

Development Plan

Franklin Harbour (DC)

Consolidated – 12 January 2012

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

Franklin Harbour (DC)

The following table is a record of authorised amendments and their consolidation dates for the Franklin Harbour (DC) Development Plan since the inception of the electronic Development Plan on 24 April 1997 for Country Development Plans. Further information on authorised amendments prior to this date may be researched through the relevant Council, Department of Planning, Transport and Infrastructure or by viewing Gazette records.

CONSOLIDATED	AMENDMENT – [Gazetted date]
24 April 1997	Section 29(2) Amendment (<i>Country and Outer Metro EDP</i>) – [24 April 1997]
22 May 1997	Shacks – (Land Division and Upgrading) PAR (Interim) (<i>Ministerial</i>) – [22 May 1997]
28 August 1997	Statewide Marine Aquaculture and Offshore Development PAR (<i>Ministerial</i>) – [5 June 1997]
21 May 1998	Shacks – (Land Division and Upgrading) PAR (<i>Ministerial</i>) – [21 May 1998]
18 November 1999	Waste Disposal (Landfill) PAR (<i>Ministerial</i>) – [19 August 1999]
23 March 2000	Section 29(2)(b) Amendment – [23 March 2000]
Not consolidated	Telecommunications Facilities State-wide Policy Framework PAR (Interim) (<i>Ministerial</i>) – [31 August 2000]
15 November 2001	Telecommunications Facilities State-wide Policy Framework PAR (<i>Ministerial</i>) – [30 August 2001]
2 October 2003	Wind Farms PAR (<i>Ministerial</i>) – [24 July 2003]
12 August 2004	General PAR – [5 August 2004] Section 29 (2)(b)(ii) Amendment – [12 August 2004]
11 March 2010	Cessation of Interim Operation of the 'General and Coastal DPA' on 27 February 2010 and its removal from the Franklin Harbour (DC) Development Plan – [4 March 2010]
28 July 2011	Cowell and Environs DPA – [28 July 2011]
12 January 2012	Statewide Wind Farms DPA (Interim) (<i>Ministerial</i>) – [19 October 2011]

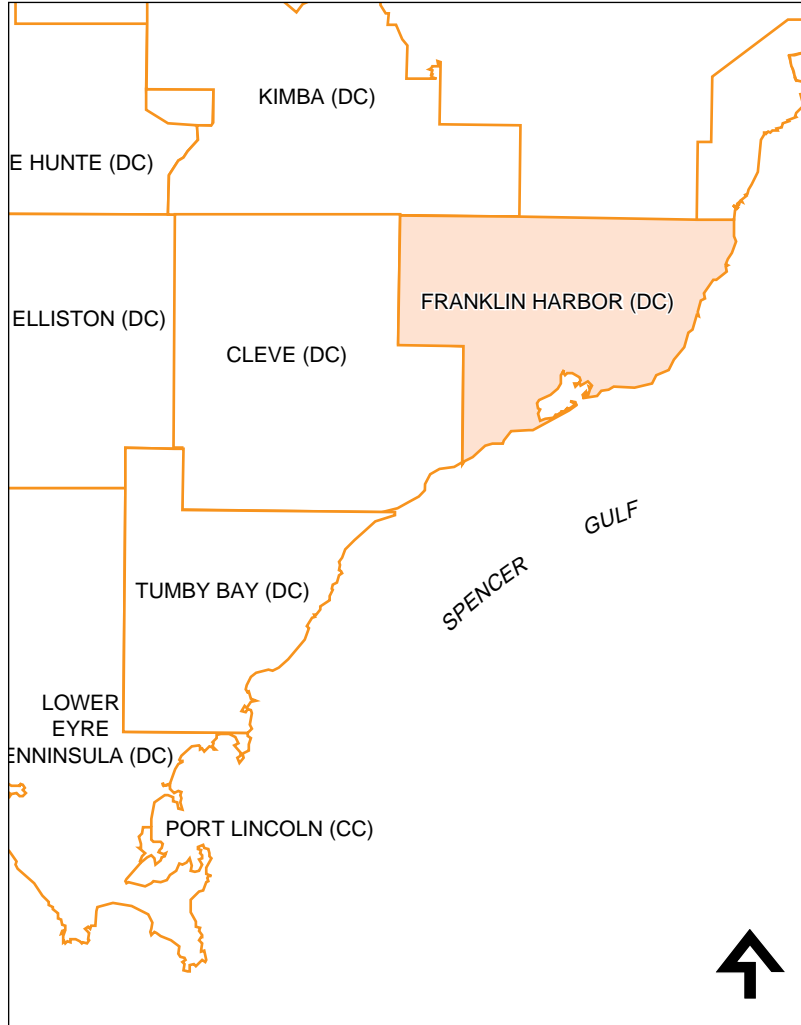
Consolidated: The date of which an authorised amendment to a Development Plan was consolidated (incorporated into the published Development Plan) pursuant to section 31 of the *Development Act 1993*.

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

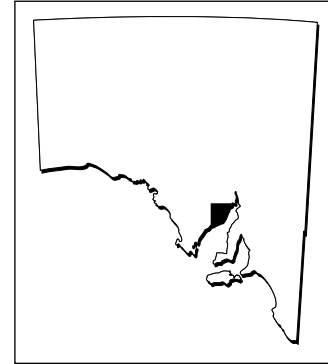
Preface

The objectives and principles of development control that follow apply within the area of the Franklin Harbour (DC) Development Plan as shown below.

This Development Plan is arranged with the objectives and principles of development control for the Eyre Peninsula, appearing first, followed by the Council Wide policies and in turn more detailed policies relating to particular zones, and areas.



Enlargement Map



Location Map

TABLE OF CONTENTS

COUNCIL WIDE	6		
OBJECTIVES	6		
PRINCIPLES OF DEVELOPMENT CONTROL.....	19		
TOWN OF COWELL	40		
TOWN CENTRE ZONE	41		
RESIDENTIAL ZONE	43		
COMMERCIAL ZONE	49		
COMMERCIAL (BULK HANDLING) ZONE	51		
INDUSTRY ZONE	53		
LIGHT INDUSTRY (AQUACULTURE) ZONE	56		
SPECIAL USE ZONE	59		
COASTAL WATERFRONT ZONE	61		
PARKLANDS ZONE	62		
RURAL LIVING ZONE	63		
RURAL FRINGE ZONE	66		
FRANKLIN HARBOUR DISTRICT	68		
RURAL ZONE	69		
COASTAL ZONE	73		
MAPS			
Map FrH/1.....	83	Map FrH/10.....	95
Map FrH/1 (Overlay 1).....	84	Map FrH/11.....	96
Map FrH/1 (Overlay 1) ENLARGEMENT A... 85		Map FrH/12.....	97
Map FrH/1 (Overlay 2).....	86	Map FrH/13.....	98
Map FrH/2 – Index to Zones.....	87	Map FrH/14.....	99
Map FrH/3.....	88	Map FrH/15.....	100
Map FrH/4.....	89	Map FrH/16.....	101
Map FrH/5.....	90	Map FrH/17.....	102
Map FrH/6.....	91	Map FrH/18.....	103
Map FrH/7.....	92	Map FrH/19.....	104
Map FrH/8.....	93	Map FrH/20.....	105
Map FrH/9.....	94	Map FrH/21.....	106

Copyright

© Government of South Australia.

All rights reserved. The document may be reproduced free-of-charge in any format providing that it is reproduced accurately and not used in any misleading context. The material must be acknowledged as Government of South Australia copyright and the title of the document specified.

Disclaimer

Although every effort has been made to ensure the accuracy of the information contained in this document, the Government of South Australia, its agents, officers and employees make no representations, either express or implied, that the information contained is accurate or fit for any purpose and expressly disclaims all liability for loss or damage arising from reliance upon the information supplied. Persons using this information should consult the relevant Gazette Notices and/or view an authorised copy of the subject Development Plan Amendment when exacting legal clarification on any amendment is required.

COUNCIL WIDE

Introduction

The following objectives and principles of development control, in the Council Wide section, apply across the area within the boundary of the Franklin Harbour (DC) Development Plan.

In the Council Wide section policies are expressed firstly in relation to the whole of the council area, then in relation to particular zones.

Background

The district of Franklin Harbour is developed principally as a grain and wool producing area. Topographically it varies from the moderately steep Minbrie Range to the flatter coastal areas adjacent to and south of Cowell township. The district has become famous for its deposits of nephritic jade. More recently, a thriving aquaculture industry have been established based on the culture of the Pacific Oyster. Further expansion of the aquaculture industry is planned.

The main township within the district is Cowell which is located on the picturesque and partially land locked Franklin Harbour. Other urban settlements are at Lucky Bay and Port Gibbon where holiday house development is dominant.

The District Structure Plan shown on [Maps FrH/1 \(Overlay 1\) and \(Overlay 2\)](#) shows in general terms the desired strategy for the future development of the district.

OBJECTIVES

General

Objective 1: Satisfaction of the social, educational, cultural, employment, recreational and economic needs of people living within the council area.

Form of Development

Objective 2: Orderly and economic development.

New housing and other urban development should be contiguous with, and form compact extensions of, the existing built-up areas. This will achieve economy in the provision of public services and will be conducive to the creation of a safe, convenient and pleasant environment in which to live.

Objective 3: A proper distribution and segregation of living, working and recreational activities by the allocation of suitable areas of land for those purposes.

A proper distribution and segregation of residential, business, commercial, industrial and recreational development benefits the community and enables a town to function more efficiently. Access is safer and more convenient; land can be retained for industrial expansion; property values remain more stable and fewer difficulties arise due to incompatible development, for example, factories and housing. A traffic and transport system can be designed to cater for the future movement of people and goods, and public utility authorities can design and provide services appropriate to the pattern of growth foreseen.

Objective 4: The proper location of public and community facilities by the reservation of suitable land in advance of need. It is prudent to ensure that land required for public purposes, such as schools and recreation areas, should be available in the right place at the right time. This can be done by reserving the land for future acquisition before it is used for other purposes.

