Buildings to be located over tidal water or which are not capable of being raised or protected by flood protection measures in future, should have a floor level of at least 1.25 metres above the standard sea-flood risk level.

**32** Development which requires protection measures against coastal erosion, sea or stormwater flooding, sand drift or the management of other coastal processes at the time of development, or which may require protection or management measures in the future, should only be undertaken if:

- (a) the measures themselves will not have an adverse effect on coastal ecology, processes, conservation, public access and amenity;
- (b) the measures do not now, or in the future require community resources, including land;
- (c) the risk of failure of measures such as sand management, levee banks, flood gates, valves or stormwater pumping, is appropriate to the degree of the potential impact of a failure; and
- (d) adequate financial guarantees are in place to cover future construction, operation, maintenance and management of the protection measures.

**33** Development should be set-back a sufficient distance from the coast to provide an erosion buffer which will allow for at least 100 years of coastal retreat for single buildings or small-scale developments, or 200 years of retreat for large-scale developments such as new towns, unless:

- (a) the development incorporates private coastal works to protect the development and public reserve from the anticipated erosion, and the private coastal works comply with principle of development control numbered 32; or
  - (b) the council is committed to protecting the public reserve and development from the anticipated coastal erosion.
- 34** Where a coastal reserve exists, or is to be provided in accordance with principle of development control numbered 20, it should be increased in width by the amount of buffer required.
- 35** The width of an erosion buffer should be based on:
- (a) the susceptibility of the coast to erosion;
  - (b) local coastal processes;
  - (c) the effect of severe storm events;
  - (d) the effect of a 0.3 metres sea level over the next 50 years on coastal processes and storms; and
  - (e) the availability of practical measures to protect the development from erosion caused by a further sea level rise of 0.7 metres per 50 years thereafter.
- 36** Where there is inadequate area to provide the necessary erosion buffer to development on land at risk from long-term coastal erosion (for example small-scale infill development including land division), such development should not occur unless:
- (a) the proponent has committed to erosion protection measures which may be necessary along this section of the coast; or
  - (b) a legally binding agreement is included on the freehold certificate(s) of title(s) that protection measures will not be built and that any building will be transportable and will be removed when threatened by erosion or storm surge flooding; or
  - (c) a legally binding agreement is included on the freehold certificate(s) of title(s) that protection measures that comply with principle of development control numbered 32 for coastal development will be built by the land owner(s) when required.
- 37** Development should not occur where essential services cannot be economically provided and maintained having regard to flood risk and sea level rise or where emergency vehicle access would be prevented by a 100-year average return interval extreme sea level event, adjusted for 100 years of sea level rise.
- 38** Marine aquaculture development should minimise its impact on navigational safety and:
- (a) be suitably marked for navigational purposes;
  - (b) be sited to allow an adequate distance between farms for safe navigation;
  - (c) be located at least 250 metres from a commercial shipping lane;
  - (d) comprise structures secured and/or weighted to prevent drifting;
  - (e) ensure that structures and materials used are maintained to prevent hazards to people and wildlife;
  - (f) provide for rehabilitation of sites no longer operational.



**Protection of physical and economic resources**

- 39** Development outside of urban zones should not take place if there is the potential for significant conflict with likely development which benefits the wider community based on any of the special economic or physical resources of coastal areas such as:

Tourist Attractions;  
Harbour and Jetty Sites;  
Aquaculture Sites;  
Marina Sites;  
Mineral Deposits of State or National importance  
Ports and Port Related functions.

- 40** Development should be sited, designed and managed so as not to conflict with or jeopardise the continuance of an existing aquaculture development.

- 41** Marine aquaculture development should:

- (a) be carried out in a manner which ensures a fair and equitable sharing of marine and coastal resources and minimises conflict between legitimate users of the marine resource, both commercial and recreational;
- (b) not significantly obstruct or adversely affect:
  - (i) areas of high public use;
  - (ii) areas established for recreational activities;
  - (iii) areas of outstanding visual, environmental, commercial or tourism value;
  - (iv) sites used for recreational activities such as swimming, fishing, skiing and sailing and other water sports, including beaches.

**Settlement, tourist facilities, marinas and other development in appropriate zones**

- 42** Urban development including holiday house settlements and tourist developments, marinas, rural living, country living and other development of a non-commercial farming nature, including land division for all such development, should only be undertaken in zones designated for such development.

- 43** Tourist development outside of zones designated for such development should be confined to small-scale, short-stay accommodation within or adjacent to an existing inhabited farmhouse and operated as a minor adjunct to normal commercial farming.

- 44** Outside of urban and tourist-accommodation zones no more than one dwelling should be constructed on an allotment.

- 45** The coastline and its visual amenity should not be significantly impaired by the onshore development of marine aquaculture storage, cooling and processing facilities. Where possible these facilities should be:

- (a) located, sited, designed, landscaped and developed at a scale and using external materials to minimise any adverse visual impact on the coastal landscape;
- (b) established in areas appropriately zoned and with appropriate vehicular access arrangements;
- (c) developed to ensure that wastes are disposed of in a complete and effective system which is legally approved.

**No premature development**

- 46** Development, including land division, urban, holiday settlement, tourist development and other urban-type developments should:
- (a) be compact not linear development;
  - (b) be contiguous with any existing built-up areas;
  - (c) be developed in a staged and orderly manner which facilitates the economic provision of services and infrastructure;
  - (d) not occur without provision of an adequate reticulated domestic-quality mains water supply and a common effluent drainage scheme.

**Re-development of unsatisfactory areas**

- 47** Existing development which is contrary to the objectives for coastal areas should not be re-developed unless the redevelopment significantly rectifies the unsatisfactory aspects.

**Telecommunications Facilities**

- 48** Telecommunications facilities should:
- (a) be located and designed to meet the communication needs of the community;
  - (b) utilise materials and finishes that minimise visual impact;
  - (c) have antennae located as close as practical to the support structure;
  - (d) primarily be located in industrial, commercial, business, office, centre, and rural zones;
  - (e) incorporate landscaping to screen the development, in particular equipment shelters and huts; and
  - (f) be designed and sited to minimise the visual impact on the character and amenity of the local environment, in particular visually prominent areas, main focal points or significant vistas.
- 49** Where technically feasible, co-location of telecommunications facilities should primarily occur in industrial, commercial, business, office, centre and rural zones.
- 50** Telecommunications facilities in areas of high visitation and community use should utilise, where possible, innovative design techniques, such as sculpture and art, where the facilities would contribute to the character of the area.
- 51** Telecommunications facilities should only be located in residential zones if sited and designed so as to minimise visual impact by:
- (a) utilising screening by existing buildings and vegetation;
  - (b) where possible being incorporated into, and designed to suit the characteristics of an existing structure that may serve another purpose; and
  - (c) taking into account existing size, scale, context and characteristics of existing structures, land forms and vegetation so as to complement the local environment.
- 52** Telecommunications facilities should not detrimentally affect the character or amenity of Historic Conservation Zones or Policy Areas, Local Heritage Places, State Heritage Places, or State Heritage Areas.

### Renewable Energy Facilities

**53** Renewable energy facilities, including wind farms and ancillary development, should be:

- (a) located in areas that maximize efficient generation and supply of electricity; and
- (b) designed and sited so as not to impact on the safety of water or air transport and the operation of ports, airfields and designated landing strips.

### Wind Farms and Ancillary Development

**54** The visual impacts of wind farms and ancillary development (such as substations, maintenance sheds, access roads and wind monitoring masts) should be managed through:

- (a) wind turbine generators being:
  - (i) setback at least 1000 metres from non-associated (non-stakeholder) dwellings and tourist accommodation;
  - (ii) setback at least 2000 metres from defined and zoned township, settlement or urban areas (including deferred urban areas);
  - (iii) regularly spaced;
  - (iv) uniform in colour, size and shape and blade rotation direction;
  - (v) mounted on tubular towers (as opposed to lattice towers);
- (b) provision of vegetated buffers around substations, maintenance sheds and other ancillary structures.

**55** Wind farms and ancillary development should avoid or minimise the following impacts on nearby property owners/occupiers, road users and wildlife:

- (a) shadowing, flickering, reflection or glint;
- (b) excessive noise;
- (c) interference with television and radio signals and geographic positioning systems;
- (d) interference with low altitude aircraft movements associated with agriculture;
- (e) modification of vegetation, soils and habitats;
- (f) striking of birds and bats.

**56** Wind turbine generators should be setback from dwellings, tourist accommodation and frequently visited public places (such as viewing platforms) a distance that will ensure that failure does not present an unacceptable risk to safety.

### Non-complying Development

**57** The following kind of development is **non-complying**:

Advertisements, except in the Boston Island Zone  
Landfill that constitutes solid waste disposal required to be licensed as a waste depot under the Environment Protection Act 1993

**Public Notification**

- 58** All kinds of development, except those designated as non-complying, associated with port activities at the ports of:

Wallaroo  
Thevenard  
Port Pirie  
Port Lincoln  
Port Giles  
Klein Point

are assigned to Category 2 notification.

## AQUACULTURE ZONE

The objectives and principles of development control that follow apply in the Aquaculture Zone as shown on Zone [Maps LNWCA\(CW\)/1 to 17 and 20 to 23](#).

### OBJECTIVES

**Objective 1:** A zone primarily for ecologically sustainable marine-based aquaculture.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

1 The following forms of development are envisaged in the zone:

- (a) marine-based aquaculture
  - (i) hatchery
  - (ii) grow out facility
  - (iii) related infrastructure.

#### Public Notification Category

All marine aquaculture is designated Category 1 Development within the zone.

## BOSTON ISLAND ZONE

### Introduction

The desired character, objectives and principles of development control that follow apply in the Boston Island Zone shown on [Map LNWCA\(CW\)/18](#). They are additional to those expressed for the whole of the Land Not Within a Council Area (Coastal Waters) Development Plan.

### Desired Character

To deliver an island environment that will provide coastal residential, recreational, tourism and marina opportunities that embrace an island lifestyle, create a destination with wide appeal, and captures the uniqueness of the island's setting and accessibility to Port Lincoln.

Due to the island's isolation from the mainland, it will be important to achieve a high level of self-sufficiency, where buildings and supporting infrastructure are sited and designed in a manner that responds sensitively and sustainably to the Island's natural features, habitats and landscape.

The aquaculture industry uses the coastal waters surrounding the island, including for shellfish cultivation. Development will avoid adverse impacts on the marine environment and thereby ensure the long-term presence of the aquaculture industry, including minimising potential nuisance to aquaculture lease areas and related operations as a result of access to and from the Island.

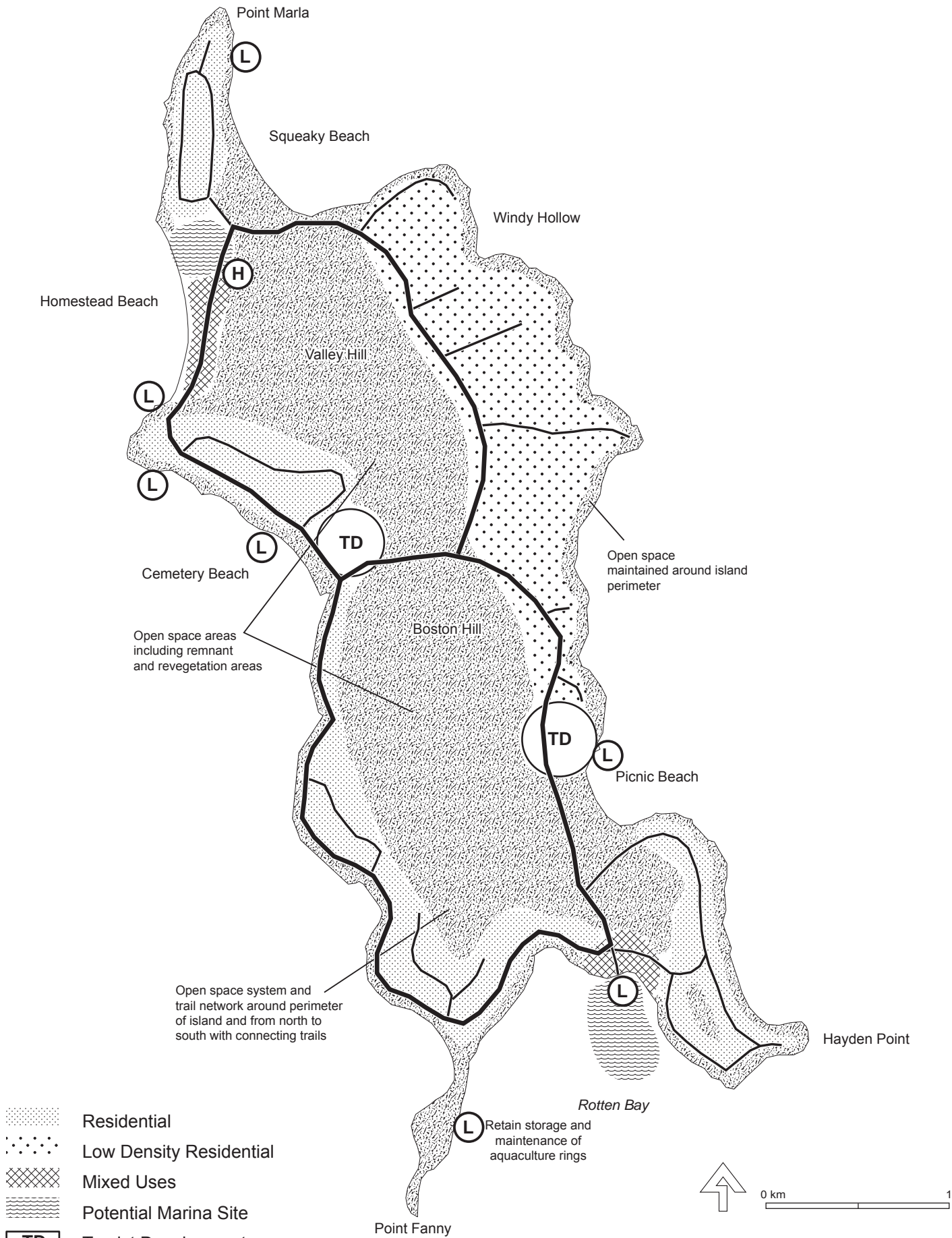
Development and other activities will be based around five Policy Areas (Residential; Tourism Development; Mixed Use; Coastal Open Space and Recreation; and Hills Open Space) to:

- (a) establish activity nodes incorporating a range of community, business, tourism and residential activities in association with major landing facilities for the arrival and departure of people and goods
- (b) facilitate continuous access by residents and visitors along the island's coastline and through its interior to points of interest and scenic lookouts via a combination of roads (including a shared vehicular/pedestrian ring road) and linked pedestrian/bicycle networks
- (c) conserve areas of remnant native vegetation and create opportunities to link these areas through additional plantings, particularly through the island's core and coastal areas
- (d) ensure that development in areas set aside primarily for open space and conservation purposes contributes to the functioning of the Island and its appeal as a destination, and is sensitively and unobtrusively incorporated into the landscape
- (e) encourage higher density housing and housing choice within and around mixed use activity nodes and on the western side of the island to facilitate access to Port Lincoln and the mainland
- (f) maximise views towards the coast or landscape features within the island's interior.

The island contains a number of small, residentially sized allotments with frontage or direct access to the coast. Development will result in the reconfiguration of these allotments to reduce the total number of allotments with frontage or direct access to the coast, and facilitate the establishment of a coastal park.

### OBJECTIVES

- Objective 1:** A zone accommodating a range of residential dwelling, tourist accommodation and recreation areas.
- Objective 2:** Development that is of a high architectural standard that sets Boston Island apart as a premier tourism and residential destination.
- Objective 3:** Development that is in accordance with the Concept Plan [Figure BI/1](#).



**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS)  
BOSTON ISLAND  
CONCEPT PLAN  
Figure BI/1**

**Objective 4:** Development that contributes to the desired character of the zone.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 1 Development of Boston Island should be in accordance with the Desired Character statement and Boston Island Concept Plan [Figure BI/1](#).

#### **ORDERLY AND SUSTAINABLE DEVELOPMENT**

##### **OBJECTIVES**

- Objective 5:** Orderly and economical development that creates a safe, convenient and pleasant environment in which to live.
- Objective 6:** Development occurring in an orderly sequence and in a compact form to enable the efficient provision of public services and facilities.
- Objective 7:** Development that does not jeopardise the continuance of adjoining authorised land uses.
- Objective 8:** Development that does not prejudice the achievement of the provisions of the Development Plan.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 2 Development should not prejudice the development of the zone for its intended purpose.
- 3 Development should provide for the ongoing servicing of activities and land management of Boston Island.
- 4 The economic base of the region should be expanded in a sustainable manner.
- 5 Development should be located and staged to achieve the economic provision of public services and infrastructure, and to maximise the use of existing services and infrastructure.
- 6 Vacant or underutilised land should be developed in an efficient and co-ordinated manner to not prejudice the orderly development of adjacent land.
- 7 Development should not occur without the provision of adequate utilities and services such as electricity supply, water supply, drainage and stormwater systems, waste disposal and formed all weather public roads.
- 8 Where on-site rainwater collection is the only source of water, development should only proceed if sufficient roof area and rainwater storage is provided for an adequate and reliable on-site potable year-round water supply, and in the case of buildings intended for human habitation allow for the capture and storage of at least 22 500 litres per bedroom (in addition to 10 000 litres for fire fighting use).
- 9 Development should be connected to common wastewater collection, treatment and disposal/reuse systems in preference to on-site collection and disposal systems.

#### **LAND DIVISION**

##### **OBJECTIVES**

- Objective 9:** Land division that occurs in an orderly sequence allowing efficient provision of new infrastructure and facilities and making optimum use of existing under utilised infrastructure and facilities.



- Objective 10:** Land division that creates allotments appropriate for the intended use.
- Objective 11:** Land division layout that is optimal for energy efficient building orientation.
- Objective 12:** Land division that is integrated with site features, including landscape and environmental features, adjacent land uses, the existing transport network and the availability of infrastructure.
- Objective 13:** The division of land to provide for the management of common areas and public land created by such a division.

## PRINCIPLES OF DEVELOPMENT CONTROL

### 10 When land is divided:

- (a) stormwater should be captured and stored to achieve water sensitive design
- (b) a sufficient water supply should be made available to each allotment
- (c) provision should be made for the disposal of wastewater, sewage and other effluent from each allotment without risk to health or the environment.

### 11 Land should not be divided if any of the following apply:

- (a) the size, shape, location, slope or nature of the land makes any of the allotments unsuitable for the intended use;
- (b) any allotment will not have a frontage to one of the following:
  - (i) an existing road
  - (ii) a proposed public road
  - (iii) access to a public road via an internal roadway in a plan of community division
- (c) the intended use of the land is likely to require excessive cut and/or fill
- (d) where it is likely to lead to undue erosion of the subject land or land within the locality
- (e) the wastewater treatment plant to which subsequent development will be connected does not have sufficient capacity to handle the additional wastewater volumes and pollutant loads generated by such development
- (f) the area is unsewered and cannot accommodate an appropriate onsite wastewater disposal system within the allotment that complies with (or can comply with) the relevant public and environmental health legislation applying to the intended use(s)
- (g) the area is not connected to a reticulated common water supply and it cannot be demonstrated that the proposed development can capture and store sufficient water to fully cater for the demands of the use of the intended development
- (h) the intended use of the land would be contrary to the zone or policy area objectives.

### 12 Land division should be designed to ensure that areas of native vegetation:

- (a) are not fragmented or reduced in size
- (b) do not need to be cleared as a consequence of subsequent development.