Objective 5: The re-development of localities which have a bad or unsatisfactory layout, or unhealthy or obsolete development.

It is socially and economically desirable that such areas be re-developed. Substandard development provides poor living conditions and depreciates the value of adjacent properties.

Objective 6: Development of Cowell as the major service and community centre within the council area.

Centres and Shops

Objective 7: Shopping, administrative, cultural, community, entertainment, educational, religious and recreational facilities located in integrated Centres.

Objective 8: Centres established and developed in accordance with a hierarchy based on function of each type of centre as appropriate for the region.

Objective 9: A hierarchy of centres located in centre zones.

Objectives 7, 8 and 9 apply to the grouping of facilities into centres and the location of those centres. The grouping of a wide range of facilities in integrated centres will benefit the community by encouraging economic, and shared, use of facilities, providing a meeting place for communities, and encouraging ready access by both public and private transport.

The hierarchy of centres is based on the principle that each type of centre provides a proportion of the total community requirement for goods and services commensurate with its role. Centres outside the area of metropolitan Adelaide are of the following types:

- (a) District Centre;
- (b) Neighbourhood Centre; and
- (c) Local Centre.

The degree to which the various facilities can be located within a centre will depend, among other things, upon the size of the centre, the specific policies relating to the centre, the implications of competing centres for the population being served, and the characteristics of the population to be served. Each development proposal for a centre should be evaluated against that centre's, and other centres', defined roles in the centres hierarchy.

New development in centres should result in the expansion of the total range of retail goods and services available to the population to be served, have regard to the location and role of other existing and proposed centre zones, and be of a size and type which would not demonstrably lead to the physical deterioration of any existing centre zone, or designated shopping area. The identification of each zone or area in a hierarchy of centres should be such as to:

- (a) cater for existing and future shopping and community needs;
- (b) provide a degree of choice in the location of centre facilities;
- (c) be safely and readily accessible to the population to be served, particularly by public transport where appropriate), and obviate the need for unscheduled large scale traffic and transport works;
- (d) have minimal adverse impacts on residential areas:
- (e) concentrate development on one side of a primary road, or one quadrant of a primary road intersection, and have minimal adverse impact on traffic movements on primary roads. Linear extension of centre zones, or areas, along primary and primary arterial roads is to be minimised
- (f) reflect the potential to rehabilitate or extend existing centre zones, or areas, and make effective use of existing investment in public infrastructure, utilities and transport, with any costs involved being offset by benefits to the population being served;
- (g) be of a size and shape suitable for their functions, with car parking provided;
- (h) have regard to the maintenance of retail employment levels in the area; and

- (i) have regard to the degree to which existing centres satisfy the above objectives.

The development of new centres may be staged, and specific areas may be set aside for community and other non-retail uses with the total integrated development producing a character desired for that particular centre.

Objective 10: District centres to include shopping facilities that provide mainly 'convenience' goods and a sufficient range of 'comparison' goods to serve the major weekly shopping trips, as well as a comparable range of other community facilities.

The size of a district centre and the range of facilities within it may vary throughout the region but should be related to the size and characteristics of the population it serves. One district centre may function as a 'regional centre' with a commensurate increase in size and range of functions. The size of a district centre and the range of facilities within it should be related to the size and characteristics of the population it serves.

The following list indicates those facilities which are appropriate in a fully developed district centre:

Ambulance Station	Library
Bank	Meeting Hall
Child Care Centre	Office (general, governmental, professional)
Child Minding	Park
Church	Personal Service Establishments
Cinema	Playing Fields
Civic Centre	Police Station
Club	Pre-School
Community Health Centre	Primary School
Commercial Development	Restaurant
Consulting Room	Secondary School
Day Care Centre	Service Station
Discount Department Store	Speciality Shop
Further Education	Special School
Hospital	Supermarket
Hotel/Tavern	Swimming Pool
Indoor Recreation Centre	

Objective 11: Neighbourhood centres to include shopping facilities that provide mainly 'convenience' goods to serve the day-to-day needs of the neighbourhood, and a limited range of more frequently required 'comparison' goods as well as a narrow range of facilities.

There are not likely to be administrative facilities in neighbourhood centres. The size of a neighbourhood centre and the range of facilities within it may vary within the region but it should be related to the size and characteristics of the population it serves.

The following list indicates those facilities which are appropriate in a fully developed neighbourhood centre:

Bank	Office (to serve nearby residents)
Branch Library	Park
Child Care Centre	Personal Service Establishment
Child Minding	Playing Field
Church	Pre-school
Club	Primary School
Commercial Development	Restaurant
Community Welfare Local Office	Service Station
Consulting Room	Speciality Shop
Local Health Centre	Squash Court
Meeting Hall	Supermarket

Objective 12: Local centres to include shopping and local community facilities to serve the day-to-day needs of the local community.

Local centres on arterial, or primary, roads should comply with the same criteria as those for other centres.

Objective 13: Retailing, not consistent with facilities envisaged in a centre, located and operated so as not to adversely affect any designated centre, commercial, business or residential area and traffic movement on local, primary and primary arterial roads.

The diversification of locations for retailing, which provides goods and services not compatible with the grouping of facilities envisaged for regional, district and neighbourhood centres, may be considered so long as the integrity of the centre hierarchy is not compromised and the development is compatible with land uses in the locality. Retail development of this kind should be evaluated having regard to:

- (a) its locational and operational compatibility with existing shopping, business and commercial areas, including the nature of the goods and materials to be stocked, and the noise levels of vehicles and plant used on, and servicing, the site;
- (b) its effect on adjacent residential development;
- (c) the increased use of local and primary roads;
- (d) the adequacy of vehicular access and car parking; and
- (e) the maintenance of building and site development standards required for Centres.

Movement of People and Goods

Objective 14: The safe and efficient movement of people and goods by road.

Objective 15: The free flow of traffic on roads by minimising interference from adjoining development.

Where necessary, in both urban and rural areas, development adjoining roads should be set-back a specified distance from the road to enable proper traffic circulation. In some instances it may be necessary in the interests of safety and the free flow of traffic to restrict access to or from a road.

Some kinds of development attract large numbers of vehicles which create traffic hazards and congestion on roads in the vicinity unless special provision is made to accommodate them. Off-street parking should be provided in association with business, industrial, recreational and other forms of development, so that roads can provide for the safe and efficient flow of traffic.

Objective 16: Better access to scenic areas along the coast.

In some cases the construction of loop roads would enable tourists to arrive at places of interest without having to depart by the same route. In other cases, where the maintenance of natural attributes has a high priority, spur, rather than loop, roads may be more appropriate.

Objective 17: A network of primary arterial and secondary arterial roads to serve local and district traffic.

Mining

Objective 18: 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 19: The continued availability of metallic, industrial and construction minerals by preventing development likely to inhibit their exploitation.

The permanent effect of mining operations on the appearance of the landscape should be considered before operations begin and the suitability of alternative sites investigated. After workings are finished, old structures should be removed and the natural cover of the land restored. Mining

operations in existing and proposed conservation and recreation reserves should only take place in the State or national interest, and then under stringent conditions following precise delineation of the sites concerned. Geological investigations should be carried out to provide a scientific evaluation of mineral resources in particular areas.

Conservation

Objective 20: The conservation, preservation, or enhancement of scenically-attractive areas, including land adjoining water or scenic routes, accepting that wind farms and ancillary development may need to be located within such areas and that the visual impact of the development will need to be managed.

The coast, caves and hills of the region are some of the features of visual significance that are worthy of protection against unsightly development and destructive activities.

Objective 21: The preservation and replanting of roadside vegetation.

Such vegetation adds to the character of the region, provides shade, windbreaks, wildlife refuge, seed source for local revegetation projects, and a corridor for wildlife

Objective 22: The preservation of trees of historical or particular visual significance.

The remaining stands of Sugar Gum on the Lincoln Uplands are examples of trees that should be preserved and protected against disfigurement through topping or lopping. If it is necessary to fell trees of visual significance, replanting should proceed.

Objective 23: The preservation of buildings or sites of architectural, historical or scientific interest.

Buildings such as the Crofter's Cottage at Cowell should be preserved to provide historic links with the development of the State. Preservation can result in substantial economic benefits from tourism.

Objective 24: The retention of environmentally-significant areas of native vegetation.

Objective 25: 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 26: The retention of native vegetation for amenity purposes, for livestock shade and shelter and for the movement of native wildlife.

Objective 27: Protection of water resources from pollution and depletion.

Open Space

Objective 28: The conservation and preservation of flora, fauna and scenery, and the creation of recreation areas by establishing parks and reserves.

The declaration of certain areas as parks or reserves should be followed by studies of the intensity and type of use which is desirable, in order to maintain and enhance the particular attributes for which the land has been set aside.

Sites which lend themselves to intensive public uses such as picnic areas, sporting arenas and camping sites should be developed so that they are unobtrusively located and the natural beauty of the area preserved. Other sites worthy of preservation for scientific and cultural purposes may have to be closed to the public with only authorised persons being permitted entry.

In certain instances land may more appropriately remain in private ownership with some control by appropriate agreement over the clearing of vegetation and management practice. In general, areas considered suitable relate to bush-covered land and not to land developed for primary production to any significant extent.

Before areas are acquired or agreements are entered into, consideration should be given to the effect on the management of relevant properties, in particular, economic viability, convenience of operation, access to water and services, and the possible effects on public access. Detailed investigations should also be made of flora and fauna, and surveys of outer boundaries carried out in co-operation with local landowners as far as possible. Steps should be taken to involve local communities in the administration and management of parks.

Some of the areas will have a continuing importance for water conservation purposes. The reservation of these areas for public parks and reserves should not prejudice or preclude the retention of existing works and any essential future development of water resources by the SA Water Corp. A number of smaller sites and features in the region should also be set aside for conservation and recreation.

Appearance of Land and Buildings

Objective 29: The amenity of localities not impaired by the appearance of land, buildings and objects.

Objective 30: Accepting that wind farms and ancillary development may need to be sited in visually prominent locations, then the visual impact of the development needs to be managed.

Unscreened car wrecker's yards, abandoned car bodies and derelict buildings, are examples of unnecessary ugliness.

Wind farms and ancillary development are an envisaged form of development within parts of the Development Plan area. Such facilities may be of a large scale, comprise a number of components and require an extended and/or dispersed development pattern. These facilities will need to be located in areas where they can take advantage of the natural resource upon which they rely and, as a consequence, may be located in visually prominent locations.

Objective 31: Protection of the open landscape character of the rural areas, accepting that wind farms and ancillary development may need to be located within such areas and that the visual impact of the development will need to be managed,

Tourist Facilities

Objective 32: Tourist facilities and rest areas located appropriately within the council area.

Coastal Areas - Regional

The following regional coastal policies that follow set a framework for the preparation of council-wide objectives and principles of control for development which could affect coastal areas or could be affected by coastal processes.

These objectives apply to all coastal areas excluding off-shore islands. Beaches, sand dunes, cliffs, wetlands, near shore waters and lands that form part of the coastal landscape, and ecosystems are included. It is not intended to include the whole of coastal catchments.

The policies include objectives and principles to manage hazard risk in coastal areas which may be affected by sea level rise, erosion or other hazards common to coastal areas. They provide a framework for the local policies within specific coastal zones or other zones which may be affected by coastal processes.

It is envisaged that specific policies and zones will be prepared based on a detailed analysis of each coastal area and its hinterland and the coastal processes which affect it.

Objective 33: Sustain or enhance the natural coastal environment in South Australia.

The coastal areas of the State are important for their on-shore and marine environmental and landscape values, as well as for developed uses such as towns (including holiday settlements), tourism, marinas, commercial farming, aquaculture and recreation. Development a considerable

distance from the coast (mainland or island) can affect all these areas if it influences the environment, general character and amenity of the coastal area or interferes with coastal processes such as erosion, tide and storm flooding or sand drift.

Much of the coast is subjected to the forces of waves, tides and sea-currents, particularly during storms. 'Soft' coasts develop a balance between the sea and the land which changes with the seasons, a so called dynamic equilibrium. For example, beach and sand dunes built-up during months of relative calm will be eroded during stormy seasons, only to be built-up again after the storms have passed. As well, wave action and currents are continually moving sand along the shore, often resulting in a net drift of material in one direction. Development can either directly or indirectly, interfere with these processes, for example by changing surface and groundwater flows, and result in permanent loss of beach and dunes.

Not only may the shore environment be degraded and the amenity and recreation use of the beach be lost, but the development which caused the problem may become at risk. Even though there are policies to avoid public funding for protection of private development, public costs are often incurred on emergency works and protection of affected public land. The protection measures themselves (sea walls) often cause further loss of the beach and detract from public enjoyment of the coast.

In other areas coastal processes may be naturally eroding soft cliffs. Development located too close to such cliffs is not only at risk but could aggravate the erosion through increased stormwater run-off if it is of poor design.

Objective 34: Preserve and manage the environmentally important features of coastal areas, including mangroves, wetlands, dune areas, stands of native vegetation, wildlife habitats and estuarine areas.

The interface between sea and land is a very active area for the movement of water and sand or other matter. It is usually very rich in plants and animals, both marine and terrestrial and is an important breeding ground for many species. Such a biologically diverse environment is important in sustaining the biological resource base, particularly of the sea. Areas of conservation significance should be protected from development and zoned accordingly. If necessary the conservation effectiveness of coastal areas can be enhanced by linking them to other natural environments with linear parks.

The area and shape of allotments can be important for facilitating the management of environmentally sensitive areas and minimising the impact of development on them. Linear features such as dunes and lagoons are best managed when they have a single owner. Conservation reserves are best protected when abutting land is not closely divided. The coast is continually at risk of being badly polluted as it is at the receiving end of land drainage systems. Experience has shown that this poses a significant risk to marine life and sea-food resources. Land based animals and people who eat contaminated sea-food also suffer. Wetlands, which are often found behind sand dunes, and tidal flats not only provide a rich wildlife habitat, but are known to be a valuable natural treatment area for organic matter carried by rivers.

Objective 35: Preserve sites of heritage, cultural, scientific, environmental, educational or landscape importance, accepting that wind farms and ancillary development may need to be located within such areas and that the visual impact of the development will need to be managed.

Coastal areas often include sites of aboriginal heritage and were usually those first settled by the nineteenth century immigrants. Sea cliffs can provide valuable geological exposures and beaches are often a source of rich and varied biological material which is important for scientific research and education.

The landscape value of the coast is important to both beach-users and people on the sea. Even somewhat distant backdrops to the coast can affect the amenity. Policies for land clearly visible from the beach or near-shore waters should reflect this.

Wind farms and ancillary development are an envisaged form of development within parts of the Area. Such facilities may be of a large scale, comprise a number of components and require an extended and/or dispersed development pattern. These facilities will need to be located in areas where they can take advantage of the natural resource upon which they rely and, as a consequence, may be located in visually prominent locations.

Objective 36: Maintain and improve public access to the coast in keeping with other objectives.

Since the first surveys the South Australian coast has been seen as a public resource for the enjoyment of all. It is important that public access to the coast, particularly to beaches, is maintained and improved in a way that is consistent with the other objectives. It is essential that development does not preclude or restrict public access along the coast and that conservation and public reserves are not damaged or alienated by the location or design of abutting development. Where necessary, areas important to public recreation in coastal areas should be zoned accordingly. Unless capable of a dual purpose, conservation reserves should not be used for public access purposes, nor should they be regarded as expendable erosion protection areas.

Spur roads to the coast and lookouts are favoured over esplanades as they usually have less impact on coastal environment. In environmentally suitable parts of coastal areas away from the coast, it may be possible to use loop roads to allow visitors to arrive and depart by different routes.

Objective 37: Development which recognises and allows for hazards to coastal development such as inundation by storm tides or combined storm tides and stormwater, coastal erosion and sand drift; including an allowance for changes in sea level due to natural subsidence and predicted climate change during the first 100 years of the development.

The most common situation in coastal areas is subsidence. Rates of subsidence are significant in some places, especially in low-lying areas where soft sediments may still be compacting. This should be taken into account when estimating the probable changes in relative sea level in a locality over the life of a development. Possible effects of climate change should also be considered. The allowance that should be made for climate change is discussed below.

If the coast is retreating, the foreshore, dunes and wetlands contained in any coastal reserve could retreat also, unless they are prevented by natural or man-made features. Hence any erosion buffer should be additional to the coastal reserve. Unstable sand dunes, land in the path of mobile dunes or close to soft erodible cliffs are also likely to be unsuitable for development.

Objective 38: Developers bearing the costs of protecting private development from the effects of coastal processes or the environment from the effects of development rather than the community.

Low-lying land which is now or in the future, subject to inundation by storm tides or stormwater should not be zoned or developed for urban/tourist development unless environmentally sound mitigation and protection works are formally and securely guaranteed by the council or the proponents of development.

Erosion mitigation works should only be considered in those instances where:

- (a) a buffer cannot be provided;
- (b) the works will not have an adverse effect on adjacent coastal areas and processes; and
- (c) the works are guaranteed by the council or the proponent.

The storm tide, stormwater and erosion protection requirements need to be based on an anticipated sea level rise due to global warming of 0.3 metres between 1991 and 2050. Development should also be capable of being protected against a further sea level rise, and associated erosion, of 0.7 metres between 2050 and 2100. This rise is 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.

Applications for the development of land which is at risk from storm surge and stormwater flooding or erosion should contain:

- (a) sufficient technical information to demonstrate that the proposed development will be protected from flooding or erosion;

- (b) the design of any coastal protection measures which are to be included and an assessment of the effect of such measures on the beach and adjacent coast; and
- (c) evidence, where appropriate, of financial guarantees or other arrangements to ensure that all future costs (including storm damage, future protection, environmental restoration and site restoration in the event of non-completion) will either be met by the developer or future owners, or have been accepted as a future commitment by a local council or other appropriate agency.

Objective 39: Protect the physical and economic resources of the coast from inappropriate development.

The need for, and opportunities for, location-specific developments such as harbours, jetties and marinas, mining, the harvesting of salt and fish or shell-fish farming (aquaculture) which all have particular physical and/or biological requirements, should be assessed before introducing policies or zonings which would prevent or inhibit such development. There also may be unique features of particular attraction for tourists which require special consideration.

Objective 40: Locate all housing, including holiday houses, tourist accommodation, marinas and rural living located on land zoned for that purpose and for it to be environmentally acceptable and consistent with orderly and economic development.

It is important that the coastal policies for each council area clearly identify those areas where urban, rural living, tourist and marina developments could be located and that all dwellings, accommodation and land division for these purposes should be located within those identified areas.

The location and size of zones set aside for such development should be based upon the achievement of the environmental, conservation, amenity and hazard-risk objectives for coastal areas. This means that generally the number of such zones should be limited, the shape of zones equidimensional, not linear, and the policies should ensure compact, orderly development. Many areas of the South Australian coast are remote from existing community services and infrastructure. A frequent problem is the provision of adequate water supplies for permanent settlements.

Provision of an excessive number of zones or excessive area of zones would be likely to result in scattered development. To service them with public utilities and community facilities would be costly. It would also detract from the achievement of the other objectives for the coast. While adequate and appropriate land is zoned for development, remaining land, even if considered environmentally suitable for development should be retained in its natural state or in commercial farming use (not rural living) until existing development zones are almost fully developed.

Objective 41: To re-develop and redesign unsatisfactory coastal living areas which do not satisfy environmental, health or public access standards for coastal areas.

There are numerous urban coastal settlements which have been developed without due regard given to flooding, erosion, public access or environmental requirements. Such areas should only be developed further if they are within a zone of predominantly urban character and satisfy the coastal development policies. Development in unsuitable locations, including holiday houses on public foreshores, may need to be moved to alternative sites in due course.