- 13** The design of a land division should incorporate:
- (a) roads, thoroughfares and open space that result in safe and convenient linkages with the surrounding environment, including public and community transport facilities, and which, where necessary, facilitate the satisfactory future division of land and the inter-communication with neighbouring localities
  - (b) safe and convenient access from each allotment to an existing or proposed public road or thoroughfare
  - (c) areas to provide appropriate separation between potentially conflicting land uses and/or zones and/or policy areas
  - (d) suitable land set aside for useable local open space
  - (e) public utility services within road reserves and where necessary within dedicated easements
  - (f) the preservation of significant natural, cultural or landscape features including State and local heritage places
  - (g) protection for existing vegetation and drainage lines
  - (h) where appropriate, the amalgamation of smaller allotments to ensure coordinated and efficient site development.
- 14** Allotments should have an orientation, size and configuration to encourage development that:
- (a) minimises the need for earthworks and retaining walls
  - (b) maintains natural drainage systems
  - (c) faces abutting streets and open spaces
  - (d) maximises coastal and landscape views;
  - (e) does not require the removal of native vegetation to facilitate that development
  - (f) will not overshadow, dominate, encroach on or otherwise detrimentally affect the setting of the surrounding locality.
- 15** The layout of a land division should provide for efficient solar access.
- 16** The arrangement of roads, allotments, reserves and open space should enable the provision of a storm water drainage system that:
- (a) contains and retains all watercourses, drainage lines and native vegetation
  - (b) incorporates retention and/or detention devices to maintain the volume and rate of run-off to pre-development levels;
  - (c) enhances amenity
  - (d) integrates with the open space system and surrounding area.
- 17** Road reserves should be of a width and alignment that can:
- (a) provide for safe and convenient movement and parking of projected volumes of vehicles and other users
  - (b) provide for footpaths, cycle lanes and shared-use paths for the safety and convenience of residents and visitors

- (c) allow vehicles to enter or reverse from an allotment or site in a single movement allowing for a car parked on the opposite side of the street
  - (d) accommodate street tree planting, landscaping and street furniture
  - (e) accommodate the location, construction and maintenance of stormwater drainage and public utilities
  - (f) provide unobstructed, safe and efficient vehicular access to individual allotments and sites
  - (g) allow for the efficient movement of service and emergency vehicles
  - (h) form bushfire breaks.
- 18 The layout of land division should incorporate street patterns designed to enhance the efficient movement of traffic and minimise trip lengths.

### **RESIDENTIAL DEVELOPMENT**

#### **OBJECTIVES**

**Objective 14:** Safe, convenient, pleasant and healthy-living environments that meet the needs and preferences of the community.

**Objective 15:** Higher density housing located within and adjacent to the Mixed Use Policy Area.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 19 Residential allotments and sites should have the appropriate orientation, area, configuration and dimensions to accommodate:
- (a) seascape and landscape views, and coastal access
  - (b) the siting and construction of a dwelling and associated ancillary outbuildings
  - (c) the provision of landscaping and private open space
  - (d) convenient and safe vehicle access and off street parking
  - (e) passive energy design
  - (f) minimise adverse impacts on adjoining allotments
- 20 Residential allotments should be of varying sizes to encourage housing diversity.
- 21 The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:
- (a) ground-level private open space
  - (b) upper-level private balconies that provide the primary open space area for any dwelling
  - (c) windows of habitable rooms, particularly living areas
  - (d) access to solar energy.
- 22 Garages, carports and outbuildings should be attached to and have a roof form and pitch, building materials and detailing that complement the associated dwelling, and form part of the rainfall collection and storage system.

- 23** Garages and carports facing the street should not dominate the streetscape.
- 24** Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:
- (a) minimise the visual impact of buildings from adjoining properties
  - (b) minimise the overshadowing of adjoining properties.
- 25** Site coverage should be limited to ensure sufficient space is provided for:
- (a) pedestrian and vehicle access and vehicle parking
  - (b) domestic storage
  - (c) outdoor clothes drying
  - (d) rainwater storage
  - (e) private open space and landscaping
  - (f) front, side and rear boundary setbacks that contribute to the desired character of the area
  - (g) convenient storage and disposal of household garbage and recycling receptacles
- 26** Dwellings should have associated private open space of sufficient area and shape to be functional, taking into consideration the likely needs of the occupant(s), the location of the dwelling, and the dimension and gradient of the site.
- 27** Site facilities for group dwellings and residential flat buildings should include:
- (a) mail box facilities sited close to the major pedestrian entrance to the site
  - (b) bicycle parking for residents and visitors
  - (c) household waste and recyclable material storage areas away from dwellings
  - (d) external clothes drying areas, which are readily accessible to each dwelling and complement the development and streetscape character for dwellings which do not incorporate ground level private open space.
- 28** Direct overlooking of habitable room windows and the useable private open spaces of other dwellings from windows of upper-level habitable rooms and external balconies, terraces and decks should be minimised by:
- (a) building layout
  - (b) location and design of windows and balconies
  - (c) screening devices
  - (d) landscaping
  - (e) adequate separation.
- 29** Permanently fixed external screening devices should be designed and coloured to blend with the associated building's external material and finishes.
- 30** On-site parking should be provided having regard to:
- (a) the number, nature and size of proposed dwellings

- (b) proximity to centre facilities and public transport within walking distance of the dwellings
  - (c) the anticipated mobility and transport needs of the likely occupants particularly groups such as aged persons
  - (d) availability of on-street car parking.
- 31** On-site visitor car parks should be designed and located to ensure that they are not sited behind locked garages and are accessible to visitors at all times.

## ***TOURISM DEVELOPMENT***

### **OBJECTIVES**

- Objective 16:** Environmentally sustainable and innovative tourism development.
- Objective 17:** Tourism development that assists in the conservation, interpretation and public appreciation of significant natural and cultural features including State or local heritage places.
- Objective 18:** Tourism development that sustains or enhances the local character, visual amenity and appeal of the area.
- Objective 19:** Tourism development that protects areas of exceptional natural value, allows for appropriate levels of visitation, and demonstrates a high quality environmental analysis and design response which enhances environmental values.
- Objective 20:** Tourism development that contributes to local communities by adding vitality to neighbouring townships, regions and settlements.
- Objective 21:** Ensure new development, together with associated bushfire management minimise the threat and impact of bushfires on life and property while protecting the environment.

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 32** Tourism development and any associated activities should not damage or degrade any significant natural and cultural features.
- 33** Tourism development should ensure that its scale, form and location will not overwhelm, over commercialise or detract from the intrinsic natural values of the land on which it is sited or the character of its locality.
- 34** Tourism development should, where appropriate, add to the range of services and accommodation types available in an area.
- 35** Any upgrading of infrastructure to serve tourism development should be consistent with the landscape and the intrinsic natural values of the land and the basis of its appeal.
- 36** Advertisements associated with tourism developments should:
- (a) not exceed 0.5 square metres in area for each display
  - (b) be limited to no more than two per site
  - (c) be located on the same site as the tourist development
  - (d) not be internally illuminated.

- 37 Tourism development, particularly in remote areas should be designed to minimise energy and water demands and incorporate alternative, sustainable technologies that use renewable energy sources and/or treat and reuse stormwater and wastewater to minimise reliance on mains services.
- 38 Natural features, signs and walkways should be used to manage and minimise potential risks of visitors damaging areas of cultural or natural significance, fragile areas, and areas of highest environmental value.
- 39 The visual and ambient impact of vehicles should be minimised by placing roadways and parking areas in unobtrusive locations.

### ***SITING AND VISIBILITY***

#### **OBJECTIVE**

**Objective 22:** Protection of scenically attractive areas, particularly natural, rural and coastal landscapes.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 40 Development should be sited and designed to minimise its visual impact on:
  - (a) the natural, rural or heritage character of the area
  - (b) areas of high visual or scenic value, particularly rural and coastal areas
  - (c) views from the coast, near-shore waters, public reserves, tourist routes and walking trails
  - (d) the amenity of public beaches.
- 41 Buildings in undulating landscapes should be sited with care and should be generally located below the ridgeline.
- 42 Buildings and structures should be designed to minimise their visual impact in the landscape, in particular:
  - (a) the profile of buildings should be low and the rooflines should complement the natural form of the land
  - (b) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land
  - (c) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas that reduce the bulky appearance of buildings.
- 43 The nature of external surface materials of buildings should not detract from the visual character and amenity of the landscape.
- 44 Development should be visually softened through landscaping using locally indigenous plant species.

### ***DESIGN AND APPEARANCE***

#### **OBJECTIVES**

**Objective 23:** Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.

**Objective 24:** Roads, open spaces, buildings and land uses laid out and linked so that they are easy to understand and navigate.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 45** Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:
- (a) articulation
  - (b) colour and detailing
  - (c) small vertical and horizontal components
  - (d) design and placing of windows
  - (e) variations to facades.
- 46** Where a building is sited on or close to a side boundary, the side boundary wall should be located and limited in length and height to minimise:
- (a) the visual impact of the building as viewed from adjoining properties
  - (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.
- 47** The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare.
- 48** Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.
- 49** Buildings, landscaping, paving and signage should have a coordinated appearance that maintains and enhances the visual attractiveness of the locality.
- 50** Development should be designed and sited so that outdoor storage and service areas are screened from public view by an appropriate combination of built form, solid fencing and/or landscaping.
- 51** Balconies should:
- (a) be integrated with the overall architectural form and detail of the building
  - (b) be sited to face predominantly north, east or west to provide solar access
  - (c) have a minimum area of 2 square metres.

#### ***SLOPING LAND***

##### **OBJECTIVE**

**Objective 25:** Development on sloping land designed to minimise environmental and visual impacts and protect soil stability and water quality.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 52** Development and associated driveways and access tracks should be sited and designed to integrate with the natural topography of the land and minimise the need for earthworks.
- 53** Development and associated driveways and access tracks, including related earthworks, should be sited, designed and undertaken in a manner that:

- (a) minimises their visual impact
  - (b) reduces the bulk of the buildings and structures
  - (c) minimises the extent of cut and/or fill
  - (d) minimises the need for, and the height of, retaining walls
  - (e) does not cause or contribute to instability of any embankment or cutting
  - (f) avoids the silting of watercourses
  - (g) protects development and its surrounds from erosion caused by water run-off.
- 54** Driveways and access tracks across sloping land should be accessible and have a safe, all-weather trafficable surface.
- 55** Development sites should not be at risk of landslip.
- 56** Development on steep land should include site drainage systems to minimise erosion and avoid adverse impacts on slope stability.
- 57** Steep sloping sites in unsewered areas should not be developed unless the physical characteristics of the allotments enable the proper siting and operation of an effluent drainage field suitable for the development intended.

### ***LANDSCAPING, FENCES AND WALLS***

#### **OBJECTIVES**

**Objective 26:** The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species.

**Objective 27:** Functional fences and walls that enhance the attractiveness of development.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 58** Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:
- (a) complement built form and reduce the visual impact of larger buildings (e.g. taller and broader plantings against taller and bulkier building components)
  - (b) enhance the appearance of road frontages
  - (c) screen service yards, loading areas and outdoor storage areas
  - (d) minimise maintenance and watering requirements
  - (e) enhance and define outdoor spaces, including car parking areas
  - (f) maximise shade and shelter
  - (g) assist in climate control within and around buildings
  - (h) minimise heat absorption and reflection
  - (i) maintain privacy
  - (j) maximise stormwater re-use



- (k) complement existing vegetation, including native vegetation
- (l) contribute to the viability of ecosystems and species
- (m) promote water and biodiversity conservation.

**59** Landscaping should:

- (a) include the planting of locally indigenous species
- (b) be oriented towards the street frontage
- (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.

**60** Landscaping should not:

- (a) unreasonably restrict solar access to adjoining development
- (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding
- (c) introduce pest plants
- (d) increase the risk of bushfire
- (e) remove opportunities for passive surveillance
- (f) increase leaf fall in watercourses
- (g) increase the risk of weed invasion.

**61** Fences and walls, including retaining walls, should:

- (a) not result in damage to neighbouring trees
- (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality
- (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance
- (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street
- (e) assist in highlighting building entrances
- (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites
- (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land
- (h) be constructed of non-flammable materials.

**62** Fencing should be open in form to allow cross ventilation and access to sunlight.

## **TRANSPORTATION AND ACCESS**

### **OBJECTIVES**

**Objective 28:** A comprehensive, integrated, affordable and efficient air, sea, road, cycle and pedestrian transport system that will:

- (a) provide equitable access to a range of public and private transport services for all people
- (b) ensure a high level of safety
- (c) have minimal negative environmental and social impacts
- (d) maintain options for the introduction of suitable new transport technologies.

**Objective 29:** Development that:

- (a) provides safe and efficient movement for all motorised and non-motorised transport modes
- (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles
- (c) provides off street parking
- (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks.

**Objective 30:** Provision of safe, pleasant, accessible, integrated and permeable pedestrian and cycling networks.

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 63** Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.
- 64** Transport corridors should be sited and designed so as to not unreasonably interfere with the health and amenity of adjacent sensitive land uses.
- 65** Roads should be sited and designed to blend with the landscape and be in sympathy with the terrain.
- 66** Development should provide safe and convenient access for all anticipated modes of transport including cycling, walking, public and community transport, and motor vehicles.
- 67** Development should make sufficient provision on site for the loading, unloading and turning of all traffic likely to be generated.
- 68** Development should ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, open spaces, schools, public transport stops and activity centres.
- 69** Developments should encourage and facilitate cycling as a mode of transport by incorporating end-of-journey facilities including:
  - (a) showers, changing facilities, secure lockers and toilets
  - (b) signage indicating the location of bicycle facilities.

- 70** Pedestrian facilities and networks should be designed and provided in accordance with relevant provisions of the Australian Standards and Austroads Guide's to Traffic Engineering Practice Part 13.
- 71** Cycling facilities and networks should be designed and provided in accordance with relevant provisions of the Australian Standards and Austroads Guide's to Traffic Engineering Part 14.
- 72** Development should be provided with safe and convenient access which:
- (a) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision
  - (b) is located and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.
- 73** Development should not restrict access to publicly owned land.
- 74** Driveways, access tracks and parking areas should be designed and constructed to:
- (a) follow the natural contours of the land
  - (b) minimise excavation and/or fill
  - (c) minimise the potential for erosion from run-off
  - (d) avoid the removal of existing vegetation
  - (e) be consistent with the relevant Australian Standard AS 2890 Parking facilities.
- 75** Buildings should be sited and designed to provide convenient access for people with a disability.
- 76** Where appropriate and practical, development should provide for safe and convenient access to the coast and beaches for disabled persons.

## ***ENERGY EFFICIENCY***

### **OBJECTIVE**

**Objective 31:** Development designed, and sited to conserve energy and minimise waste.

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 77** Development should provide for efficient solar access to buildings and open space all year around.
- 78** Buildings should be sited and designed to ensure adequate natural light and winter sunlight is available to the main activity areas of adjacent buildings.
- 79** Roof orientation and pitch should facilitate the efficient use of solar hot water services and photovoltaic cells.
- 80** Public infrastructure, including lighting and telephones, should be designed to generate and use renewable energy.

## ***HAZARDS***

### **OBJECTIVES**

**Objective 32:** Development located away from areas that are vulnerable to, and cannot be adequately and effectively protected from the risk of natural hazards.

- Objective 33:** Development located and designed to minimise the risks to safety and property from flooding.
- Objective 34:** Development located to minimise the threat and impact of bushfires on life and property.
- Objective 35:** The environmental values and ecological health of receiving waterways and marine environments protected from the release of acid water resulting from the disturbance of acid sulphate soils.
- Objective 36:** Protection of human health and the environment wherever site contamination has been identified or suspected to have occurred.
- Objective 37:** Appropriate assessment and remediation of site contamination to ensure land is suitable for the proposed use and provides a safe and healthy living and working environment.
- Objective 38:** Minimisation of harm to life, property and the environment through appropriate location of development and appropriate storage, containment and handling of hazardous materials.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 81** Development should be excluded from areas that are vulnerable to, and cannot be adequately and effectively protected from, the risk of hazards.
- 82** Development should be designed and sited to minimise the threat and impact of bushfires on life and property while protecting the natural and rural character.

#### **Flooding**


- 83** Development should not occur on land where the risk of flooding is likely to be harmful to safety or damage property.
- 84** Development should not be undertaken in areas liable to inundation by tidal, drainage or flood waters unless the development can achieve all of the following:
- (a) it is developed with a public stormwater system capable of catering for a 1 in 100 year average return interval flood event
  - (b) buildings are designed and constructed to prevent the entry of floodwaters in a 1 in 100 year average return interval flood event.
- 85** Development, including earthworks associated with development, should not do any of the following:
- (a) impede the flow of floodwaters through the land or other surrounding land
  - (b) increase the potential hazard risk to public safety of persons during a flood event
  - (c) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood
  - (d) cause any adverse effect on the floodway function
  - (e) increase the risk of flooding of other land
  - (f) obstruct a watercourse.

**Bushfire**

The following bushfire protection principles of development control apply to development of land identified as Medium Bushfire Risk as shown on the [Figure LNWCA\(CW\) BPA/1](#).

- 86** Buildings and structures should be located away from areas that pose an unacceptable bushfire risk as a result of one or more of the following:
- (a) vegetation cover comprising trees and/or shrubs
  - (b) poor access
  - (c) rugged terrain
  - (d) inability to provide an adequate building protection zone
  - (e) inability to provide an adequate supply of water for fire-fighting purposes.
- 87** Residential, tourist accommodation and other habitable buildings should:
- (a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect;
  - (b) be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation;
  - (c) have a dedicated and accessible water supply available at all times for fire fighting.
- 88** Extensions to existing buildings, outbuildings and other ancillary structures should be sited and constructed using materials to minimise the threat of fire spread to habitable buildings in the event of bushfire.
- 89** Buildings and structures should be designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against the building or structure, or between the ground and building floor level in the case of transportable buildings.
- 90** Land division should be designed to:
- (a) minimise the danger to residents, other occupants of buildings and fire-fighting personnel
  - (b) minimise the extent of damage to buildings and other property during a bushfire
  - (c) ensure each allotment contains a suitable building site that is located away from vegetation that would pose an unacceptable risk in the event of bushfire
- 91** Vehicle access and driveways to properties and public roads created by land division should be designed and constructed to facilitate safe and effective operational use for fire-fighting, other emergency vehicles and residents.
- 92** Road reserves and other land uses such as open space should be designed and sited to form major bushfire breaks.
- 93** Development in a Bushfire Protection Area should be in accordance with those provisions of the *Minister's Code: Undertaking development in Bushfire Protection Areas* that are designated as mandatory for Development Plan Consent purposes.



 Medium Bushfire Risk

**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS)  
BOSTON ISLAND  
BUSHFIRE PROTECTION AREA  
FIGURE LNWCA(CW) BPA/1**

**Acid Sulfate Soils**

- 94** Development and activities, including excavation and filling of land, that may lead to the disturbance of potential or actual acid sulfate soils should be avoided unless such disturbances are managed in a way that effectively avoids the potential for harm or damage to any of the following:
- (a) the marine and estuarine environment
  - (b) natural water bodies and wetlands
  - (c) agricultural or aquaculture activities
  - (d) buildings, structures and infrastructure
  - (e) public health.

**Site Contamination**

- 95** Development, including land division, should not occur where site contamination has occurred unless the site has been assessed and remediated as necessary to ensure that it is suitable and safe for the proposed use.

**Containment of Chemical and Hazardous Materials**

- 96** Hazardous materials should be stored and contained in a manner that minimises the risk to public health and safety and the potential for water, land or air contamination.
- 97** Development that involves the storage and handling of hazardous materials should ensure that these are contained in designated areas that are secure, readily accessible to emergency vehicles, impervious, protected from rain and stormwater intrusion and other measures necessary to prevent:
- (a) discharge of polluted water from the site
  - (b) contamination of land
  - (c) airborne migration of pollutants
  - (d) potential interface impacts with sensitive land uses.

**Landslip**

- 98** Development, including associated cut and fill activities, should not lead to an increased danger from land surface instability or to the potential of landslip occurring on the site or on surrounding land.
- 99** Development on steep slopes should promote the retention and replanting of vegetation as a means of stabilising and reducing the possibility of surface movement or disturbance.
- 100** Development in areas susceptible to landslip should:
- (a) incorporate split level designs to minimise cutting into the slope
  - (b) ensure that cut and fill and heights of faces are minimised
  - (c) ensure cut and fill is supported with engineered retaining walls or are battered to appropriate grades
  - (d) control any erosion that will increase the gradient of the slope and decrease stability

- (e) ensure the siting and operation of an effluent drainage field does not contribute to landslip
- (f) provide drainage measures to ensure surface stability is not compromised
- (g) ensure natural drainage lines are not obstructed.

## **NATURAL RESOURCES**

### **OBJECTIVES**

- Objective 39:** Retention, protection and restoration of the natural resources and environment.
- Objective 40:** Protection of the quality and quantity of South Australia's surface waters, including inland, marine and estuarine, and underground waters.
- Objective 41:** The ecologically sustainable use of natural resources including water resources, including marine waters, ground water, surface water and watercourses.
- Objective 42:** Development consistent with the principles of water sensitive design.
- Objective 43:** Development sited and designed to:
- (a) maximise the harvest and use of stormwater
  - (b) protect stormwater from pollution sources
  - (c) protect water quality, including receiving waters
  - (d) reduce runoff and peak flows and prevent the risk of downstream flooding
  - (e) minimise the loss and disturbance of native vegetation.
- Objective 44:** Storage and use of stormwater which avoids adverse impact on public health and safety.
- Objective 45:** Native flora, fauna and ecosystems protected, retained, conserved and restored.
- Objective 46:** Restoration, expansion and linking of existing native vegetation to facilitate habitat corridors for ease of movement of fauna.
- Objective 47:** Minimal disturbance and modification of the natural landform.
- Objective 48:** Protection of the physical, chemical and biological quality of soil resources.
- Objective 49:** Protection of areas prone to erosion or other land degradation processes from inappropriate development.
- Objective 50:** Protection of the scenic qualities of natural and rural landscapes.

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 101** Development should be undertaken with minimum impact on the natural environment, including air and water quality, land, soil, biodiversity and scenically attractive areas.
- 102** Development should ensure that South Australia's natural assets, such as biodiversity, water and soil, are protected and enhanced.
- 103** Development should not significantly obstruct or adversely affect sensitive ecological areas such as creeks, estuaries, wetlands and significant seagrass and mangrove communities.



- 104** Development should be designed to maximise conservation, minimise consumption and encourage re-use of water resources.
- 105** Development should be appropriate to land capability and the protection and conservation of water resources and biodiversity.
- 106** Development should not take place if it may result in over exploitation of surface or underground water resources.
- 107** Development should be sited and designed to:
- (a) capture and re-use stormwater, where practical
  - (b) minimise surface water runoff
  - (c) prevent soil erosion and water pollution
  - (d) protect stormwater from pollution sources
  - (e) protect and enhance natural water flows
  - (f) protect water quality by providing adequate separation distances from watercourses and other water bodies
  - (g) not contribute to an increase in salinity levels
  - (h) avoid the water logging of soil or the release of toxic elements
  - (i) maintain natural hydrological systems and not adversely affect:
    - (i) the quantity and quality of groundwater
    - (ii) the depth and directional flow of groundwater
    - (iii) the quality and function of natural springs.
- 108** Water discharged from a development site should:
- (a) be of a physical, chemical and biological condition equivalent to or better than its pre-developed state
  - (b) not exceed the rate of discharge from the site as it existed in pre-development conditions.
- 109** Development should have adequate provision to control any stormwater over-flow run-off from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.
- 110** Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure downstream systems are not overloaded.
- 111** Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.
- 112** Development should include stormwater management systems to protect it from damage during a minimum of a 1 in 100 year average return interval flood.
- 113** Stormwater management systems should preserve natural drainage systems, including the associated environmental flows.

- 114** Stormwater management systems should maximise the potential for stormwater harvesting and reuse, including aquifer recharge, either on-site or as close as practicable to the source.
- 115** Stormwater management systems should:
- (a) maximise the potential for stormwater harvesting and re-use, either on-site or as close as practicable to the source
  - (b) harvest water via the collection of roof water in tanks or water catchment detention and retention facilities.
- 116** Where it is not practicable to detain or dispose of stormwater on site, only clean stormwater runoff should enter the public stormwater drainage system.
- 117** Artificial wetland systems, including detention and retention basins should be located and designed to:
- (a) ensure public health and safety is protected, particularly in regard to high velocity drainage points and access to water bodies
  - (b) minimise potential health risks from exposure to mosquitoes.
- 118** Development should ensure watercourses and their beds, banks, wetlands and floodplains are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.
- 119** Along watercourses, areas of remnant native vegetation, or areas prone to erosion, that are capable of natural regeneration should be fenced off to limit stock access.
- 120** Development, such as cropping, intensive animal keeping, residential, tourism, industry, and horticulture, that increases the amount of surface run-off should include a strip of land at least 20 metres wide measured from the top of existing banks on each side of a watercourse that is:
- (a) fenced to exclude livestock
  - (b) kept free of development, including structures, formal roadways or access ways for machinery or any other activity causing soil compaction or significant modification of the natural surface of the land
  - (c) revegetated with indigenous vegetation comprising trees, shrubs and other groundcover plants to filter run-off so as to reduce the impacts on native aquatic ecosystems and to minimise soil loss eroding into the watercourse.
- 121** The location and construction of dams, water tanks and diversion drains should:
- (a) occur off watercourse
  - (b) not take place in ecologically sensitive areas or on erosion-prone sites
  - (c) provide for low flow by-pass mechanisms to allow for migration of aquatic biota
  - (d) protect the needs of downstream users
  - (e) minimise in-stream or riparian vegetation loss
  - (f) incorporate features to improve water quality (e.g. wetlands and floodplain ecological communities)
  - (g) protect ecosystems dependent on water resources.
- 122** Irrigated horticulture and pasture should not increase groundwater-induced salinity.

- 123** Development should comply with the current *Environment Protection (Water Quality) Policy*.
- 124** Development should retain existing areas of native vegetation and where possible contribute to revegetation using locally indigenous plant species.
- 125** Development should be designed and sited to minimise the loss and disturbance of native flora and fauna, including marine animals and plants, and their breeding grounds and habitats.
- 126** The provision of services, including power, water, effluent and waste disposal, access roads and tracks should be sited on areas already cleared of native vegetation.
- 127** Native vegetation should be conserved and its conservation value and function not compromised by development if the native vegetation does any of the following:
- (a) provides an important habitat for wildlife or shade and shelter for livestock
  - (b) has a high plant species diversity or includes rare, vulnerable or endangered plant species or plant associations and communities
  - (c) provides an important seed bank for indigenous vegetation
  - (d) has high amenity value and/or significantly contributes to the landscape quality of an area, including the screening of buildings and unsightly views
  - (e) has high value as a remnant of vegetation associations characteristic of a district or region prior to extensive clearance for agriculture
  - (f) is growing in, or is characteristically associated with a wetland environment.
- 128** Where native vegetation is to be removed, it should be replaced in a suitable location on the site with locally indigenous vegetation to ensure that there is not a net loss of native vegetation and biodiversity.
- 129** Development should not have an adverse impact on the natural, physical, chemical or biological quantity and characteristics of soil resources.
- 130** Development should minimise the loss of soil from a site through soil erosion or siltation during the construction phase and following commencement of an activity.

### **BULDING NEAR AIRFIELDS**

#### **OBJECTIVE**

**Objective 51:** Development that ensures the long-term operational, safety and commercial aviation requirements of airfields (airports, airstrips and helicopter landing sites) continue to be met.

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 131** The height and location of buildings and structures should not adversely affect the long-term operational, safety and commercial aviation requirements of airfields, including the Port Lincoln Airport, and helicopter landing sites.
- 132** Development in the vicinity of airfields and helicopter landing sites should not create a risk to public safety, in particular through any of the following:
- (a) lighting glare
  - (b) smoke
  - (c) air turbulence

- (d) storage of flammable liquids
- (e) attraction of birds
- (f) materials that affect aircraft navigational aids,

- 133** Lighting within 6 kilometres of an airport should be designed so that it does not pose a hazard to aircraft operations.
- 134** Development that is likely to increase the attraction of birds should not be located within three kilometres of an airport used by commercial aircraft. If located closer than three kilometres the facility should incorporate bird control measures to minimise the risk of bird strikes to aircraft.
- 135** Development within areas affected by aircraft noise should be consistent with Australian Standard AS2021 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.

## **ADVERTISEMENTS**

### **OBJECTIVES**

- Objective 52:** Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.
- Objective 53:** Advertisements and/or advertising hoardings that do not create a hazard.
- Objective 54:** Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.

### **PRINCIPLES OF DEVELOPMENT CONTROL**

- 136** The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:
- (a) consistent with the predominant character of the urban or rural landscape
  - (b) in harmony with any buildings or sites of historic significance or heritage value in the area
  - (c) coordinated with and complement the architectural form and design of the building they are to be located on.
- 137** The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:
- (a) clutter
  - (b) disorder
  - (c) untidiness of buildings and their surrounds.
- 138** Buildings occupied by a number of tenants should exhibit coordinated and complementary advertisements and/or advertising hoardings to identify the tenants and their type of business.
- 139** The content of advertisements should be limited to information relating to the legitimate use of the associated land.
- 140** Advertisements and/or advertising hoardings should:
- (a) be completely contained within the boundaries of the subject allotment
  - (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees

- (c) not obscure views to vistas or objects of high amenity value.

**141** Advertisements and/or advertising hoardings should not be erected on:

- (a) a public footpath or veranda post
- (b) a road, median strip or traffic island
- (c) a vehicle adapted and exhibited primarily as an advertisement
- (d) residential land, unless erected to fulfil a statutory requirement or as a complying type of advertisement or advertising hoarding associated with the residential use of the land.

**142** Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building, unless the advertisement or advertising hoarding is appropriately designed to form an integrated and complementary extension of the existing building.

**143** Advertisements and/or advertising hoardings erected on a veranda or that project from a building wall should:

- (a) have a clearance over a footway to allow for safe and convenient pedestrian access
- (b) where erected on the side of a veranda, not exceed the width of the veranda or project from the veranda
- (c) where erected on the front of a veranda, not exceed the length of the veranda or project from the veranda
- (d) where projecting from a wall, have the edge of the advertisement or advertising hoarding abutting the surface of the wall.

**144** Advertisements should be designed to conceal their supporting advertising hoarding from view.

**145** Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.

**146** Advertisements which perform a secondary role in identifying the business, goods or services should only be readable in the immediate vicinity of the site.

### **Non-complying Development**

**147** The following kinds of development are **non-complying**:

- (a) outside of the Coastal Open Space and Recreation Policy Area:

Dwelling and other habitable building not connected to a common effluent disposal system except in the Hills Open Space Policy Area when connected to an on-site effluent disposal system incorporating soakage trenches or a similar system located not less than 100 metres from whichever of the following requires the greater distance:

- (a) the mean high water mark at spring tide adjusted for any subsidence for the first 50 years of development plus a sea level rise of one metre
- (b) the nearest boundary of any erosion buffer determined in accordance with the relevant provisions in this Development Plan

General Industry (except for mineral processing)  
Land division creating additional allotments in the Hills Open Space Policy Area  
Special Industry

(b) in the Coastal Open Space and Recreation Policy Area:

Bus Depot  
Caravan Park  
Cemetery  
Commercial Forestry  
Community Centre  
Consulting Room  
Crematorium  
Dairy  
Dam  
Dwelling  
Educational Establishment  
Farming  
Fuel Depot  
Horse Keeping  
Horticulture  
Hospital  
Hotel  
Industry  
Intensive Animal Keeping

Land Division except where both of the following apply:

- (a) no additional allotments are created wholly or partly within the policy area
- (b) there is no increase in the number of allotments with frontage or direct access to the coast.

Motel  
Motor Repair Station  
Nursing Home  
Office  
Petrol Filling Station  
Place of Worship  
Pre-school  
Prescribed Mining Operations  
Public Service Depot  
Residential Flat Building  
Road Transport Terminal  
Service Trade Premises  
Shop or group of shops, except where the gross leasable area is less than 80 square metres  
Stadium  
Stock Sales Yard  
Stock Slaughter Works  
Store  
Tourist Accommodation  
Warehouse  
Waste reception, storage, treatment or disposal  
Water Tank  
Wrecking Yard

## Residential Policy Area

### Introduction

The objectives and principles of development control that follow apply in the Residential Policy Area shown on [Map LNWCA\(CW\)/19](#). They are additional to those expressed for the whole of the Land Not Within a Council Area (Coastal Waters) Development Plan and the Boston Island Zone.

**OBJECTIVES**

- Objective 1:** A residential policy area comprising a range of dwelling types and styles.
- Objective 2:** Higher dwelling densities in close proximity to mixed use activity nodes.
- Objective 3:** Development that takes advantage of the natural and seascape views and environment.

**PRINCIPLES OF DEVELOPMENT CONTROL****Land Use**

- 1 The following forms of development are envisaged in the Residential Policy Area:
- dwelling
  - carport or garage
  - domestic outbuilding
  - marina
  - pergola in association with a dwelling
  - supported accommodation
  - small scale non-residential uses that serve island residents and visitors
  - tourist development, including a range of accommodation types

**Form and Character**

- 2 Development should not be undertaken unless it is consistent with the desired character for the zone and Concept Plan [Figure BI/1](#).
- 3 Dwellings should be designed within the following parameters:

<b>Application</b>	<b>Value</b>
Minimum setback from primary road frontage	6 metres
Minimum setback from secondary road frontage	4 metres
Minimum setback from rear boundary	4 metres
Maximum site coverage	60 percent
Minimum area of private open space	24 square metres
On-site car parking spaces	1 space

**Land Division**

- 4 Land should not be divided to create allotments smaller than 300 square metres area.
- 5 Allotments for residential purposes should be staged to ensure that allotments are not created substantially in advance of demonstrated need.
- 6 Land division should assist in the reconfiguration of existing allotments in the Coastal Open Space and Recreation Policy Area to reduce the number of allotments with direct frontage or access to the coast.

## Tourism Development Policy Area

### Introduction

The objective and principles of development control that follow apply in the Tourism Development Policy Area shown on [Map LNWCA\(CW\)/19](#). They are additional to those expressed for the whole of the Land Not Within a Council Area (Coastal Waters) Development Plan and the Boston Island Zone.

### OBJECTIVE

**Objective 1:** A policy area primarily accommodating tourist accommodation and facilities.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 Development should be in accordance with the desired character statement and Concept Plan [Figure BI/1](#).
- 2 The following forms of development are envisaged in the Tourism Development Policy Area:
  - cabin style accommodation
  - camp ground/caravan park
  - convention centre
  - hotel
  - marina
  - motel
  - restaurant
  - serviced apartment
  - tourist accommodation

## Mixed Use Policy Area

### Introduction

The objectives and principles of development control that follow apply in the Mixed Use Policy Area shown on [Map LNWCA\(CW\)/19](#). They are additional to those expressed for the whole of the Land Not Within a Council Area (Coastal Waters) Development Plan and the Boston Island Zone.

### OBJECTIVES

- Objective 1:** A Policy Area accommodating a wide range of retail, office, commercial, industrial, administrative, community, residential, tourist, cultural and entertainment facilities and associated infrastructure, together with public and private land uses associated with the development, management and maintenance of the transport interchange facility appropriate to the needs of the community.
- Objective 2:** Rationalisation of vehicular access, car parking and major pedestrian movement paths to provide a safe, efficient and attractive environment.
- Objective 3:** Development that contributes to the desired character of the zone.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 The following forms of development are envisaged in the Mixed Use Policy Area:



- café
- convention centre
- consulting room
- dwelling
- emergency services facility
- fuel depot
- golf course
- hospital
- hotel
- industry
- infrastructure facility
- licensed premise
- marina
- meeting room
- motel
- office
- open space
- petrol filling station
- public service depot
- restaurant
- shop
- timber yard
- tourist facility
- transport terminal
- warehouse
- waste transfer depot
- wharf

- 2 Siting and design of residential development should incorporate interface management techniques so as not to prejudice the use or potential use of adjacent land for non-residential uses.

#### **Form and Character**

- 3 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 4 Development within the policy area should be undertaken in a staged and coordinated manner to minimise land use conflict within the policy area.

## **Coastal Open Space and Recreation Policy Area**

### **Introduction**

The objectives and principles of development control that follow apply in the Coastal Open Space and Recreation Policy Area shown on [Map LNWCA\(CW\)/19](#). They are additional to those expressed for the whole of the Land Not Within a Council Area (Coastal Waters) Development Plan and the Boston Island Zone.

### **OBJECTIVES**

- Objective 1:** Coastal land protected from development other than for conservation, public recreation activity and public facilities.
- Objective 2:** Preservation and upgrading of the scenic character of the coastal landscape and foreshore areas fronting urban areas, townships or settlements.
- Objective 3:** Development of foreshore areas for a range of passive and active outdoor recreation activities and open space development, conservation and revegetation in a parkland setting.

**Objective 4:** Development that contributes to the desired character of the zone.

## PRINCIPLES OF DEVELOPMENT CONTROL

### Land Use

- 1 The following forms of development are envisaged in the Policy Area:
  - boardwalk
  - coastal protection work
  - community recreation facility directly related to water activities (such as sailing club, boat ramp)
  - conservation work
  - jetty and boat ramp
  - recreation area
  - toilet block
  - barbeque facility
  - public car parking
  - wharf and landing facility
- 2 The provision of facilities should be related to the demand for such facilities so as to prevent oversupply and inappropriate siting.
- 3 Development should be for public purposes and use.
- 4 Development that does not require a coastal location should not be located in the policy area.

### Form and Character

- 5 Development should not be undertaken unless it is consistent with the desired character of the zone.
- 6 Development should not diminish the ability of the public to use and enjoy the coast or to gain access to the foreshore.
- 7 Development should be of a high standard of coordinated design with an emphasis on the creation of pedestrian areas.
- 8 Community facilities including shelters, boat ramps, public conveniences and kiosks, should be sited in convenient and accessible locations linked to the surrounding vehicular and pedestrian movement networks.
- 9 Development should be designed and sited to be compatible with conservation and enhancement of the coastal environment and scenic beauty of the policy area.
- 10 Development including associated roads and parking areas should be protected from sea level rise by ensuring all of the following apply:
  - (a) site levels are at least 3.75 metres Australian Height Datum
  - (b) building floor levels are at least 3.75 metres Australian Height Datum
  - (c) there are practical measures available to protect the development against an additional sea level rise of 0.7 metres, plus an allowance to accommodate land subsidence until the year 2100 at the site.

### Land Division

- 11 Land division should only occur where:
  - (a) it will facilitate an envisaged use within the policy area

- (b) no additional allotments are created wholly or partly within the policy area
- (c) there is no increase in the number of allotments with frontage or direct access to the coast or a reserve including by creation of land under rights of way or community titles.

12 When land in the policy area is divided, land should be set aside as reserve.

## Hills Open Space Policy Area

### Introduction

The objectives and principles of development control that follow apply in the Hills Open Space Policy Area shown on [Map LNWCA\(CW\)/19](#). They are additional to those expressed for the whole of the Land Not Within a Council Area (Coastal Waters) Development Plan and the Boston Island Zone.

### OBJECTIVES

- Objective 1:** A policy area in which the open space and natural character is preserved.
- Objective 2:** Land within the policy area developed for a range of passive and active outdoor recreation activities, conservation and revegetation, tourist development, and residential development in a parkland setting utilising panoramic coastal views.
- Objective 3:** Development that is of a high standard of design and complements the desired character and use of the zone.
- Objective 4:** A policy area accommodating the needs of infrastructure provision.
- Objective 5:** Development that contributes to the desired character of the policy area.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 The following forms of development are envisaged in the Hills Open Space Policy Area:
  - cemetery
  - convention centre including tourism accommodation
  - drainage systems, including stormwater retention basins
  - dwelling
  - electricity substation
  - grazing of animals
  - golf course
  - public roads
  - public service depot
  - quarry
  - recreation area
  - restaurant
  - sewerage infrastructure
  - tourist accommodation
  - sporting ground
  - sporting club facility
  - toilet blocks and barbeque facility
  - water treatment plant
  - waste transfer depot
- 2 Development of an island quarry is considered appropriate, provided the proposed location is the best site in regard to minimising loss of amenity, degradation of the landscape and loss of native vegetation and is intended for construction purposes associated with development on Boston Island.

**Form and Character**

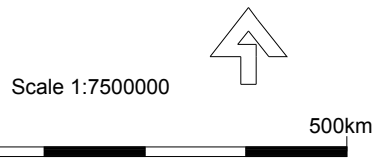
- 3 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 4 Development should be of a high standard of coordinated design.
- 5 Buildings, site landscaping, paving, car parking and signage should have a coordinated appearance and integrated layout.
- 6 Landscaping, plantings and revegetation should not increase the threat of bushfire to habitable buildings in the Policy Area or in adjoining areas.

**Land Division**

- 7 Land division should be limited to the rearrangement or amalgamation of existing allotments to ensure coordinated and efficient site development for uses envisaged in the policy area.
- 8 When land is divided, land should generally be set aside as reserve.