Objective 42: The protection of the natural features and scenic beauty within and adjoining the off-shore islands.

The islands and their intertidal zones contain unique and diverse natural features, including habitats and breeding grounds for fauna and flora. Tall cliffs and headlands, sandy beaches and rocky foreshores combine to create attractive landscapes and seascapes.

Coastal Development – Council area

The following objectives for coastal development are based on, and are in addition to the Regional Coastal Policies for the State as set out in the preceding section. The Regional section provide the background, the reasons and the framework for these council-wide objectives.

These broad objectives are for the control of any development which could affect coastal areas or could itself be affected by coastal processes and, as such, may be applicable beyond, as well as within, the boundaries of any designated coastal zone.

- Objective 43:** Manage development in coastal areas to sustain or enhance the natural coastal environment.
- Objective 44:** 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 45:** 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 46:** Development which does not detract from or reduce the value of sites of ecological, economic, heritage, cultural, scientific, environmental or educational importance.
- Objective 47:** 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, accepting that wind farms and ancillary development may need to be located within landscape areas or areas of scenic amenity and that the visual impact of the development will need to be managed.
- Objective 48:** 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 49:** 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 50:** 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 51:** Development which will not require, now or in the future, public expenditure on protection of the development or the environment.
- Objective 52:** The protection of the physical and economic resources of the coast from inappropriate development.

- Objective 53:** Development of coastal urban settlements, coastal rural living areas, tourist complexes and marinas only in environmentally acceptable areas.
- Objective 54:** 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 55:** Development of coastal urban settlements, coastal rural living, tourist accommodation and marinas 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 56:** To re-design and re-develop coastal living areas which do not satisfy environmental, health or public access standards for coastal areas.
- Objective 57:** Development of the marine environment and in particular the marine aquaculture industry:
- (a) in an ecologically sustainable way;
 - (b) in a manner which recognises 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) wild fisheries;
 - (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).

Rural Development

Objective 58: The retention of rural areas for agricultural and pastoral purposes and wind farms and ancillary development, and the maintenance of the natural character and beauty of such areas, accepting that wind farms and ancillary development may need to be located within the rural areas and that the visual impact of the development will need to be managed.

The rural areas should be retained primarily for agricultural and pastoral purposes as the economy of the region largely depends on maintaining a high level of agricultural productivity. Nevertheless the design and siting of buildings should ensure that the natural beauty of the areas is maintained.

Wind farms and ancillary development are an envisaged form of development within parts of the Development Plan area. Such facilities may be of a large scale, comprise a number of components and require an extended and/or dispersed development pattern. These facilities will need to be located in areas where they can take advantage of the natural resource upon which they rely and, as a consequence, may be located in visually prominent locations.

The country township of Cowell forms an integral part of the region and should be developed in accordance with the objectives outlined earlier in this Part. An attractive country township will enhance the tourist potential of the district.

Objective 59: Intensive animal keeping and rural industries located away from township and township fringes.

Off-shore Islands

Objective 60: Protection of off-shore islands.

Outdoor Advertisements

Objective 61: An urban environment and rural landscape not disfigured by advertisements.

Objective 62: Advertisements in retail, commercial and industrial urban areas, and centre zones, designed to enhance the appearance of those areas.

Objective 63: Advertisements not hazardous to any person.

Waste Disposal (Landfill)

- Objective 64:** The orderly and economic development of landfill facilities in appropriate locations.
- Objective 65:** Minimisation of environmental impacts from the location, operation, closure and post management of landfill facilities.
- Objective 66:** Landfill facilities to be protected from incompatible development.

Telecommunications Facilities

- Objective 67:** Telecommunications facilities provided to meet the needs of the community.
- Objective 68:** 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.

Sustainable Development

- Objective 69:** Detached dwellings and significant additions should incorporate design features which reduces reliance on traditional energy sources and make efficient use of water, sunlight, daylight and shade.

New detached dwellings and additions of a substantial size should be carefully designed to make use of sunlight, daylight and ventilation for heating and cooling to reduce reliance on fossil fuel generated power sources for heating and cooling purposes. Stormwater runoff can also be used to reduce dependence on reticulated water systems, and to assist in the retention of native trees and vegetation.

- Objective 70:** Retail, Commercial and Industrial buildings should have regard for energy efficiency design and stormwater principles to assist with the heating and cooling of buildings and use of stormwater.

Industry, Commerce and Retailing can be heavy consumers of energy and water and by attention to design it may be possible to reduce the amount of energy and water used. This in turn may generate cost savings as well as environment benefits in the reduction of greenhouse gasses and downstream stormwater problems.

Renewable Energy

- Objective 71:** Location, siting, design and operation of renewable energy facilities as essential infrastructure that benefits the environment, the local community and the State.
- Objective 72:** The development of renewable energy facilities, such as wind farms and ancillary development, in areas that provide the opportunity to harvest natural resources for the efficient generation of electricity, accepting that such facilities will often need to be sited in visually prominent locations.

Objective 73: Location, siting, design and operation of renewable energy facilities to avoid or minimise adverse impacts on the natural environment.

PRINCIPLES OF DEVELOPMENT CONTROL

Centres and Shops

- 1 Shop development should be located as follows:
 - (a) A shop, or group of shops, with a gross leasable area greater than 450 square metres should be located in a business, centre, or shopping zone, or area.
 - (b) A shop or group of shops with a gross leasable area of 450 square metres or less should not be located on a primary road unless located in a business, centre, or shopping zone, or area.
 - (c) A shop or group of shops with a gross leasable area of 450 square metres or less located outside a business, centre, or shopping zone, or area, should:
 - (i) not hinder the development or function of any business, centre, or shopping zone, or area; and
 - (ii) conform to the design, access, and car parking requirements for business, centre and shopping zones, or areas, set out in principles of development control numbered 2, 3 and 4 below.

- 2 Business, centre, and shopping zones, or areas, should meet the following criteria:
 - (a) Their location and assigned role in the hierarchy of designated centres and designated centre zones, or areas.
 - (b) The need to integrate facilities in the zone, or area.
 - (c) The need for any future expansion of the zone, or area, as a whole.
 - (d) Multiple-use of facilities and sharing of utility spaces.
 - (e) Attractive development, with a unified design of buildings and a close relationship between shops, in a lively setting.
 - (f) Materials compatible with the natural features of the site and adjacent development.
 - (g) Acceptable microclimatic conditions and degree of exposure in designing and orienting buildings, and locating open space and parking areas.
 - (h) Development and operation of facilities within a zone, or area, compatible with adjoining areas. This should be promoted through landscaping, screen walls, centre orientation, location of access ways, buffer strips and transitional use areas.
 - (i) Signs designed in scale with the amenity of the area, and carefully located. Illumination from signs or floodlights should not spill over to adjacent areas.
 - (j) Access and parking for residential areas located with centres separate from the access and car parking areas serving the other centre facilities.
 - (k) Integration of public transport requirements, where appropriate.

- 3 Provision for the movement of people and goods within business, centre, and shopping zones, or areas, should comply with the following:
 - (a) Development should not cause inconvenient and unsafe traffic and pedestrian movements, or be likely to result in the need for significant expenditure on transport and traffic works, or facilities within, or outside, the locality.

- (b) Developments should be concentrated for pedestrian convenience and not allowed to extend unnecessarily along road frontages; (increasing the depth of development is a more desirable alternative).
 - (c) The separation of pedestrian and vehicle movements within zones is most desirable to ensure safety and convenience.
 - (d) Access to car parking areas should be designed not to cause congestion or detract from the safety of traffic, on abutting roads.
 - (e) Adequate and convenient provision should be made for service vehicles and the storage and removal of waste goods and materials.
 - (f) Car parks should be orientated to facilitate direct and convenient access of pedestrians between them and the facilities they serve.
 - (g) Parking areas should be consolidated and co-ordinated into convenient groups, rather than located individually, and access points should be minimised.
- 4** Landscaping should form an integral part of centre design, and be used to foster human scale, define spaces, reinforce paths and edges, screen utility areas, and generally enhance the visual amenity of the locality.
- 5** Centres should be highly accessible to the population to be served, especially by public transport, where applicable.
- 6** Centres should have a minimal adverse impact on traffic movements on primary, and primary arterial, roads.
- 7** Centres should develop on one side of a primary, or primary arterial, road, or one quadrant of a primary, or primary arterial, road, intersection. Where centre facilities already straddle a primary, or primary arterial, road, or the intersection of two primary, arterial, or primary arterial, roads, development within them should:
- (a) concentrate on one side of the primary, or primary arterial, road, or one quadrant of the primary, or primary arterial, road intersection; and
 - (b) minimise the need for pedestrian and vehicular movement across the primary, or primary arterial, road, from one part of the centre to another.
- 8** Centres should have minimal adverse impacts on residential areas.
- 9** Centres should be so located as to make effective use of existing investment in public infrastructure utilities, transport and other facilities, and any costs involved should be offset by benefits to the population being served.
- 10** Centres should be located consistent with policies pertaining to adjoining council areas.
- 11** The development of centres should not result in the physical deterioration of any designated centre.
- 12** Shopping development which is more appropriately located outside of business, centre, or shopping zones, or areas, should:
- (a) be of a size and type which would not hinder the development or function of any business, centre, or shopping zone, or area, in accordance with the objectives and principles of development control for centres and shops, and the objectives and principles of development control for the appropriate zones, or areas;
 - (b) conform to the criteria above, and the design, access, and car parking requirements for business, centre, and shopping zones, or areas, set out in principles of development control above;

- (c) result in a maintenance of retail employment in the locality; and
- (d) not demonstrably lead to the physical deterioration of any designated centre.

Outdoor Advertisements

- 13** The location, siting, size, shape and materials of construction, of advertisements should be:
- (a) consistent with the desired character of areas or zones as described by their objectives;
 - (b) consistent with the predominant character of the urban or rural landscape; or
 - (c) in harmony with any building or site of historic significance or heritage value in the locality.
- 14** Advertisements should not detrimentally affect by way of their siting, size, shape, scale, glare, reflection or colour, the amenity or areas, zones or localities, in which they are situated.
- 15** Advertisements should not impair the amenity of areas, zones or localities, in which they are situated by creating, or adding to, clutter, visual disorder and the untidiness of buildings and spaces.
- 16** Advertisements should not obscure views of attractive landscapes or particular trees or groups of trees.
- 17** The scale of advertisements should be compatible with the buildings on which they are situated and with nearby buildings and spaces.
- 18** Advertisements should be constructed and designed in a workmanlike manner.
- 19** Advertisements wholly or partly consisting of bunting, streamers, flags, windvanes and the like, should not detrimentally affect the amenity of areas, zones or localities, in which they are situated.
- 20** Advertisements on buildings that have a single architectural theme but which contain a number of tenancies, should be attached and displayed so as to be co-ordinated with that theme.
- 21** Advertisements should not be erected in positions close to existing electricity mains so that potentially hazardous situations are created.
- 22** Advertisements should not create a hazard to persons travelling by any means.
- 23** Advertisements should not obscure a driver's view of other road vehicles, of rail vehicles at or approaching level crossings, of pedestrians and of features of the road such as junctions, bends, changes in width, traffic control devices and the like, that are potentially hazardous.
- 24** Advertisements should not be so highly illuminated as to cause discomfort to an approaching driver, or create difficulty in his perception of the road, or of persons or objects on it.
- 25** Advertisements should not be liable to interpretation by drivers as an official traffic sign or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals.
- 26** Advertisements should not distract drivers from the primary driving task at a location where the demands on driver concentration are high.

Non-complying Development

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

Advertisements which are located within 500 metres of the centre-line of any primary, arterial or secondary arterial road, tourist road or scenic route, with the exceptions of:

- (a) advertisements within municipalities; or
- (b) advertisements within a 60 km/h or 80 km/h speed restriction within district councils, or areas not within a council area; or
- (c) where the advertisement has an advertisement area of two square metres or less, and providing the message contained thereon relates entirely to a lawful use of land, the advertisement is erected on the same site as that use, and a total of no more than two advertisements would be erected on the site.

Waste Disposal (Landfill)

- 28** Landfill facilities should be located, sited, designed and managed to minimise adverse impacts on surrounding areas due to surface water and ground water pollution, traffic, noise, fumes, odour, dust, vermin, weeds, litter, landfill gas and visual impact.
- 29** 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.
- 30** Landfill facilities should be appropriately buffered to minimise adverse impacts on the surrounding area and land uses.
- 31** Land uses and activities which are compatible with a landfill facility may be located within any separation distances established.
- 32** Land uses and activities which are not compatible with a landfill facility should not be located within any separation distances established.
- 33** Where appropriate, landfill facilities may include resource recovery facilities, provided there is a sufficient separation distance between potentially incompatible land uses and activities.
- 34** Landfill and associated facilities for the handling of waste should be located at least a distance of 500 metres from the boundaries of the landfill site. A lesser distance may be provided within the landfill site where the landfill facility is considered compatible with the surrounding area, land uses and activities so that an effective separation distance of 500 metres can be provided and maintained between the landfill facility and potentially incompatible land uses and activities.
- 35** The area of landfill operations on a site should:
 - (a) be located a minimum distance of 100 metres from any creek, river, inlet, wetland or marine estuarine area and not within the area of 1-in-100-year flood event; and
 - (b) not be located on areas with ground slopes of greater than 10 percent except where the site incorporates a disused quarry; and
 - (c) not be located on land subject to land slipping; and
 - (d) not be located within three kilometres of an airport used by commercial aircraft. If located closer than three kilometres the landfill facility should incorporate bird control measures to minimise the risk of bird strikes to aircraft.
- 36** The landfill site should be landscaped to screen views of the landfill facilities and operational areas.
- 37** Sufficient area should be provided on a landfill site to ensure on-site containment of potential ground water contaminants and for the diversion of stormwater.
- 38** Where necessary an acoustic buffer should be provided between any excessive noise generating part of the landfill facility and any development on an adjacent allotment to mitigate potential noise pollution.

- 39** Litter control measures which minimise the incidence of windblown litter should be provided on the site of a landfill facility.
- 40** Leachate from landfill should be contained within the property boundary of the landfill facility site and should not contaminate surface water or ground water.
- 41** The interface between any engineered landfill liner and the natural soil should be:
- (a) greater than 15 metres from unconfined aquifers bearing ground water with a water quality of less than 3000 milligrams per litre of total dissolved salts; or
 - (b) greater than five metres from ground water with a water quality between 3000 milligrams per litre of total dissolved salts and 12 000 milligrams per litre of total dissolved salts; or
 - (c) greater than two metres from ground water with a water quality exceeding 12 000 milligrams per litre of total dissolved salts.
- 42** Surface water run-off from landfill should not cause unacceptable sediment loads in receiving waters.
- 43** Landfill activities that have a total storage capacity exceeding 230 000 cubic metres should sustainably utilise landfill gas emissions. For smaller landfill activities, if the sustainable utilisation of the landfill gas emissions is not practically feasible then flaring is appropriate to avoid gases being vented directly to the air.
- 44** Chain wire mesh or pre-coated painted metal fencing to height of two metres should be erected on the perimeter of a landfill site to prevent access other than at appropriate site entries.
- 45** Plant, equipment or activities that could cause a potential hazard to the public within a landfill site should be enclosed by a security fence.
- 46** Landfill sites should not be located where access to the site using non-arterial roads in adjoining residential areas is required or likely.
- 47** Landfill facilities should be accessed by an appropriately constructed and maintained road.
- 48** Traffic circulation movements within the landfill facility should be adequate in dimension and construction to support all vehicles hauling waste and to enable forward direction entry to and exit from the site.
- 49** Suitable access for emergency vehicles to the landfill site should be provided.
- 50** A proposal to establish, extend or amend a landfill facility should include an appropriate Landfill Environment Management Plan that addresses the following:
- (a) the prevention of ground water and surface water contamination;
 - (b) litter control, dust control, noise control, the control of fumes and odours, and sanitary conditions generally;
 - (c) the monitoring or management of landfill gas;
 - (d) fire safety;
 - (e) security;
 - (f) maintenance of landscaping and the general condition of the site; and
 - (g) the post closure monitoring and maintenance of the facility to ensure compatibility with the surrounding landscape and to enable a suitable after use of the site. This should include a final contour plan, surface water diversion and drainage controls, the design of the final cover, the monitoring of groundwater, surface water, leachate and landfill gas.

Form of Development

- 51 Development should be in accordance with the structure plans for the whole of the council area and for the township of Cowell shown on [Maps FrH/1 \(Overlay 1\) and FrH/1 \(Overlay 1\) Enlargement A](#).
- 52 Development should be orderly and economic. Division of land for urban or township purposes should be in the nature of infilling or in the form of compact extensions to existing developed areas.
- 53 Extensions of built-up areas should not be in the form of ribbon development along the main roads.
- 54 Urban development should be confined to township areas.
- 55 Buildings should not be erected on land liable to inundation.
- 56 Development liable to create consequential flooding of existing development elsewhere due to changes caused to the natural flow of surface water should not be undertaken.

Residential Development

- 57 Residential development should not be undertaken unless the standard of design in relation to external appearance, building materials, colours and landscaping, will enhance the amenity of the locality.
- 58 Residential flat buildings, multiple dwellings and row dwellings should not be erected unless:
 - (a) sufficient space is provided for parking of tenant and visitor vehicles at a rate of two car parking spaces per dwelling unit together with sufficient space for manoeuvring;
 - (b) the building will not cover more than 50 percent of the site;
 - (c) the scale and form of the development is in keeping with that of the existing development within the locality;
 - (d) the development is designed so as to minimise any loss of privacy of adjoining development;
 - (e) adequate private and communal open space is provided together with a screened area for storage of refuse containers and clothes drying facilities; and
 - (f) effective landscaping is undertaken to minimise any adverse impact of the development.
- 59 Vans, caravans or tents should not be used as permanent places of human habitation on any allotment or section except in caravan parks and camping grounds. The use of vans, caravans and tents for temporary accommodation should only be undertaken in special circumstances.
- 60 Residential development should not be undertaken within 800 metres of an existing or proposed common effluent drainage lagoon.

Land Division

- 61 Land division creating allotments not conforming with the principles of development control applying within any zone should not be undertaken unless no increase in the number of allotments will result.
- 62 Land should not be divided:
 - (a) in a manner which would prevent the satisfactory future division of the land, or any part thereof;

- (b) if the proposed use, or the establishment of the proposed use, is likely to lead to undue erosion of the land or land in the vicinity thereof;
- (c) unless wastes produced by the proposed use of the land, or any use permitted by the principles of development control, can be managed so as to prevent pollution of a public water supply or any surface or underground water resources;
- (d) if the size, shape and location of, and the slope and nature of the land contained in, each allotment resulting from the division is unsuitable for the purpose for which the allotment is to be used;
- (e) if any part of the land is likely to be inundated by tidal or floodwaters and the proposed allotments are to be used for a purpose which would be detrimentally affected when the land is inundated;
- (f) where community facilities or public utilities are lacking or inadequate;
- (g) where the proposed use of the land is the same as the proposed use of other existing allotments in the vicinity, and a substantial number of the existing allotments have not been used for that purpose; or
- (h) if it would cause an infringement of any provisions of the Building Act or any by-law or regulation made thereunder.