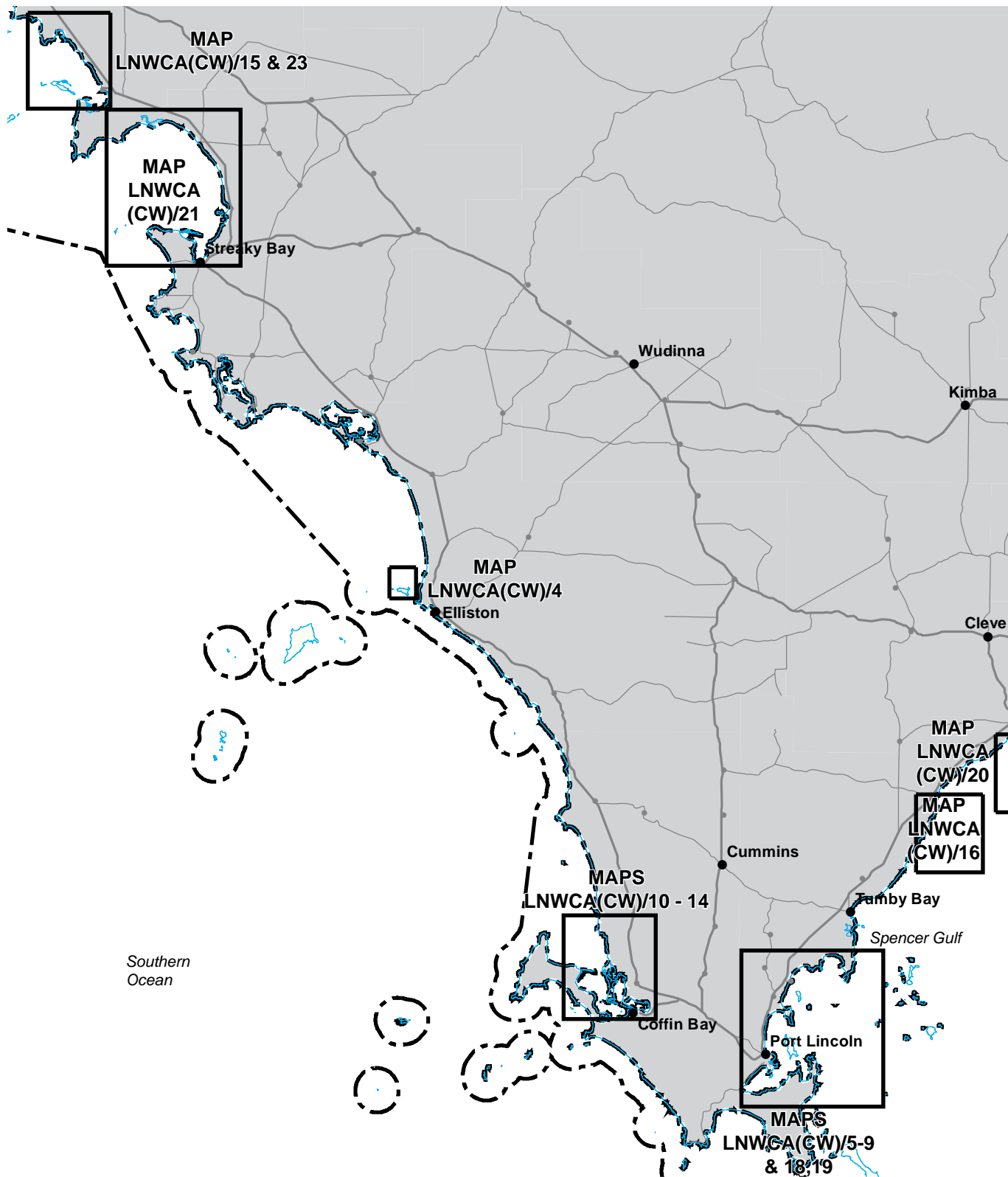


For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area boundaries depicted on or intended to be fixed by Maps LNWCA(CW)/1 to LNWCA(CW)/23 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area boundaries are shown or otherwise as indicated.

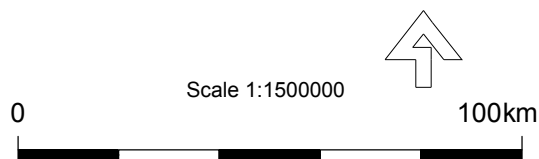


# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) INDEX MAP LNWCA(CW)/A

— — — — — Development Plan Boundary

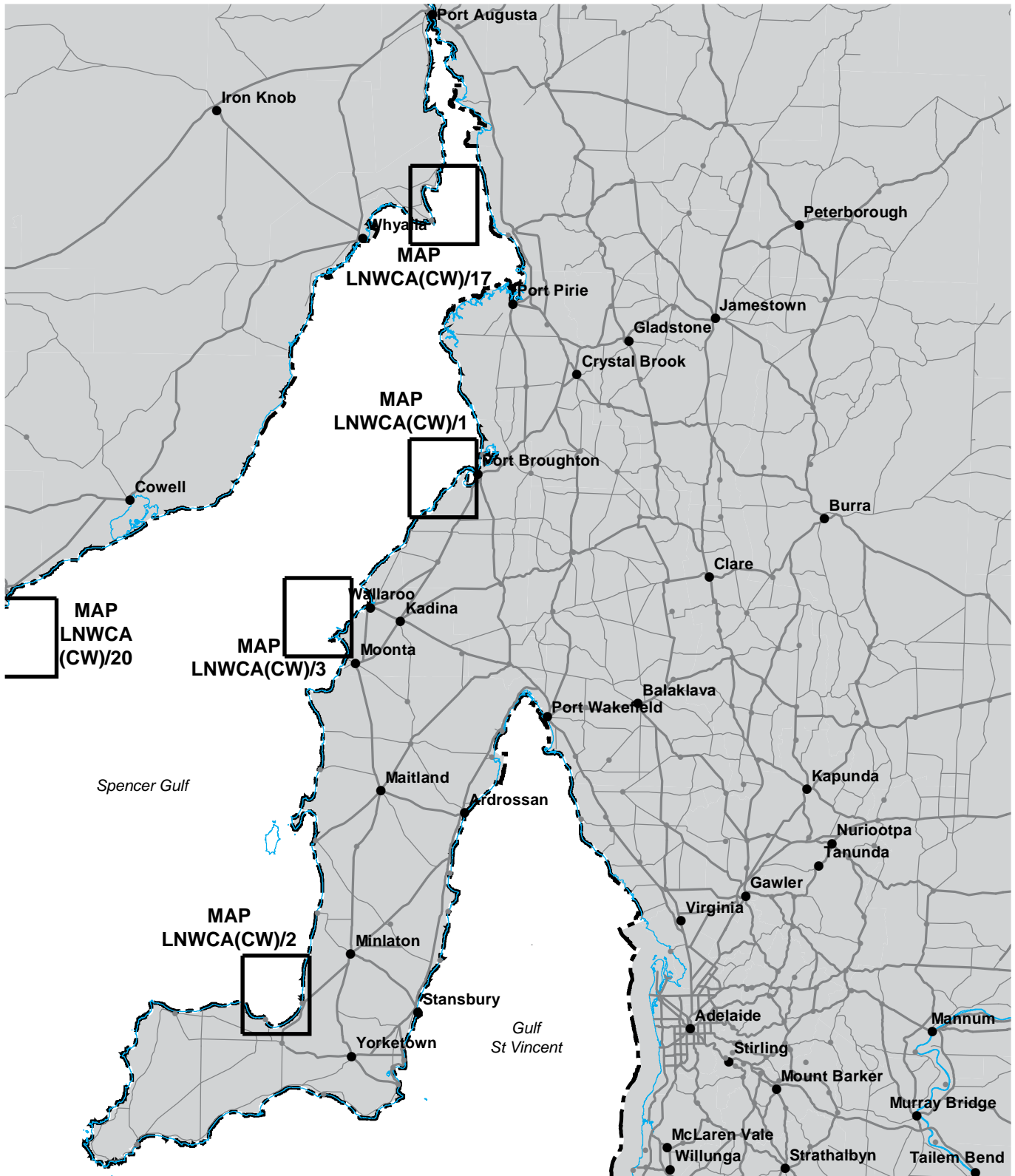


For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area boundaries depicted on or intended to be fixed by Maps LNWCA(CW)/1 to LNWCA(CW)/23 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area boundaries are shown or otherwise as indicated.

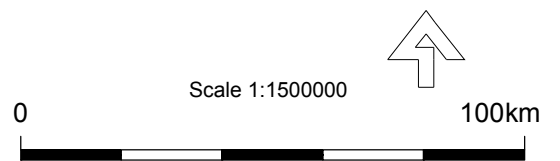


# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) INDEX MAP LNWCA(CW)/B

— — — — — Development Plan Boundary

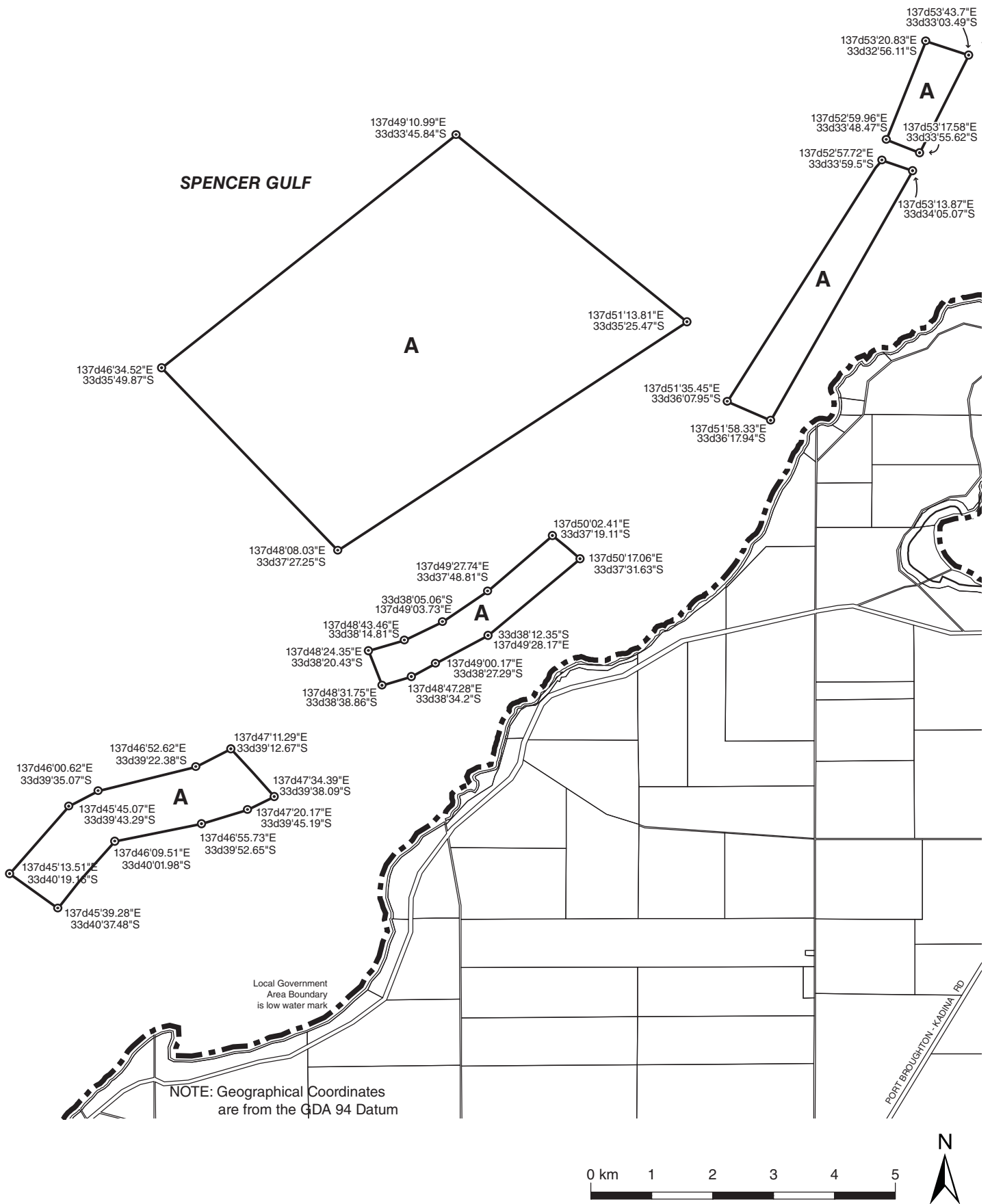


For the purposes of the Development Plan unless otherwise clearly indicated, the zone/policy area boundaries depicted on or intended to be fixed by Maps LNWCA(CW)/1 to LNWCA(CW)/23 inclusive shall be read as conforming in all respects (as the case may require) to the land division boundaries, to the centre line of roads or drain reserves or to the title boundaries, or to imaginary straight lines joining the positions defined by survey or by the measurements shown on the said maps against which the said zone/policy area boundaries are shown or otherwise as indicated.



# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) INDEX MAP LNWCA(CW)/C

— — — — — Development Plan Boundary

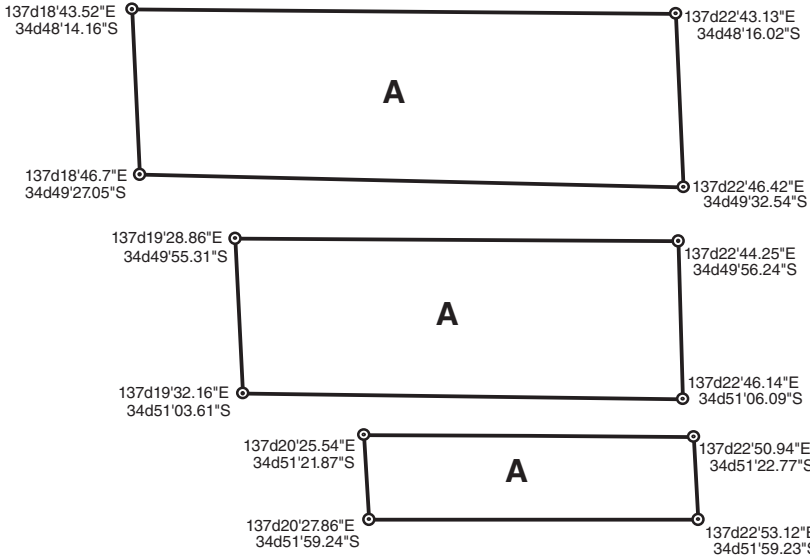


# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/1

- A** Aquaculture Zone
- Zone Boundary
- - -** Development Plan Boundary

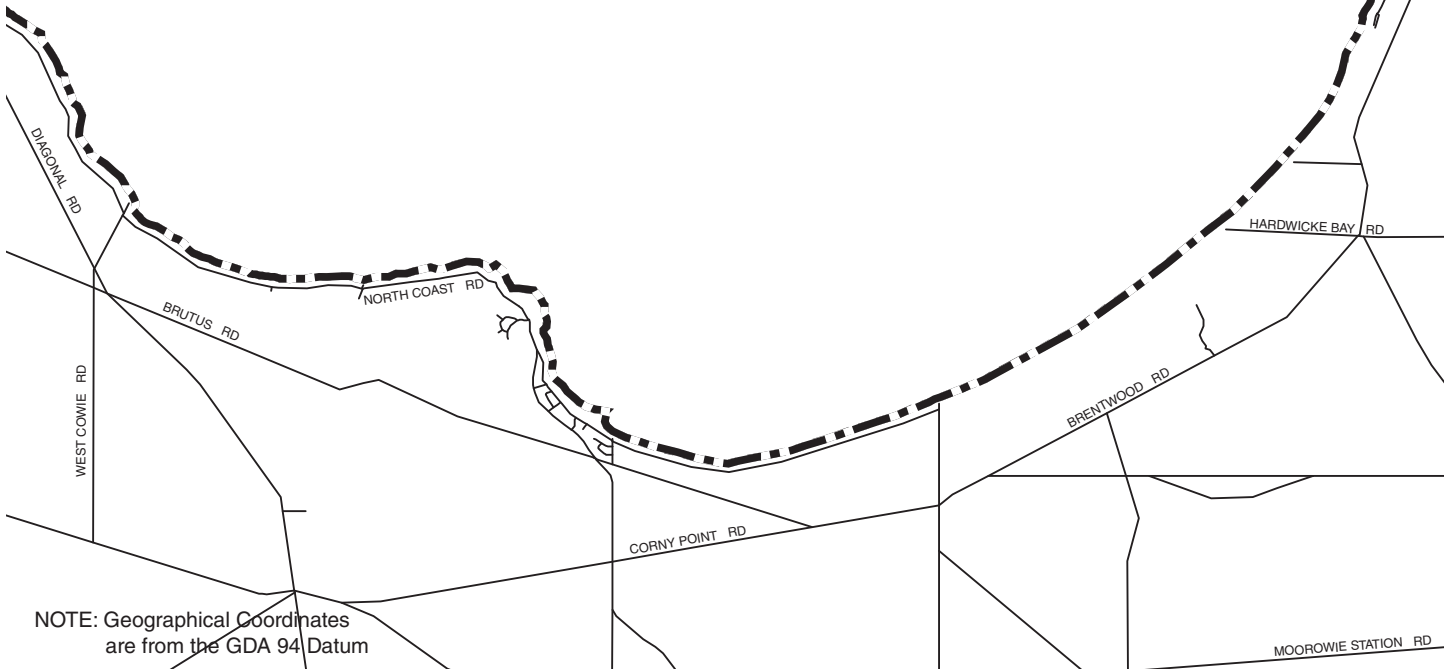


**SPENCER GULF**



Local Government Area Boundary is low water mark

**HARDWICKE BAY**

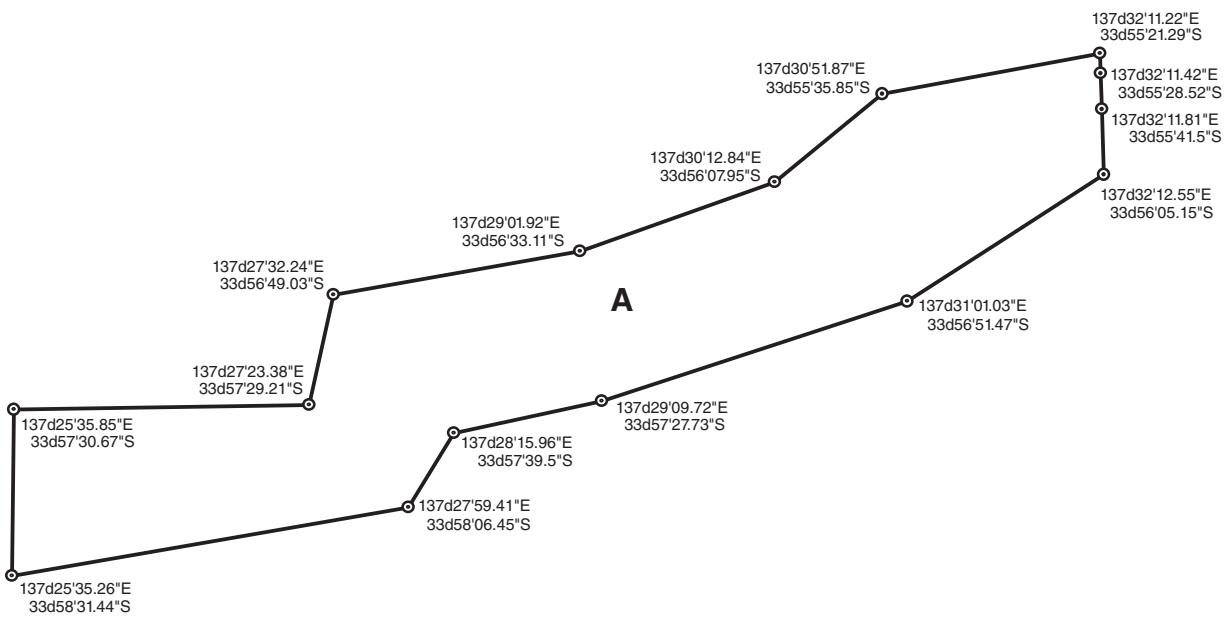


NOTE: Geographical Coordinates are from the GDA 94 Datum



**LAND NOT WITHIN A COUNCIL AREA  
 (COASTAL WATERS) ZONES  
 MAP LNWCA(CW)/2**

- A** Aquaculture Zone
- Zone Boundary
- - -** Development Plan Boundary



**SPENCER GULF**



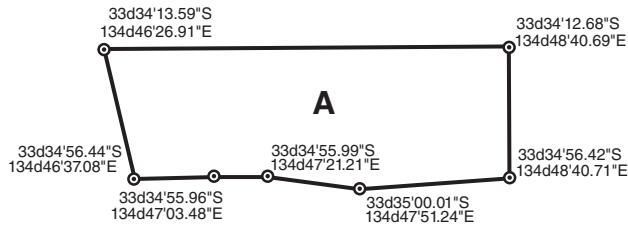
NOTE: Geographical Coordinates are from the GDA 94 Datum