63 When land is divided:

- (a) any reserves or easements necessary for the provision of public utility services should be provided;
- (b) stormwater should be capable of being drained safely and efficiently from each proposed allotment and disposed of from the land in a satisfactory manner and so as to prevent erosion or pollution of surface or underground water resources;
- (c) a water supply sufficient for the purpose for which the allotment is to be used should be made available to each allotment;
- (d) provision should be made for the disposal of waste waters, sewage and other effluents from each allotment without risk to health;
- (e) roads or thoroughfares should be provided, where necessary, for safe and convenient communication with adjoining land and neighbouring localities;
- (f) each allotment resulting from the division should have safe and convenient access to the carriageway of an existing or proposed road or thoroughfare;
- (g) proposed roads should be graded, or be capable of being graded, to connect safely and conveniently with an existing road or thoroughfare;
- (h) for urban purposes, provision should be made for suitable land to be set aside for usable local open space; and
- (i) and the land borders a river, lake or creek, the land immediately adjoining the river, lake or creek should be public open space, with a public road fronting the open space.

64 Where land which has a frontage on the sea coast is divided, a reserve at least 30 metres in width should be provided along such frontage.

65 Land should not be divided unless it is suitable for the development proposed thereon or any other development permitted by the principles of development control within the zone.

66 Land division in urban or township areas served by an existing common effluent drainage scheme should not be undertaken unless the proposed allotments are to be connected to such a scheme or can be economically connected to a proposed scheme.

- 67** Land division not conforming with the principle of development control expressed in principle of development control numbered 63(c) above should not be undertaken unless a private form of supply scheme meeting the ongoing requirements of the community served can be provided and be relied upon in terms of the quality, quantity and viability of the supply.
- 68** Land division for any purpose liable to prejudice the later extraction of important known mineral resources or construction materials should not be undertaken.
- 69** Land divisions requiring the creation of roads should not be undertaken unless:
- (a) the width of any such proposed road or street is not less than 12.4 metres, or if used by commercial vehicles 21 metres, and not more than 21 metres; and
 - (b) the width of any such proposed road or street at the head of any cul-de-sac is not less than 25 metres or length of not less than 25 metres, and adequate provision is made for the turn of vehicles at the head of each cul-de-sac.

Movement of People and Goods

- 70** Development and associated points of access and egress should not create conditions that cause interference with the free flow of traffic on adjoining roads.
- 71** Development should include an appropriate provision on the site to enable the parking, loading, unloading, turning and fuelling of vehicles. Shared parking areas or parking sites located elsewhere other than on the site should only be provided where such an arrangement is to the benefit of the community.
- 72** Car parking and service areas should be sited and suitably screened with fencing or landscaping to enhance the amenity of the locality.
- 73** Car parking areas should be designed and constructed to accommodate all vehicles generated by the development and to permit efficient vehicular movement within the parking area.
- 74** Sufficient area for the parking of one vehicle for every detached dwelling should be provided on site and such to comply with the above stated principles of development control.

Industrial Development

- 75** Land to be divided for industrial development should provide an adequate buffer zone around the development to minimise the effect of any pollution on adjoining land uses.

Conservation

- 76** Native vegetation should not be cleared if it:
- (a) provides important habitat for wildlife;
 - (b) has a high plant species diversity or has rare or endangered plant species and plant associations;
 - (c) has high amenity value;
 - (d) contributes to the landscape quality of an area;
 - (e) has high value as a remnant or vegetation associations characteristic of a district or region prior to extensive clearance for agriculture;
 - (f) is associated with sites of scientific, archaeological, historic, or cultural significance; or
 - (g) is growing in, or is characteristically associated with, a wetland environment.

- 77** Native vegetation should not be cleared if such clearance is likely to:
- (a) create or contribute to soil erosion;
 - (b) decrease soil stability and initiate soil slip;
 - (c) create, or contribute to, a local or regional soil salinity problem;
 - (d) lead to the deterioration in the quality of surface waters; or
 - (e) create or exacerbate the incidence or intensity of local or regional flooding.
- 78** When clearance is proposed, consideration should be given to:
- (a) retention of native vegetation for, or as;
 - (i) corridors or wildlife refuges;
 - (ii) amenity purposes;
 - (iii) livestock shade and shelter; or
 - (iv) protection from erosion along watercourses and the filtering of suspended solids and nutrients from run-off;
 - (b) the effects of retention on farm management; and
 - (c) the implications of retention or clearance on fire control.
- 79** Development likely to degrade any area of historic, scientific or cultural value or any natural resource of significance, including drainage systems, water catchment areas, mangrove or samphire wetlands, fauna habitats and areas of scenic beauty, should not be undertaken, accepting that wind farms and ancillary development may need to be located within such areas and that the visual impact of the development will need to be managed.
- 80** Development should not impair the character or nature of buildings or sites of architectural, historical, cultural or scientific significance.
- 81** Unsewered development outside the township or township fringe areas should be located at least 100 metres from any nearby watercourse; sewered development in such areas should not be located closer than 25 metres to any watercourse.
- 82** Development should not take place in a manner that may interfere or obstruct a water course.
- 83** Development liable to cause soil erosion or contribute to the silting of any watercourse should not be undertaken.
- 84** Development should not take place unless all wastes produced can be managed so as to prevent pollution of surface or underground water resources.
- 85** Industrial waste water and other liquid waste may only be disposed into common effluent drainage systems tanks where it meets acceptable standards, otherwise it should be appropriately contained on-site for removal by a waste contractor.

Appearance of Land and Buildings

- 86** Development should be of a high standard of design with regard to external appearance, building materials, colours, siting and landscaping so as to preserve and enhance the character and amenity of the locality, accepting that wind farms and ancillary development may be of a large scale, comprise a number of components and require an extended and/or dispersed development pattern. These facilities will need to be located in areas where they can take advantage of the natural resource upon which they rely and, as a consequence, may be located in visually prominent locations.

- 87** Building materials which have been used previously in the construction of a building or structure should not be used on the exterior of any proposed building or structure in the district, unless they are of an appearance which will not impair the standard of appearance of the existing development or impair the character and amenity of the locality.
- 88** Development should enhance and be in character with the existing residential development.
- 89** Development liable to detract from the appearance of the land should not be undertaken in areas of landscape significance, accepting that wind farms and ancillary development may need to be located within such areas and that the visual impact of the development will need to be managed.
- 90** Development should provide for the screening of materials and equipment stored on site so as to preserve and enhance the character of the locality.
- 91** The erection of transportable dwellings should not be undertaken unless the space between the floor of the building and the ground surface around the perimeter of the building is infilled with appropriate material.
- 92** Development should not be located on prominent sites in visually-attractive areas, accepting that wind farms and ancillary development may need to be located within such areas and that the visual impact of the development will need to be managed. Development in such areas should be designed in terms of scale, form, building materials and colours so as to blend with the surrounding landscape.
- 93** The visual impact of wind farms and ancillary development should be managed in accordance with the Renewable Energy policies contained in the Council-Wide section.
- 94** Development requiring the removal of significant mature vegetation should not be undertaken.
- 95** Development should not be located in, or so as to lead to the degradation of, sand dune areas.
- 96** Development should be designed and constructed to ensure the disposal of stormwater is carried out without risk or nuisance to adjoining properties.
- 97** Outdoor advertising signs should not be erected outside townships or township fringes and should be of a style and size compatible with the associated building and adjacent buildings; where such buildings are of heritage significance signs should exhibit typographical styles appropriate to their character.
- 98** All signs should be located safely and conveniently so as not to present a hazard to vehicular or pedestrian traffic.
- 99** Development should be complemented and partially screened by landscaping to the degree appropriate to the character of the locality.

Mining

- 100** Mining operations should not be undertaken unless other environmental impacts can be minimised and no wider ecological damage will result.
- 101** Development should not be undertaken in the vicinity of known mineral deposits:
- (a) until the full extent and significance of such deposits has been determined;
 - (b) if such development would be incompatible with mining operations; or
 - (c) if it would add to the cost of extracting the resource.
- 102** Mining operations should only be undertaken if:
- (a) the mining of the resource is in the public interest;

- (b) the proposed location is the best alternative site in regard to minimising pollution and the loss of amenity, or bushland;
- (c) there are a limited number of known reserves of the mineral in the area or elsewhere in the State;
- (d) there are significantly higher costs of extraction and transport of the minerals from alternative sites to principal centres of consumption; and
- (e) the site is capable of restoration to ensure that the impact on the landscape is minimal.

103 Mining operations should be conducted in accordance with a development and reclamation programme which:

- (a) ensures that danger and unreasonable damage or nuisance does not arise from the workings or any operations associated with them;
- (b) provides an efficient buffer of land, tree screening or mounding around the site to protect the existing adjoining land users from the effects of the operation;
- (c) provides for progressive reclamation of disturbed areas;
- (d) provides for the removal of buildings, plant, equipment, rubbish and litter when operations are complete; and
- (e) renders the site safe for future occupiers or users.

104 An after-use appropriate to the site and the locality should be established on the completion of extractive operations and reclamation to as close as possible to the original condition in terms of vegetation cover and composition undertaken.

105 New extractive operations should generally not be opened within township boundaries unless for short-term public works programmes or other special purposes.

106 Borrow pits for road construction should be worked so as to minimise disturbance to the environment. Workings adjoining public roads should be screened by tree planting and pits restored on the completion of operations.

Building Set-back

107 No buildings should be erected on any land within the Rural Zone, Coastal Zone or Rural Fringe Zone so that any portion of such building is erected nearer than 50 metres to the boundary of a primary or secondary road, and accepting that wind farms and ancillary development may need to be located closer to road boundaries.

108 No building should be erected on any land within the Industrial Zone so that any portion of such building is erected nearer than 50 metres to the boundary of the Lincoln Highway.

109 No buildings should be erected on any land within any Zone other than the Rural Zone, Coastal Zone, Rural Living Zone, Rural Fringe Zone or Industrial Zone so that any portion of such building is erected nearer than eight metres to the existing boundary of a road.

110 A lesser distance than that provided for under principles of development control numbered 107, 108 and 109 above may be appropriate only where:

- (a) the bulk or height of the proposed building is less than that of the existing buildings and structures;
- (b) the proposed building is to be sited on an allotment having two or more boundaries to a road so that no reduction in road safety by restriction of driver visibility will result;
- (c) the set-back of the proposed building is consistent with existing buildings on adjoining or nearby land;

- (d) the siting of the proposed building will not diminish the safety of access from the site onto the adjoining roadway; or
- (e) required to facilitate the development of wind farms and ancillary development.

Intensive Animal Keeping

- 111** An intensive animal keeping unit should be located so as to minimise any adverse impact on the natural environment and on existing and proposed land uses in the area.
- 112** Intensive animal keeping should not be located in, or adjoin any town, residential area or land proposed to be used for residential development.
- 113** All buildings, pens, yards, runs, holding yards, waste management facilities and other ancillary structures, should be located as unobtrusively as possible, particularly when near to public roads and scenic vantage points.
- 114** Effluent, and other wastes, from intensive animal keeping should be managed in accordance with environmental health requirements, and to prevent the pollution of water resources.
- 115** Animals kept within intensive animal keeping units should be confined within appropriate and adequate pens or enclosures.
- 116** Any deterioration of soil quality resulting from intensive animal keeping and associated management practice should be minimal.
- 117** Intensive animal keeping units and associated waste storage facilities and disposal sites should not be located on waterlogged land or flood prone areas.
- 118** An intensive animal keeping operation should be located so as to minimise the possible transmission of disease to another intensive animal keeping operation.
- 119** Piggeries should not be concentrated in any locality.
- 120** Intensive animal keeping should be located so as to minimise noise, dust and odour problems, taking local meteorological conditions into account.

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

- 121** 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.
- 122** Development should not be located in delicate or environmentally sensitive coastal features such as sand dunes, wetlands or important remnants of native vegetation.
- 123** Development should not, nor be likely in the future to, adversely affect the ecology and stability of environmentally sensitive coastal features.
- 124** 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.
- 125** 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).
- 126** 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.
- 127** 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 153, whichever is the greater, except where SA Health Commission standards can be met by a lesser set-back.
- 128** 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.
- 129** Development should not cause deleterious effects on the quality or hydrology of groundwater.
- 130** 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.
- 131** 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.
- 132** 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) at 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) at 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; and
- (l) of a sufficient standard of construction to ensure that structures can withstand normal marine conditions.

Preservation of scenic, heritage and other values

133 Development should not result in the disturbance or the devaluation of sites of heritage, cultural, scientific or educational significance.

134 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 areas by intruding into undeveloped areas;

accepting that wind farms and ancillary development may need to be located within such areas and the visual impact of the development will need to be managed.

135 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.

136 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; and
- (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).

137 Marine aquaculture and other offshore development should be located at least:

- (a) 550 metres from a proclaimed shipwreck; and
- (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.

138 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; and
- (g) not jeopardise the attainment of visual amenity provisions by incorporating unnecessary shelters and structures above cages and platforms.

Maintenance of public access

139 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 152, 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.

140 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.

141 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.

142 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.

143 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.

144 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 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; and
- (f) where possible use existing and established roads, tracks, ramps and paths to or from the sea.

145 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

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

147 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.

148 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 151.

149 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 148 (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 151; and
- (b) there are practical measures in accordance with principle of development control numbered 151 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 148.

150 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.

151 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.

152 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 151; or
- (b) the council is committed to protecting the public reserve and development from the anticipated coastal erosion.

153 Where a coastal reserve exists, or is to be provided in accordance with principle of development control numbered 139, it should be increased in width by the amount of buffer required.

154 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.

155 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 council has committed itself 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 150 for coastal development will be built by the land owner(s) when required.

156 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.

157 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; and
- (f) provide for rehabilitation of sites no longer operational;

Protection of physical and economic resources

158 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.

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

160 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; and
- (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; or
 - (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

161 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.

162 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.

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

164 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; and
- (c) developed to ensure that wastes are disposed of in a complete and effective system which is legally approved.

No premature development

165 Development, including land division, urban, holiday settlement, tourist development and other urban-type developments should be:

- (a) compact not linear development;
- (b) contiguous with any existing built-up areas;
- (c) developed in a staged and orderly manner which facilitates the economic provision of services and infrastructure; and
- (d) in particular no such development should occur without provision of an adequate reticulated domestic-quality mains water supply and a common effluent drainage scheme.

Re-development of unsatisfactory areas

166 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

167 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.

168 Where technically feasible, co-location of telecommunications facilities should primarily occur in industrial, commercial, business, office, centre and rural zones.

169 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.

170 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.

171 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

172 Renewable energy facilities, including wind farms and ancillary developments, should be located in areas that maximise efficient generation and supply of electricity.

173 Wind farms and ancillary development such as substations, maintenance sheds, access roads, wind monitoring masts and connecting power-lines (including to the National Electricity Grid), should be sited, designed and operated to:

- (a) manage the visual impact of the development by achieving the following:
 - (i) a setback of at least 1 kilometre of a wind turbine from a dwelling that is not associated with the development
 - (ii) vegetated buffers to mitigate short to medium range visual impacts
 - (iii) regular spacing of wind turbines in open/flat landscapes where vegetation is orderly
 - (iv) irregular spacing in hilly/rugged landscapes where vegetation is varied
 - (v) ensure that blades on wind turbines rotate in the same direction
 - (vi) ensure that all wind turbines have uniformity in terms of colour, size and shape
- (b) avoid or minimise the potential for adverse impact on areas of native vegetation, conservation, the natural environment, geological, tourism or built or natural heritage significance
- (c) avoid or minimise the following impacts on nearby property owners and/or occupiers, road users and wildlife:
 - (i) shadowing, flickering, reflection or blade glint impacts
 - (ii) excessive noise
 - (iii) interference with television and radio signals
 - (iv) modification of vegetation, soils and habitats
 - (v) striking of birds or bats.

174 Renewable energy facilities, including wind farms and ancillary development, should be 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.

Sustainable Development

175 Landscape design should assist microclimate management and conserve energy and water and should incorporate:

- (a) minimal lawn areas;
- (b) provision for the collection of runoff water from hard surfaces and roofs; and
- (c) the planting of ground cover plants and mulches.

- 176** Development should have a rainwater tank reticulated to the building for the collection and use of rainwater.
- 177** Dual flushing toilet systems with a capability of allowing for an alternative of six litre or three litre flushing should be installed in all new dwellings and in dwellings where additional toilet facilities are being constructed.
- 178** Land division for residential purposes should provide for the orientation of allotments for solar access, and common trenching of services and communication services.
- 179** New residential allotments should provide for a range of allotment sizes diversity of building types, and retain native trees and vegetation.
- 180** New residential allotments should provide solar access by the following orientation:
- (a) narrow lots on the north side of east/west streets;
 - (b) wider lots located with their long axis east/west or located north/south on the south side of an east/west street; and
 - (c) north/south streets are to be minimised.
- 181** New residential estate type development should incorporate the storage and use of stormwater drainage on site where possible for landscaping or other uses provided:
- (a) the stormwater can be reasonably accommodated on site; and/or
 - (b) the structural stability of buildings on the site or adjoining sites is not effected.
- 182** Buildings should be sited and designed to allow adequate daylight and winter sunlight to habitable rooms.
- 183** Detached dwellings should be sited and designed to provide adequate thermal comfort for occupants while minimising the need for fossil fuel energy sources for heating and cooling, by:
- (a) providing internal day living areas with north facing windows;
 - (b) incorporating external openable windows and doors fitted with draught control devices;
 - (c) designed living areas to be capable of being closed off from other areas of the dwelling;
 - (d) providing opportunities to vary thermal conditions through movement of air between rooms;
 - (e) using building materials appropriate to the climatic conditions;
 - (f) incorporating appropriately located, sized and shaded windows and glass doors;
 - (g) incorporating adequate building insulation; and
 - (h) having eaves wide enough for summer shade.
- 184** Roof orientation and pitch should facilitate the efficient use of solar collectors and photovoltaic cells.

Water Supply

- 185** Development should only be undertaken where there is an adequate water supply.
- 186** Industrial and Commercial development should have direct connection to a 150mm diameter water main.

TOWN OF COWELL

Introduction

Area

The objectives and principles of development control that follow apply to that part of the area of the District Council of Franklin Harbour shown on [Map FrH/1 \(Overlay 1\) Enlargement A](#) and comprising the town of Cowell.

OBJECTIVE

- Objective 1:** Cowell developed in a compact and orderly form with provision for industrial, commercial, residential, recreational and community facilities to cater for an expanding population.

Background

Cowell, the service and community centre for the district, is located on the Lincoln Highway connecting Port Lincoln, Whyalla and Port Augusta. The town has expanded beyond its parklands in a disjointed manner, particularly to the west of the town.

The retailing, business and civic focus of the town is Main Street, where the extensive median strip and the existence of Norfolk Island Pines contribute to a visually pleasing streetscape. Several old buildings of historic significance located in the central area are worthy of consideration for inclusion on the South Australian State Heritage Register.

In the past decade, the development of the aquaculture industry based on culture of the Pacific Oyster and fin fish farming has been an important economic driver for the town.

The Cowell Structure Plan ([Map FrH/1 \(Overlay 1\) Enlargement A](#)) shows in general terms the desired strategy for the future development of the town, in accordance with the following measures:

- (a) the orderly and economic growth and expansion of urban facilities and development;
- (b) the provision for a variety of residential allotment sizes and locations to cater for alternative living environments;
- (c) the provision for new sites for commercial and industrial activity;
- (d) the development of parklands and foreshore areas for recreation purposes;
- (e) the establishment of a road network which will promote the safe and efficient flow of traffic through the township;
- (f) the provision of further development and enhancement of the town centre;
- (g) the relocation of activities which are inconsistent with the objectives for each zone;
- (h) the protection of the town surrounds area from undesirable and visually obtrusive development;
- (i) the conservation and protection of buildings, objects and sites of heritage significance; and
- (j) the provision of land for the further development of support facilities for the aquaculture industry.