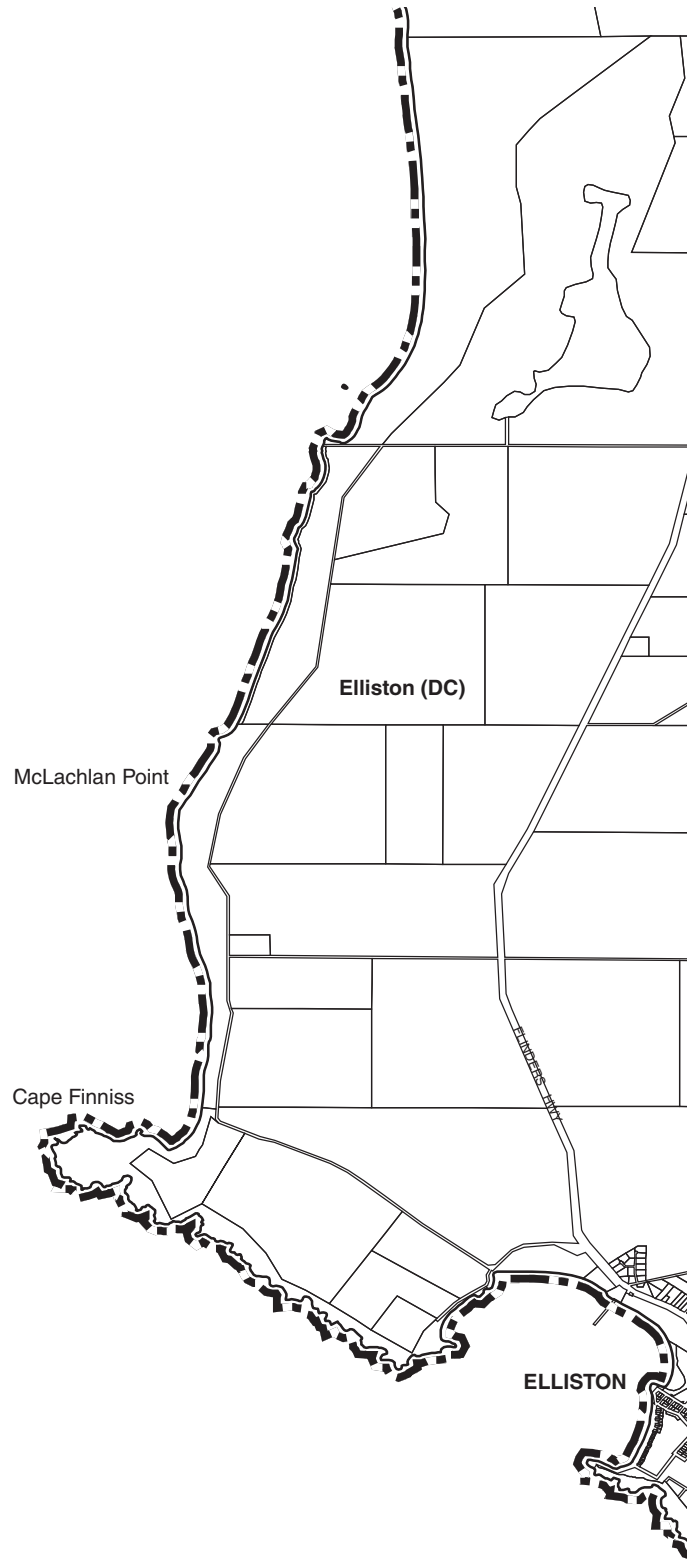
**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/3**

- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary

**GREAT AUSTRALIAN BIGHT**



Land Not Within a Council Area (Coastal Waters)

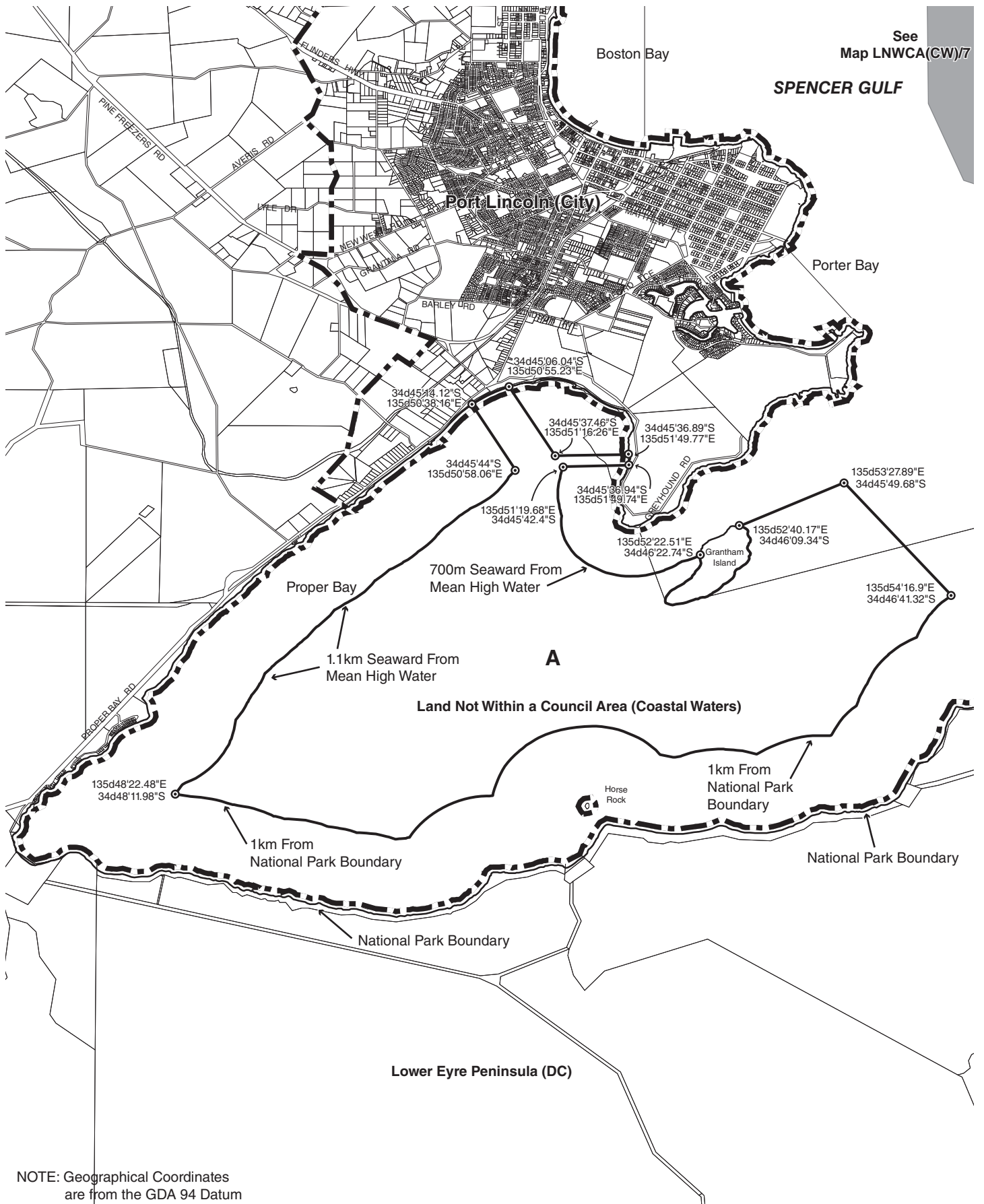


NOTE: Geographical Coordinates are from the GDA 94 Datum



- A** Aquaculture Zone
- Zone Boundary
- - - - Development Plan Boundary

**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/4**



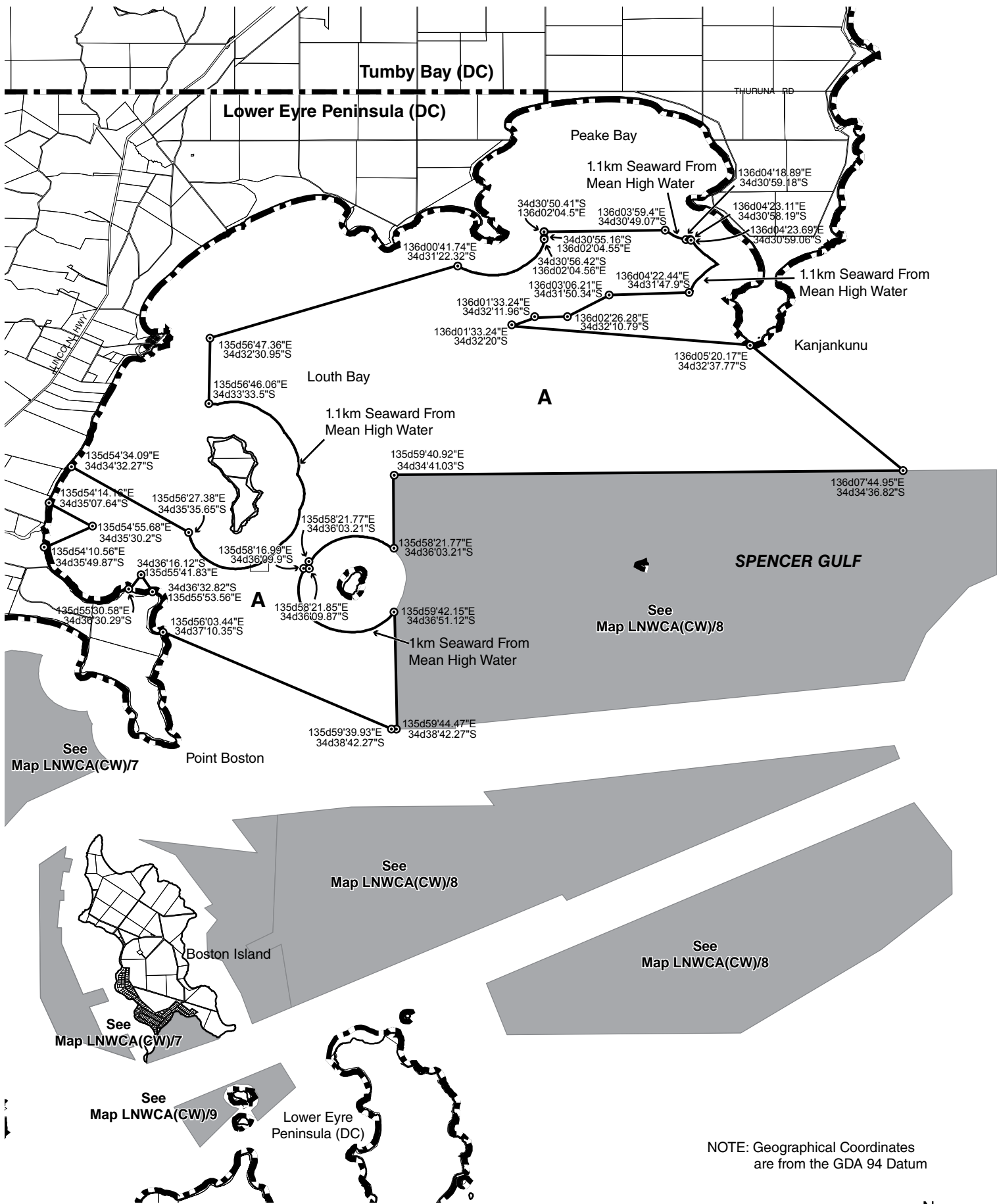
NOTE: Geographical Coordinates  
are from the GDA 94 Datum



# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) MAP LNWCA(CW)/5

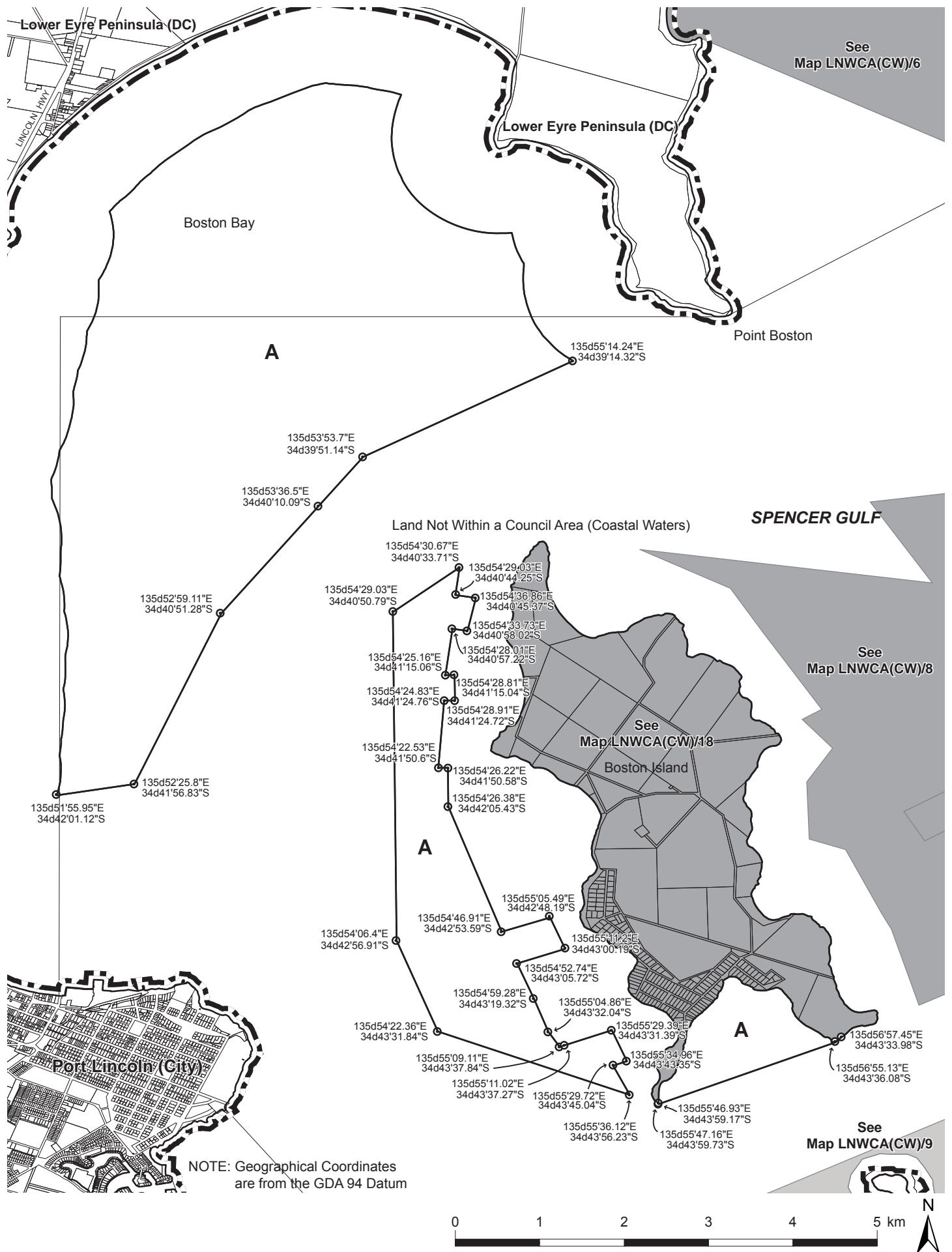
Consolidated - 4 July 2013

- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary



- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary

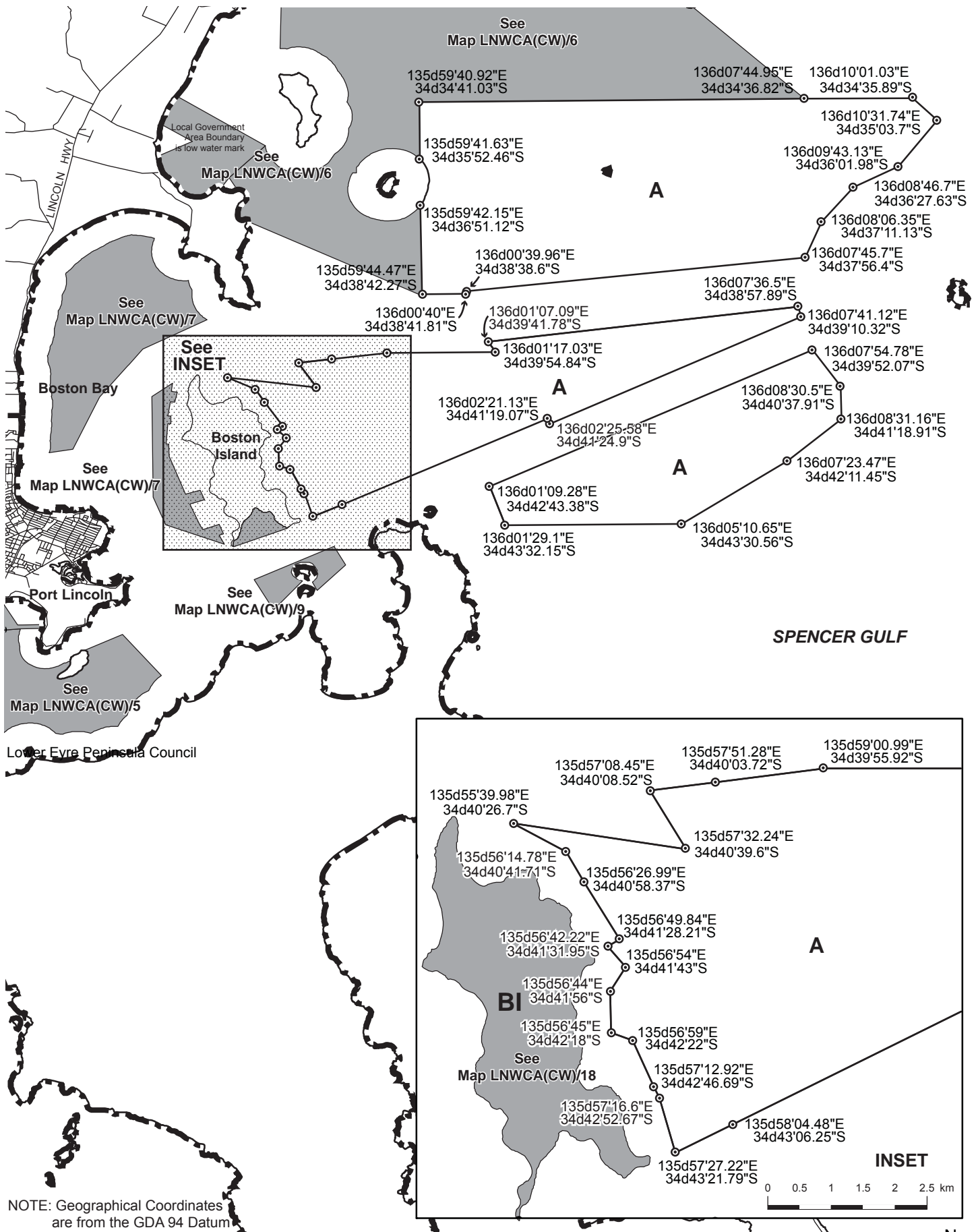
**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/6**



# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/7

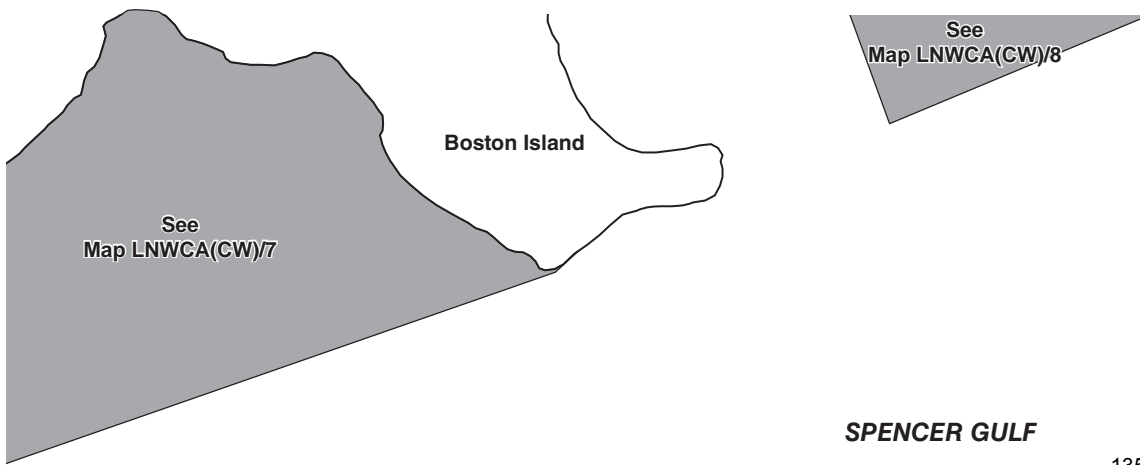
- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary





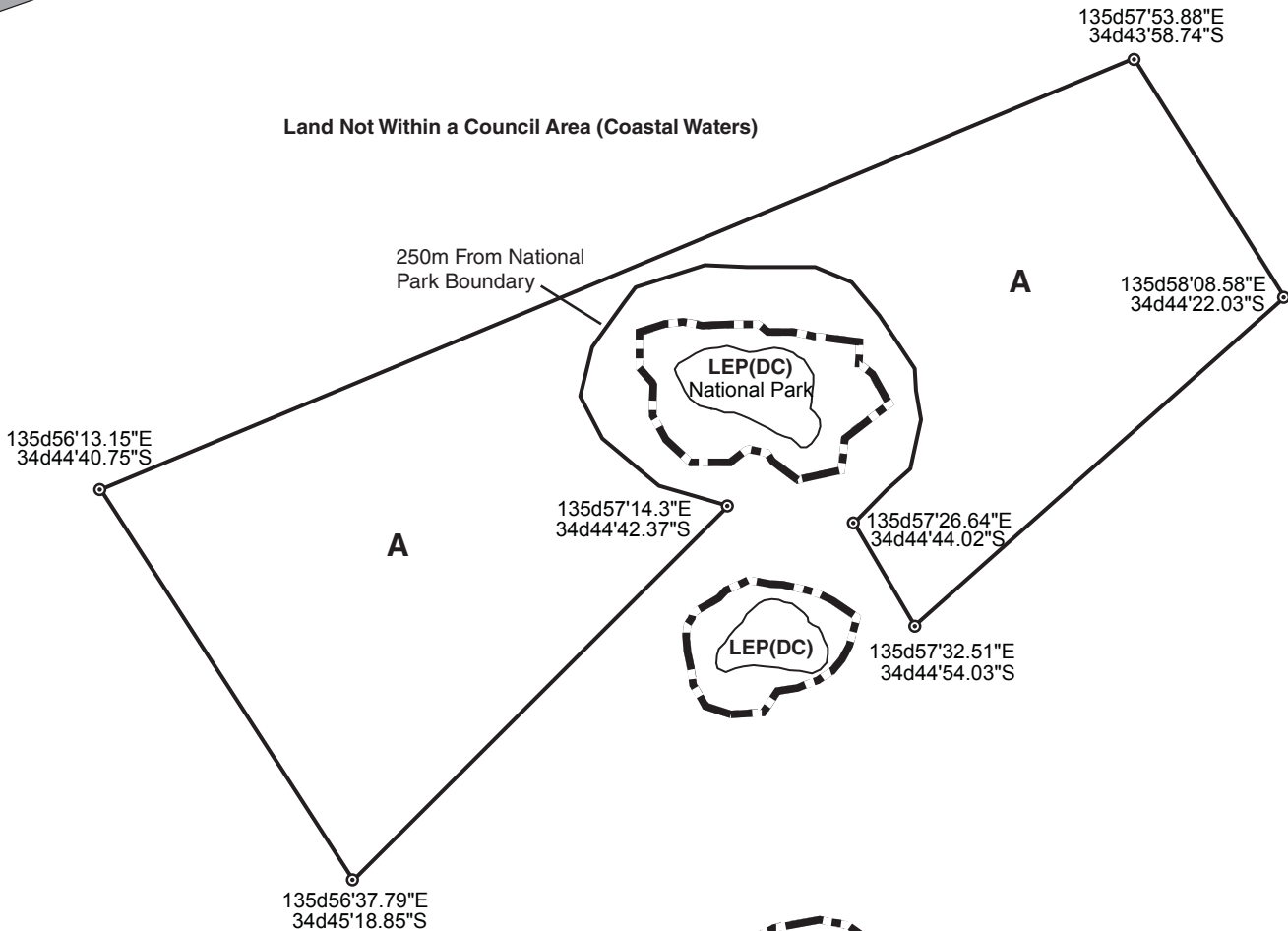
- A Aquaculture Zone
- BI Boston Island
- Zone Boundary
- - - Development Plan Boundary

# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/8



**SPENCER GULF**

Land Not Within a Council Area (Coastal Waters)



NOTE: Geographical Coordinates are from the GDA 94 Datum

Lower Eyre Peninsula (DC)

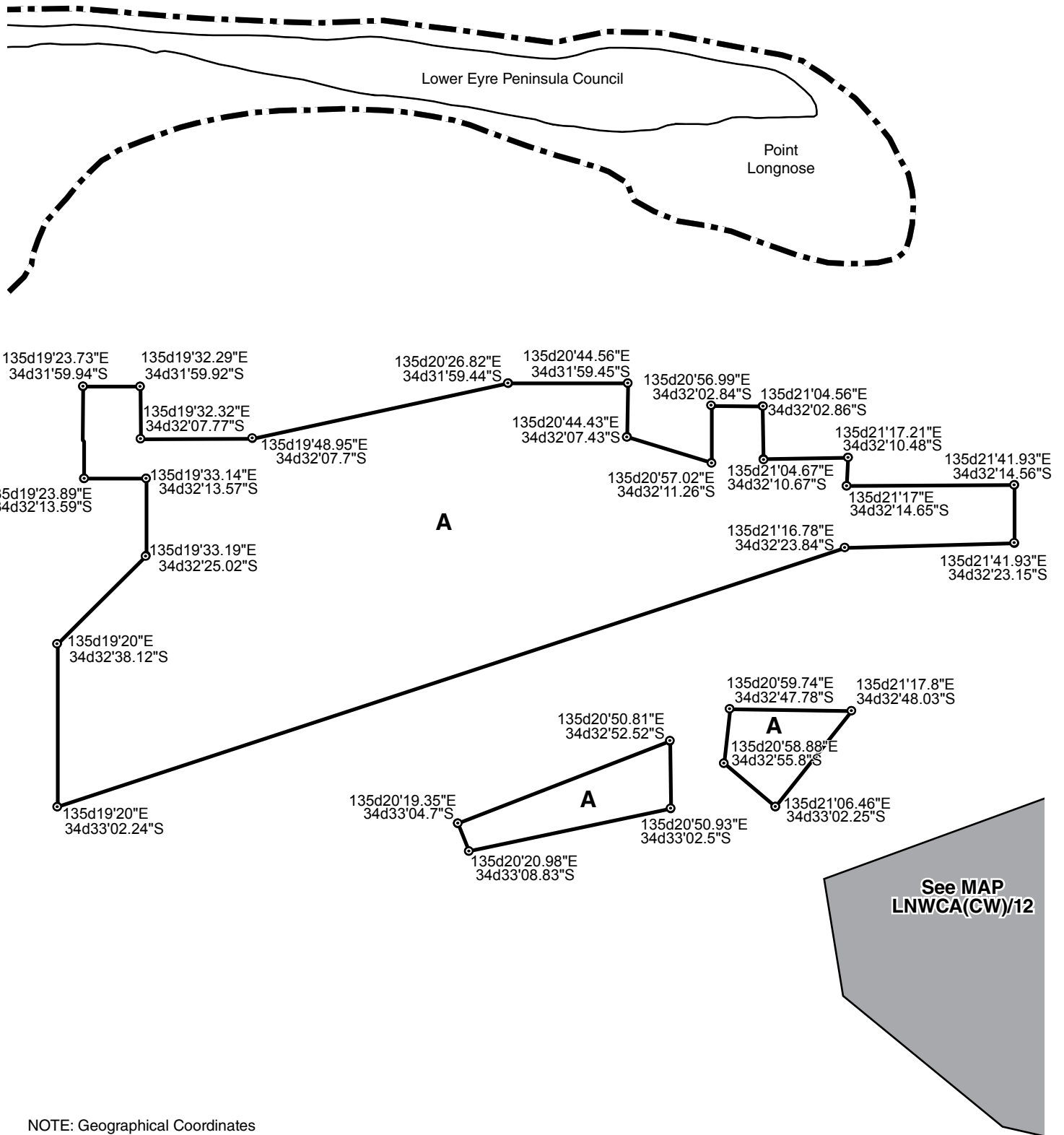


**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/9**

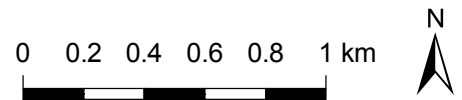
- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary



COFFIN BAY



NOTE: Geographical Coordinates are from the GDA 94 Datum



- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary

**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/10**

Lower Eyre Peninsula Council

169

157

135d21'05"E  
34d25'39"S

135d21'35"E  
34d25'39"S

**A**

135d21'05"E  
34d27'58"S

135d21'46.11"E  
34d27'57.94"S

COFFIN BAY

665

Point  
Longnose

See MAP  
LNWCA(CW)/10

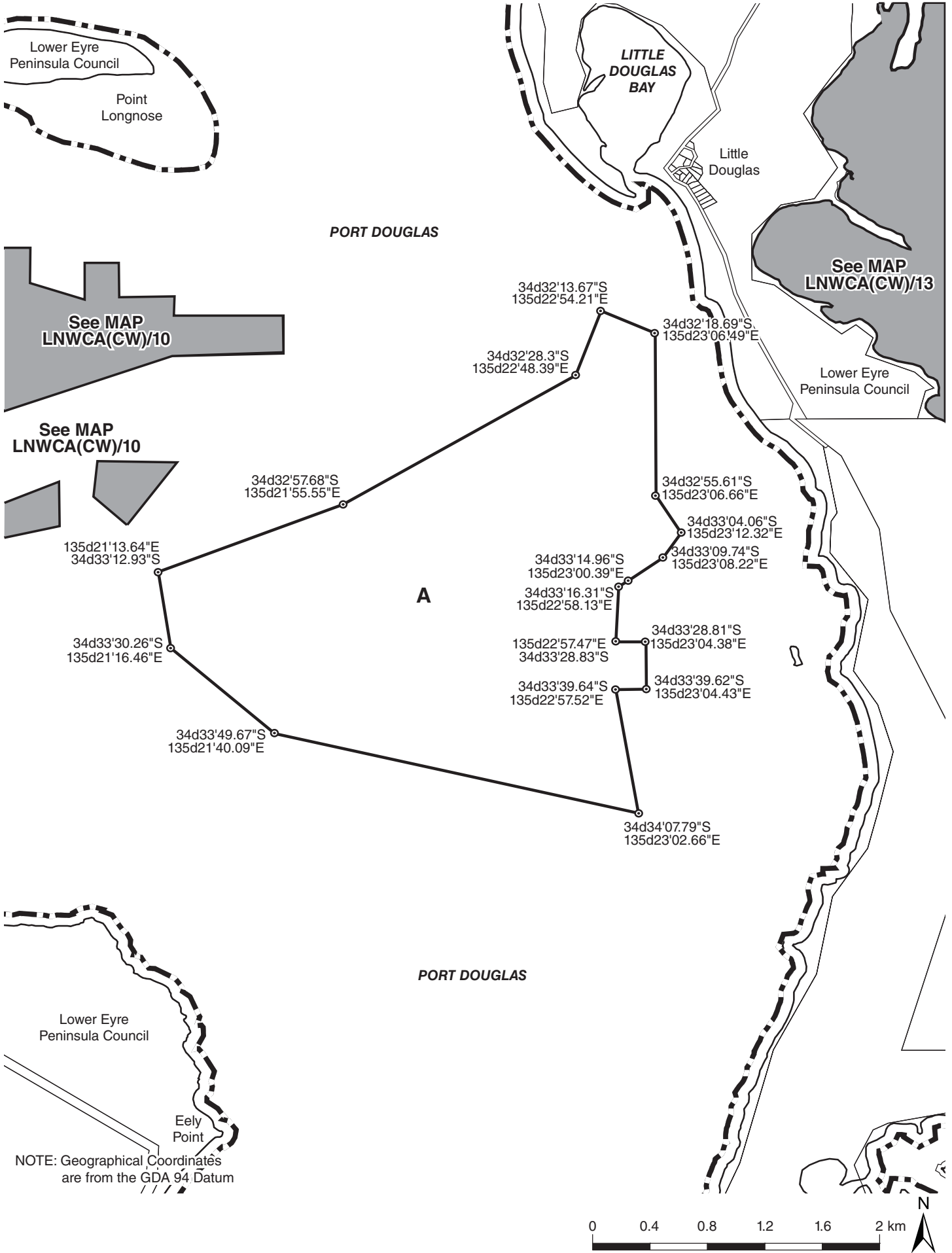
See MAP  
LNWCA(CW)/12

NOTE: Geographical Coordinates  
are from the GDA 94 Datum



- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary

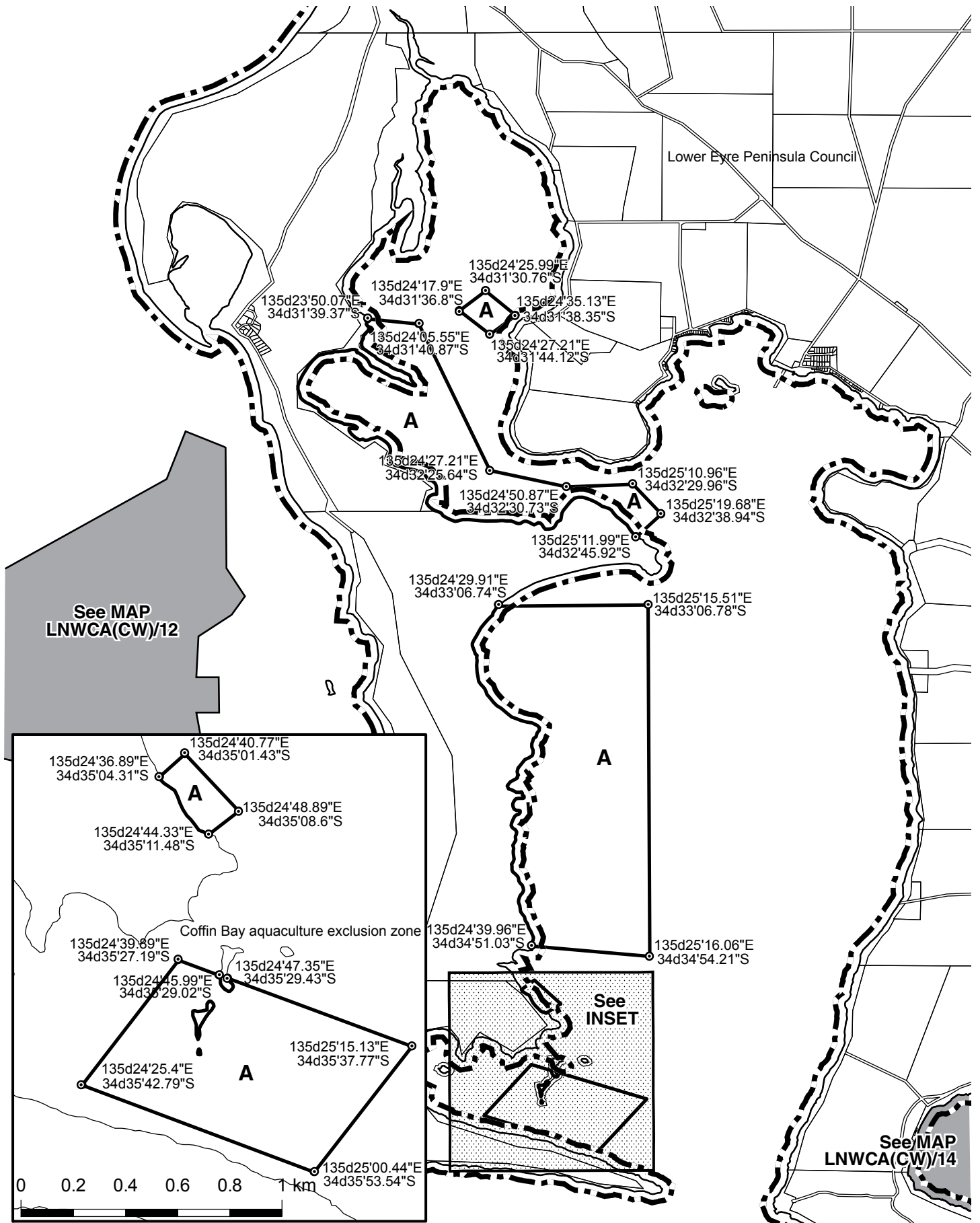
# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/11



# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/12

Consolidated - 4 July 2013

- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary

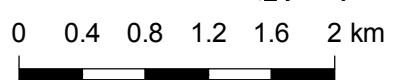


See MAP LNWCA(CW)/12

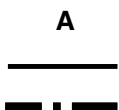
See INSET

See MAP LNWCA(CW)/14

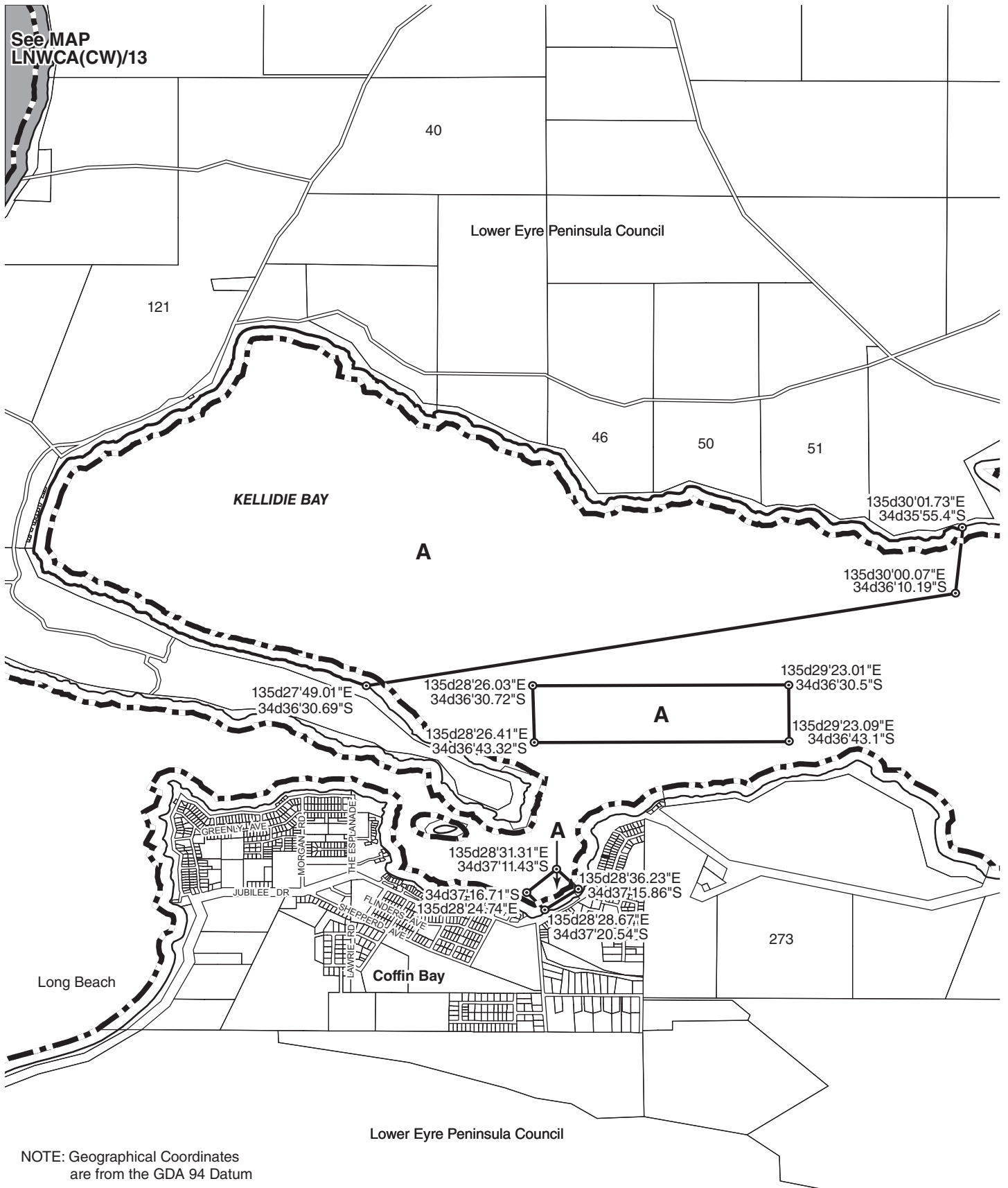
NOTE: Geographical Coordinates are from the GDA 94 Datum



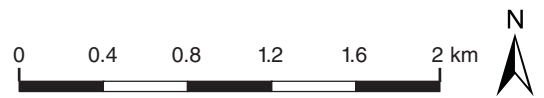
**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/13**



See MAP  
LNWCA(CW)/13

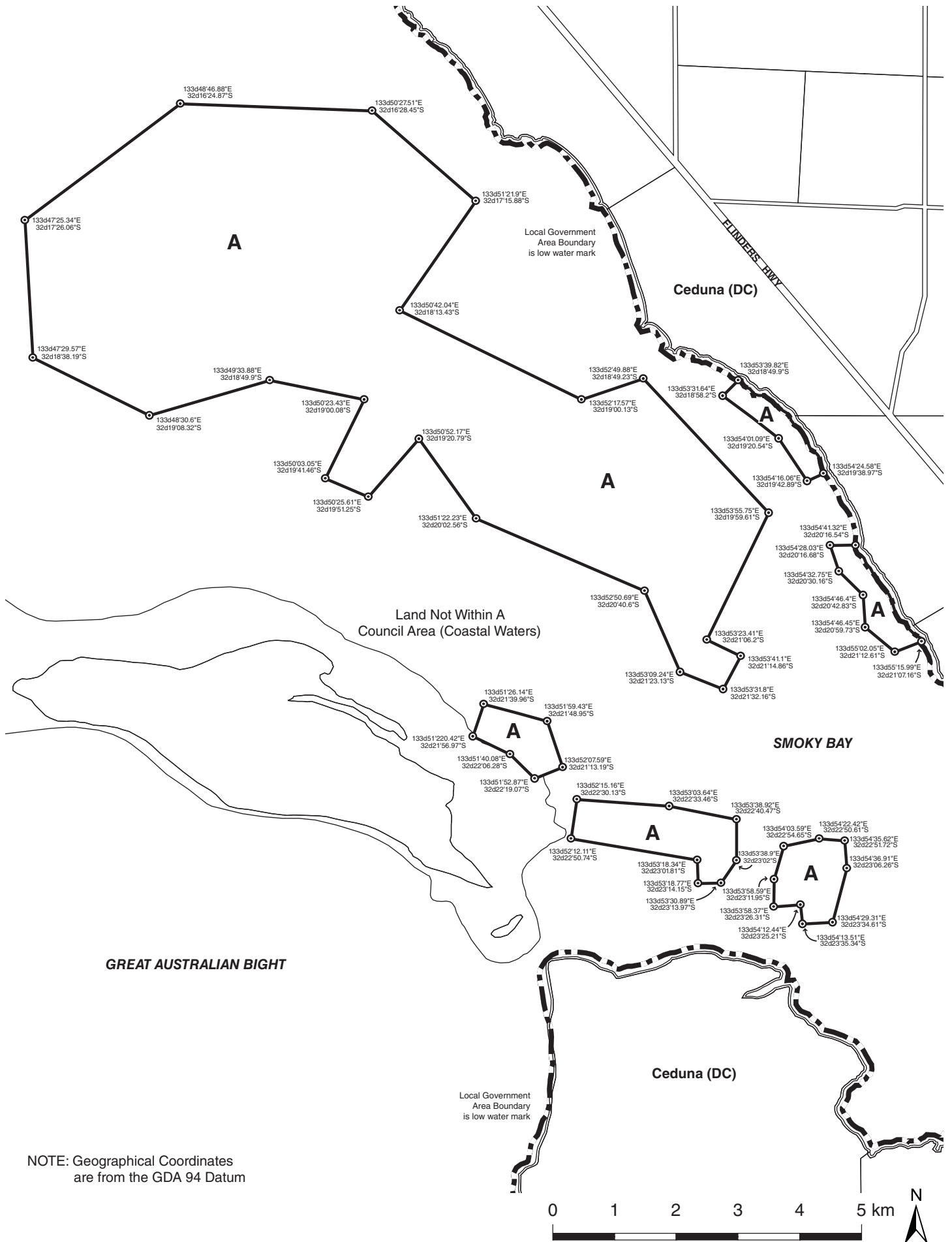


NOTE: Geographical Coordinates  
are from the GDA 94 Datum

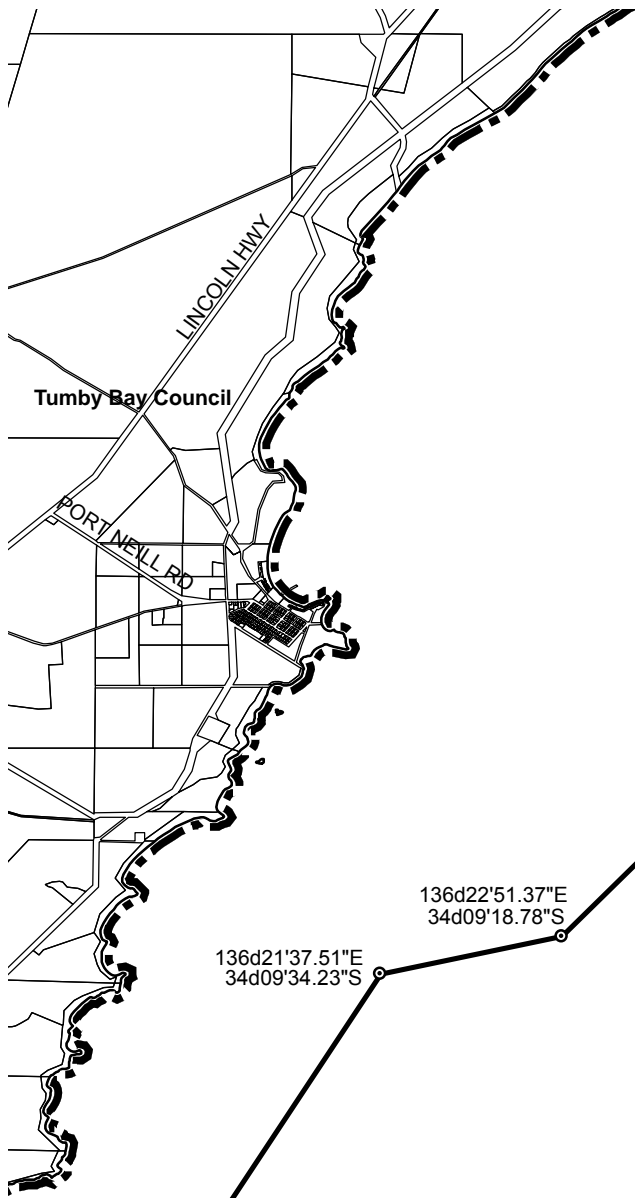


- A** Aquaculture Zone
- Zone Boundary
- Development Plan Boundary

## LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/14



# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/15



**SPENCER GULF**

**A**

136d23°58.85"E  
34d08'12.57"S

136d27°14"E  
34d08'06"S

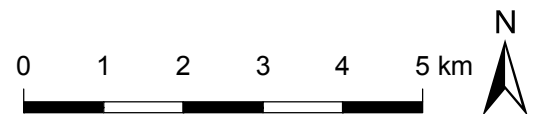
136d22°51.37"E  
34d09'18.78"S

136d21°37.51"E  
34d09'34.23"S

136d20°29.89"E  
34d11'16.56"S

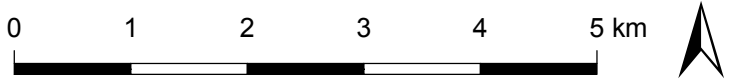
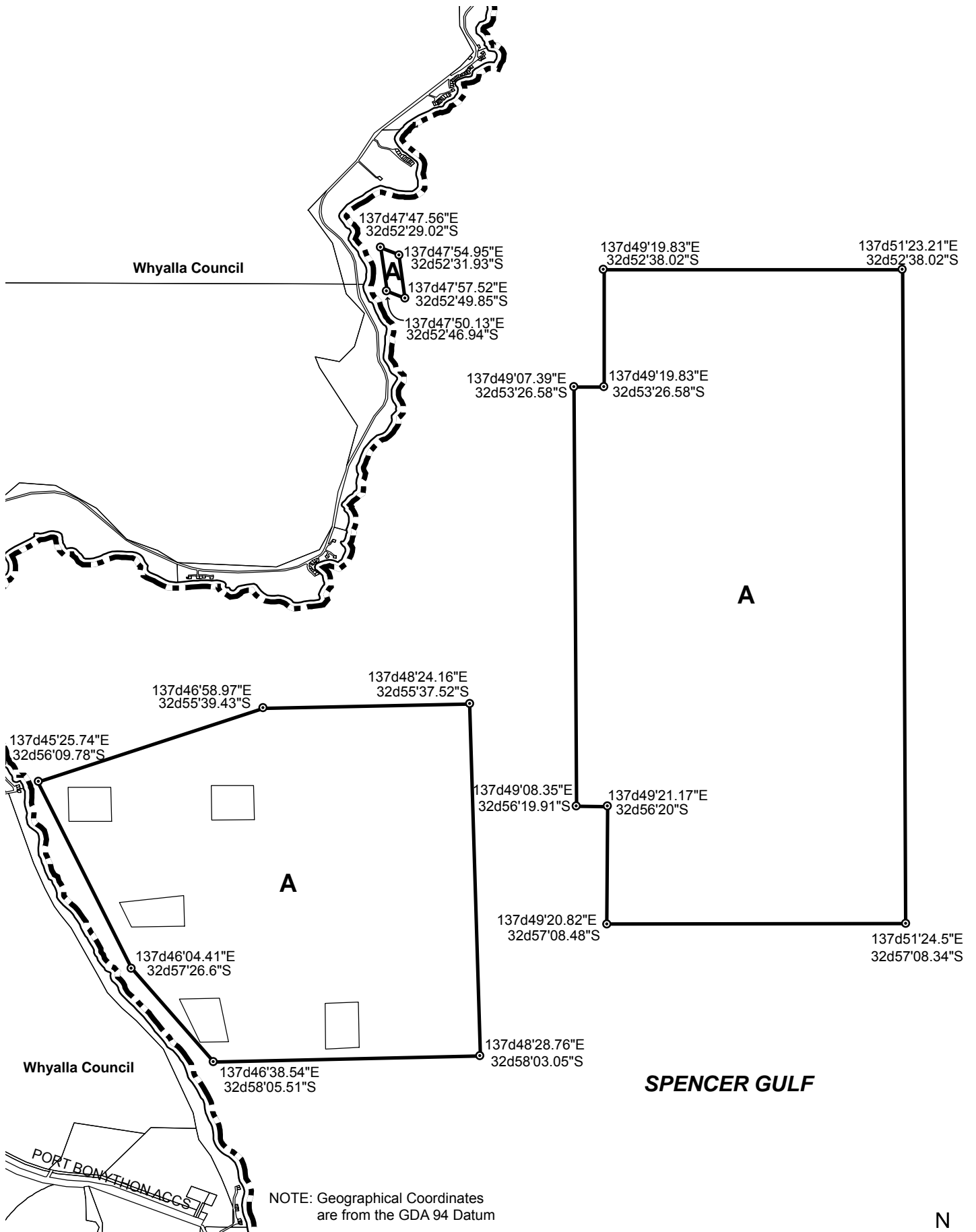
136d23°55"E  
34d13'10"S

NOTE: Geographical Coordinates  
are from the GDA 94 Datum



**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/16**

- A** Aquaculture Zone
- Zone Boundary
- · - Development Plan Boundary

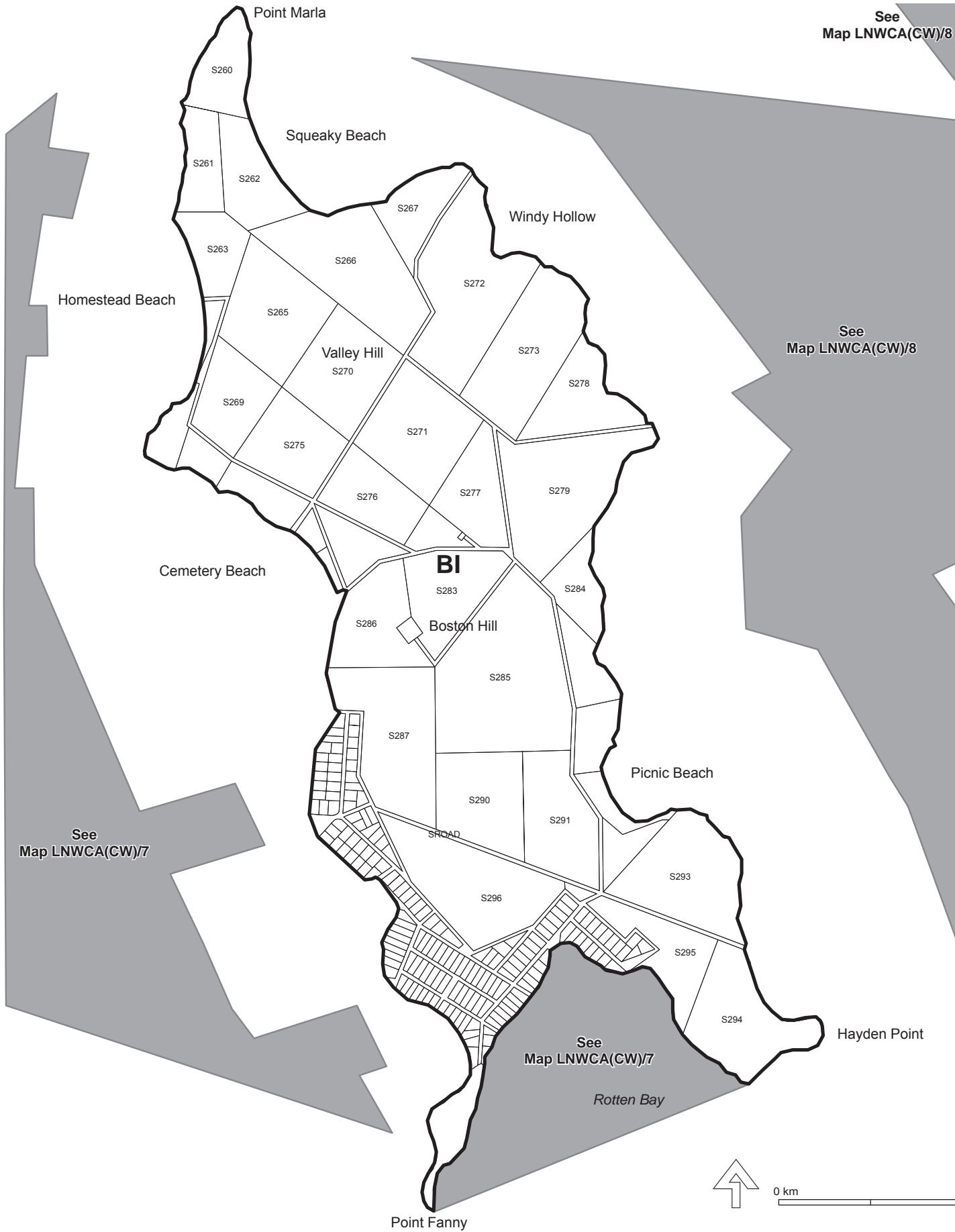


# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/17

- A** Aquaculture Zone
- Zone Boundary
- Development Plan Boundary



See  
Map LNWCA(CW)/8

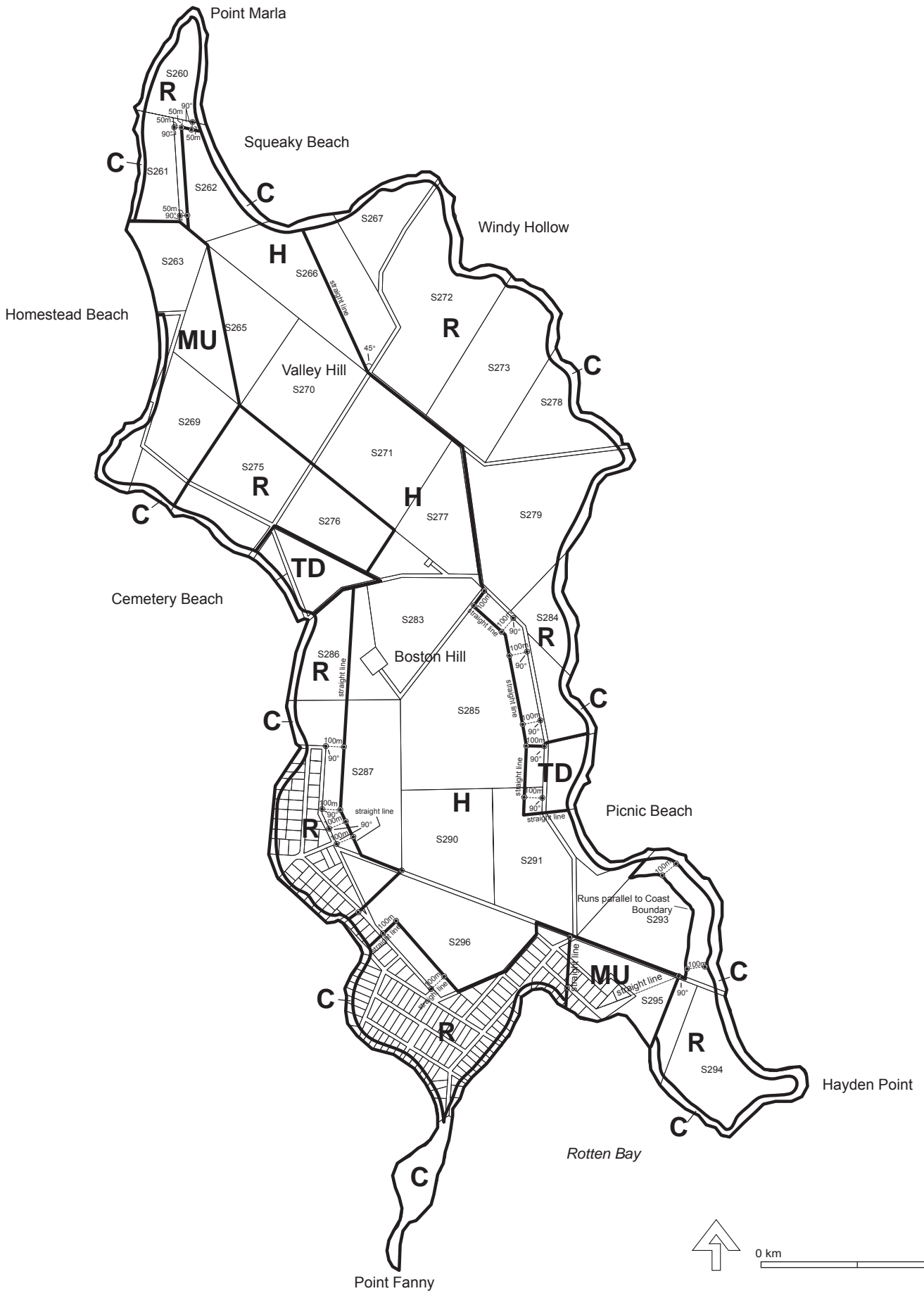


Point Fanny

**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS)  
BOSTON ISLAND  
ZONES  
MAP LNWCA(CW)/18**

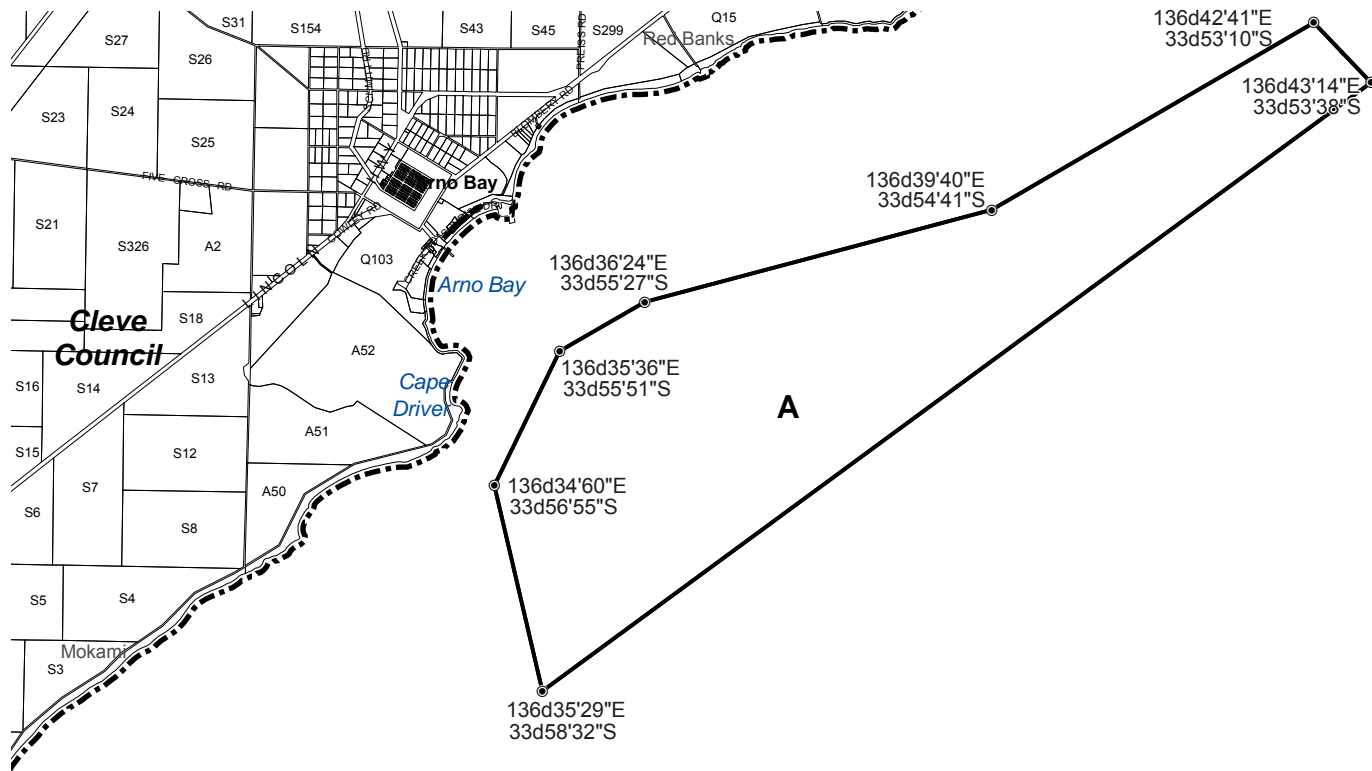
NOTE: For Policy Areas See MAP LNWCA(CW)/19

- BI Boston Island
- Zone Boundary

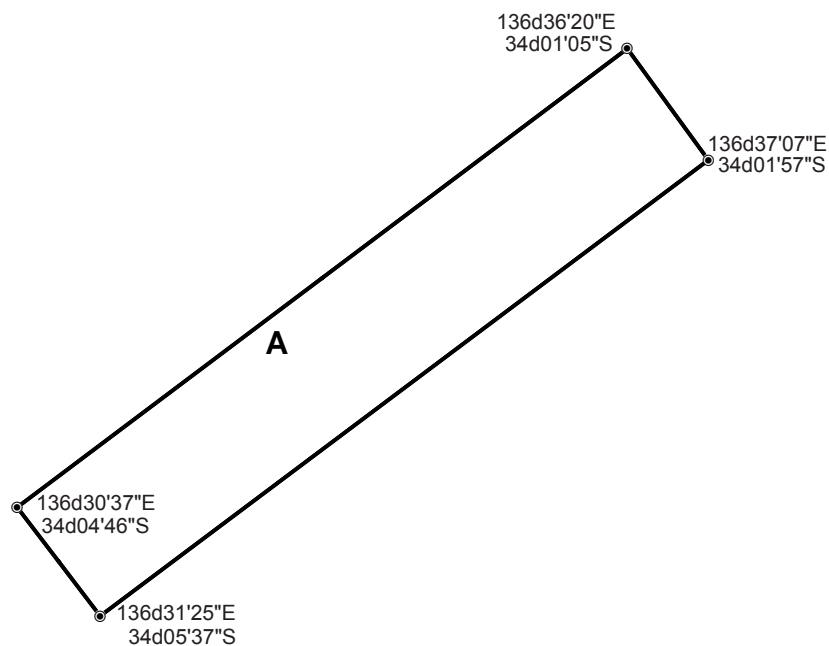


- R** Residential Policy Area
- TD** Tourism Development Policy Area
- MU** Mixed Use Policy Area
- C** Coastal Open Space and Recreation Policy Area (defined as the 3.75 metre AHD Contour Line)
- H** Hills Open Space Policy Area
- Policy Area Boundary

**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS)  
BOSTON ISLAND  
POLICY AREAS  
MAP LNWCA(CW)/19**



**SPENCER GULF**

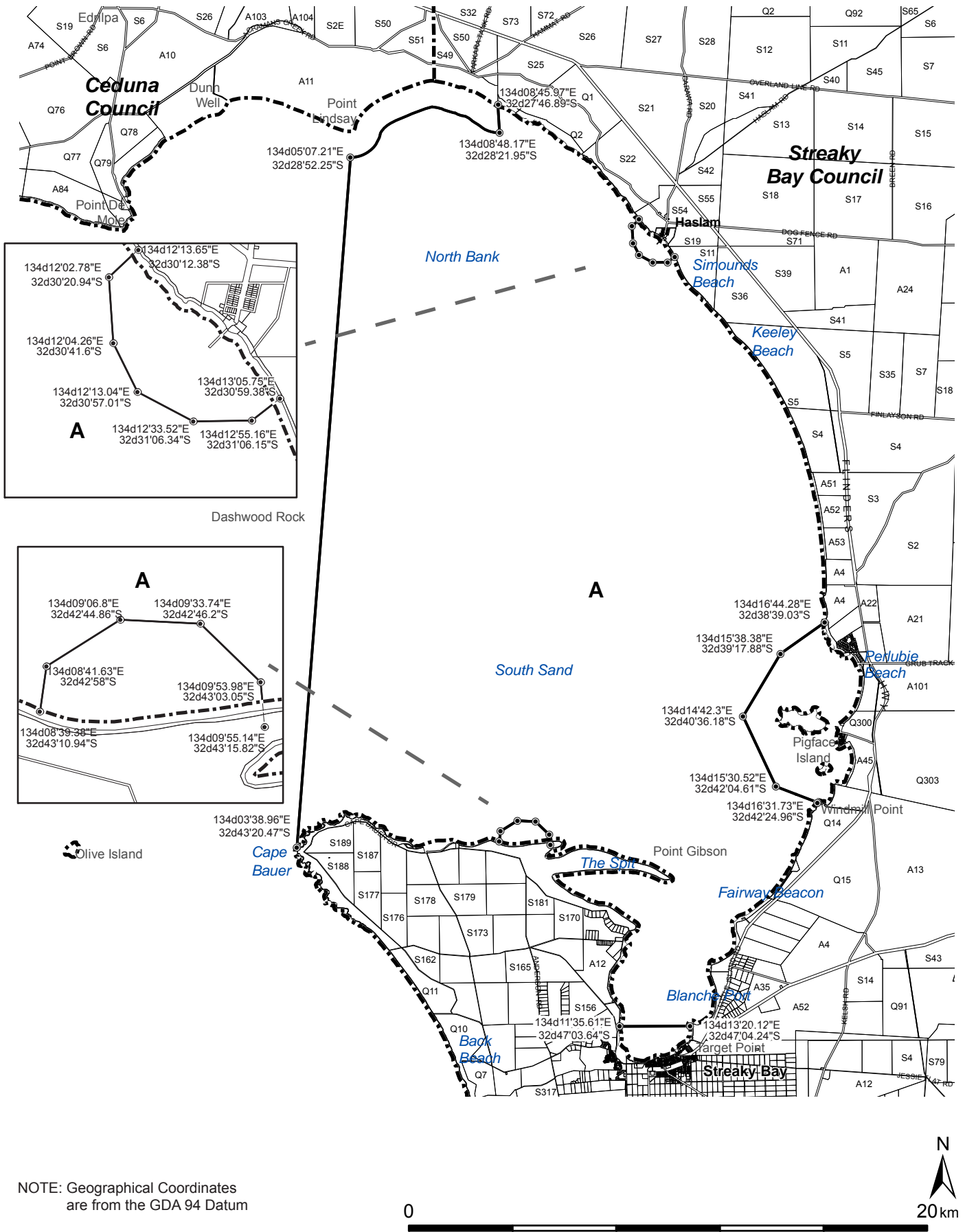


NOTE: Geographical Coordinates are from the GDA 94 Datum



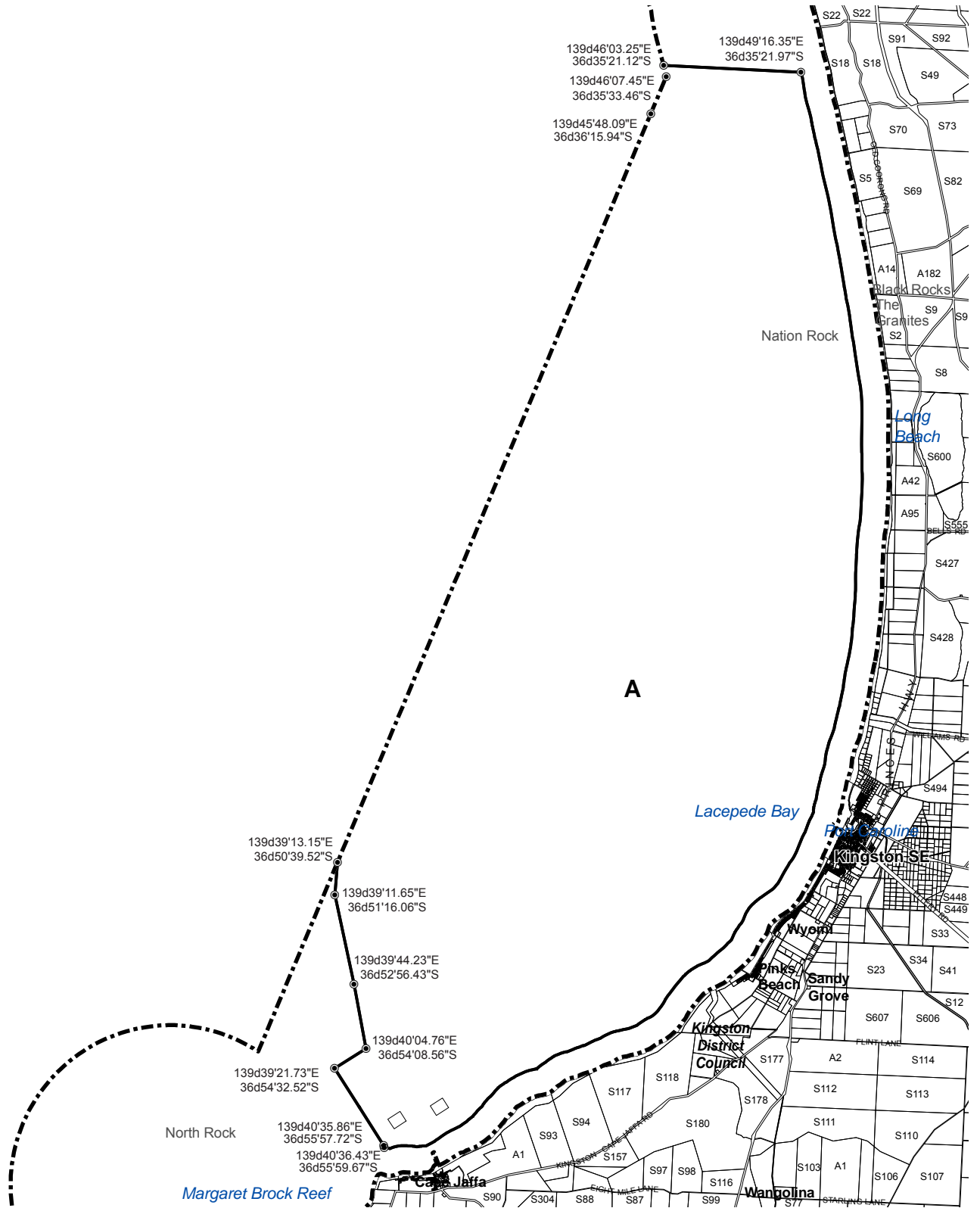
**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/20**

- A** Aquaculture Zone
- Zone Boundary
- · -** Development Plan Boundary



# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/21

- A** Aquaculture Zone
- Zone Boundary
- - - Development Plan Boundary

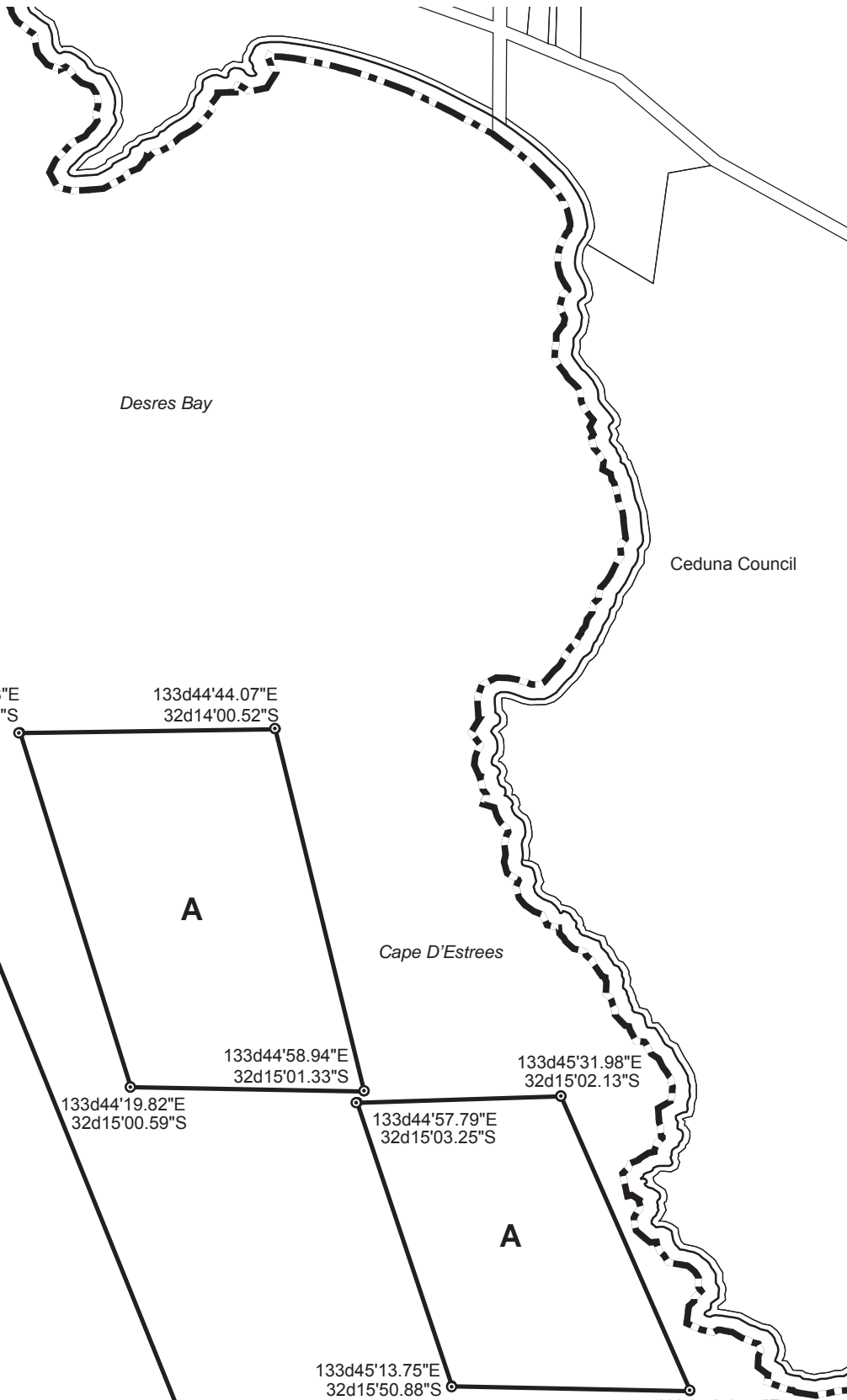


NOTE: Geographical Coordinates are from the GDA 94 Datum



- A** Aquaculture Zone
- Zone Boundary
- · -** Development Plan Boundary

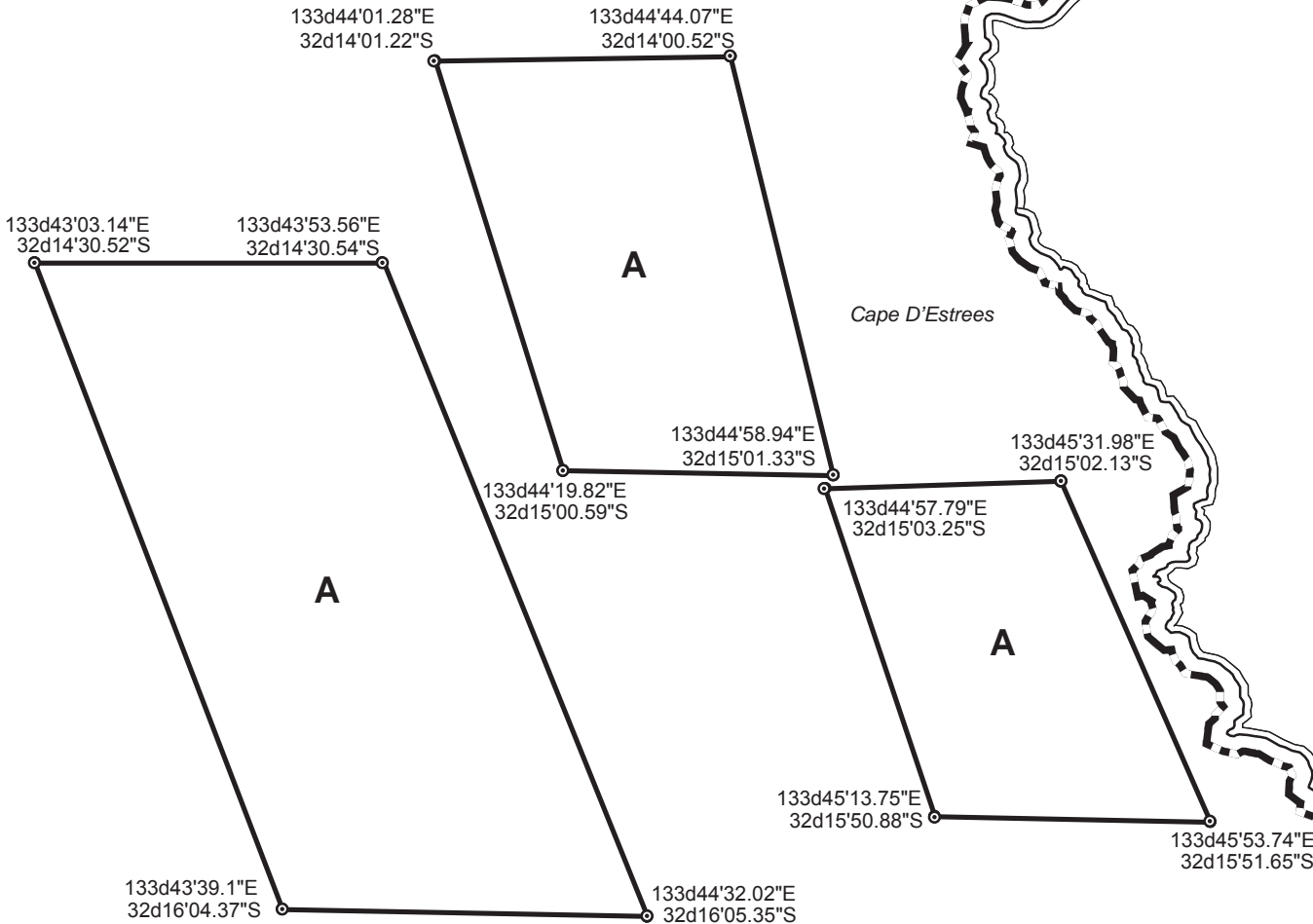
# LAND NOT WITHIN A COUNCIL AREA (COASTAL WATERS) ZONES MAP LNWCA(CW)/22



GREAT SOUTHERN BIGHT

Desres Bay

Ceduna Council



NOTE: Geographical Coordinates are from the GDA 94 Datum



**LAND NOT WITHIN A COUNCIL AREA  
(COASTAL WATERS) ZONES  
MAP LNWCA(CW)/23**

- A** Aquaculture Zone
- Zone Boundary
- · - Development Plan Boundary