TOWN CENTRE ZONE

Introduction

The objectives and principles of development control that follow apply in the Town Centre Zone shown on [Map FrH/19 and 21](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** A zone primarily accommodating a wide range of retail, office, administrative, community, cultural and entertainment facilities appropriate to the needs of the community.
- Objective 2:** Main Street developed as the focus for retailing, business, community and car parking activities of the town.
- Objective 3:** Protection and enhancement of buildings of historic significance.
- Objective 4:** Retention and upgrading of landscaped road verges and the streetscaping of Main and High Streets.
- Objective 5:** Protection of the heritage streetscape character of Main Street
- Objective 6:** Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The Town Centre Zone will be further developed to fulfil its role as the administrative and service centre for the Council area.

Development within the Zone will provide a range of retail, administrative, cultural, entertainment, community, business, educational and recreational facilities, as well as visitor and tourist accommodation appropriate to the needs of the township and catchment it serves.

Development will contribute to the establishment of a vibrant, active, integrated and connected Town Centre. A continuous edge of buildings of a similar height will be created that addresses and encloses streets through minimal street and side boundary setbacks. Buildings with frontage to the street will incorporate non-residential activities, entrances and windows at street level and incorporate verandas and awnings to maximise pedestrian amenity.

Public access to the coast will be further developed, formalising public paths and open space areas adjacent to the foreshore.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1** Development for residential purposes, other than the erection of residential flat buildings or the provision of caretaker accommodation associated with business activities, should not be undertaken.
- 2** Development should include sufficient provision for vehicular access and for manoeuvring and loading of service vehicles to ensure safety of the public and the free flow of traffic in the locality.
- 3** Car parking and service areas should be sited and suitably screened with fencing or landscaping. Such car parking areas should be of a size sufficient to accommodate vehicles associated with or generated by the development.
- 4** Development should be of a standard of design which will harmonize with and improve the character and general appearance of the locality and should not degrade the historic character of any buildings of heritage value within the immediate vicinity.

- 5 Development should be designed to create active street frontages which encourage public activity and interest to passing pedestrians and contribute to the liveliness, vitality and security of public areas.
- 6 Development should:
- (a) allow existing historic buildings to remain the dominant visual elements in the locality;
 - (b) incorporate verandas and sheltered pedestrian environments to promote pedestrian movements and outdoor dining opportunities;
 - (c) provide a continuation of building alignments and facades on front allotment boundaries;
 - (d) complement the height and scale of existing buildings and be no greater than three storeys in height.

Complying Development

- 7 Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

Non-complying Development

- 8 The following kinds of development are **non-complying** in the Town Centre Zone:

Builder's Yard
Farming
Fuel Depot
General Industry
Intensive Animal Keeping
Junk Yard
Light Industry
Road Transport Terminal
Special Industry
Timber Yard

Public Notification

- 9 All forms of development are assigned as **Category 1 Development** in the Town Centre Zone except those listed as non-complying.

RESIDENTIAL ZONE

Introduction

The objectives and principles of development control that follow apply to the Residential Zone shown on [Map FrH/18 to 21](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.
- Objective 2:** Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
- Objective 3:** Development that contributes to the desired character of the zone.

DESIRED CHARACTER

Residential development within the zone will proceed in a staged and planned manner as a logical extension of existing residential areas. Connections to facilities and services both within and outside the zone will be improved through the creation of a local road network based on a modified-grid pattern and the establishment of recreational links along roads, public reserves and stormwater management systems. Pedestrian and vehicular access to schools, shops and places of employment will be enhanced through the creation of reserves and a shared-use recreational trail.

Residential development will be linked to the provision of adequate water and effluent disposal infrastructure and will feature environmental sensitive design techniques to minimise the use of water and respond to local climatic conditions.

Residential development will respond to the presence of existing non-residential development within the zone (such as oyster processing businesses) through the adoption of design techniques which address potential interface issues such as noise and vehicle movements.

Development within the zone will generally comprise detached and semi-detached dwellings at low-densities. Home-based businesses as well as small-scale non-residential uses such as child-care centres, schools, offices, consulting rooms and shops will be developed where they do not negatively impact on existing residential development.

A sense of openness will be maintained through generous side and rear setbacks and low front fences. While housing will be of contemporary design, the use of verandas, eaves, pitched roofs and a mixture of building materials will ensure that dwellings are attractive, visually interesting and responsive to the local environment.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

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

- Affordable housing
- Domestic outbuilding in association with a dwelling
- Domestic structure
- Dwelling
- Dwelling addition
- Small-scale non-residential uses that serve the local community, for example:
 - child care facility
 - open space
 - primary and secondary schools
 - recreation areas.
 - shop, office or consulting room
- Supported accommodation

- 2 Development listed as non-complying is generally inappropriate.
- 3 Vacant or underutilised land should be developed in an efficient and co-ordinated manner to increase housing choice.
- 4 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:
 - (a) serves the needs of the local community
 - (b) is consistent with the character of the locality
 - (c) does not detrimentally impact on the amenity of nearby residents.
- 5 Development south of Smith Road and west of Franklin Terrace should only proceed in accordance with the Cowell South Residential Development Area Concept Plan [Figure R/1](#).
- 6 Home businesses should comply with the following:
 - (a) the total floor area of buildings used for the home business activity should not occupy more than 72 square metres
 - (b) no building or activity associated with the home business should be located closer to any residential street alignment than the associated dwelling
 - (c) no more than two persons, other than persons living on the site, should be employed on the site
 - (d) one additional on-site car parking space should be provided for every two non-residential employees
 - (e) no vehicle used in association with any business should exceed five tonnes tare weight
 - (f) a home business should only be located on a site on which there exists a dwelling in residential occupation and which will continue to be occupied by the proprietor of the home business on the site
 - (g) a home business should have no detrimental effect upon the amenity of the locality by the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or cause dangerous or congested traffic conditions in any nearby road
 - (h) hours of operation should be restricted to the hours between 7.30 am and 7.30 pm, Mondays to Saturdays, with no hours of operations on Sundays and public holidays
 - (i) goods should not be displayed in any window or around the dwelling
 - (j) any sign erected to advertise the business should not exceed 1 square metre in size.
- 7 Development adjacent to existing aquaculture activities such as oyster processing facilities should include design techniques which address potential interface issues such as noise and vehicle movements.
- 8 The use and placement of outbuildings should be ancillary to and in association with a dwelling or dwellings.

Form and Character

- 9 Development should not be undertaken unless it is consistent with the desired character for the zone.



0 metres 100 200 300
1 : 5,000

-  Residential
-  Primary Production
-  Open Space
-  Local Road

**FRANKLIN HARBOUR (DC)
RESIDENTIAL ZONE
COWELL SOUTH
RESIDENTIAL DEVELOPMENT AREA
CONCEPT PLAN
Figure R/1**

Consolidated - 12 January 2012

- 10 Dwellings should be designed within the following parameters:

Parameter	Value
Minimum setback from primary road frontage	8.0 metres
Minimum setback from secondary road frontage	3.0 metres
Minimum setback from side boundaries	1.0 metres
Minimum setback from rear boundary	4.0 metres (single storey) 8.0 metres (two storeys or greater)
Maximum site coverage	50 per cent
Maximum building height (from natural ground level)	8.0 metres
Minimum number of on site car parking spaces (One of which should be covered)	2

- 11 Sheds, garages, carports and similar outbuildings should be designed within the following parameters:

Parameter	Value
Maximum combined floor area	72 square metres
Maximum building height (from natural ground level)	3.7 metres
Maximum wall height (from natural ground level)	3.0 metres
Minimum setback from primary road frontage	8.0 metres
Minimum setback from secondary road frontage	3.0 metres
Minimum setback from side and rear boundaries	1.0 metres

- 12 A dwelling, which is able to be connected to an SA Water sewer or Community Wastewater Management Scheme, should have a minimum site area (and in the case of group dwellings, an average site area per dwelling) and a frontage to a public road not less than that shown in the following table:

Dwelling type	Site area (square metres)	Minimum frontage (metres)
Detached	700 minimum	15
Semi-detached	450 minimum	12
Group dwelling	500 minimum (average)	15

- 13 A dwelling, which is unable to be connected to an SA Water sewer or Community Wastewater Management Scheme, should have a minimum site area of 1000 square metres and a frontage to a public road not less than 20 metres.

Affordable Housing

- 14 Development should include a minimum 15 per cent of residential dwellings for affordable housing.
- 15 Affordable housing should be distributed throughout the zone to avoid over-concentration of similar types of housing in a particular area.

Land Division

- 16 Land division should create allotments which accord with the minimum site area and minimum frontage parameters as set out in Principles 12 and 13 above.

PROCEDURAL MATTERS

Complying Development

- 17 Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

Non-complying Development

- 18 Development (including building work, a change of use in the land, or division of an allotment) for the following is non-complying:

Advertisement and /or advertising hoarding, except where:

- (a) the advertisement and/or advertising hoarding is in association with a home business, child care facility, health and welfare service, school, shop, office or consulting room;
- (b) the total area is no greater than 1 square metre.

Amusement machine centre
Bank
Builder's yard
Caravan park

Consulting rooms except where:

- (a) the total floor area is less than 100 square metres;
- (b) the site does not front an arterial road.

Crematorium
Dairy
Farming
Farm building
Fuel depot
Horse keeping
Horticulture
Hospital
Hotel
Industry
Intensive animal keeping
Motor repair station
Office, except where:

- (a) the total floor area is less than 100 square metres;
- (b) the site does not front an arterial road.

Petrol filling station
Prescribed mining operations
Public service depot
Restaurant
Road transport terminal
Service trade premises
Shop or group of shops, except where:

- (a) the gross leasable area is less than 250 square metres;

(b) the site does not front an arterial road.

Stock sales yard
Stock slaughter works
Store
Timber yard
Warehouse
Waste reception, storage, treatment or disposal
Wrecking yard

Public Notification

19 Categories of public notification are prescribed in Schedule 9 of the Development Regulations 2008.

Further, the following forms of development are designated:

Category 2

Home Business
Child Care Facility
Health and Welfare Service
Primary and Secondary School
Shop
Office
Consulting Room
Supported Accommodation.

COMMERCIAL ZONE

Introduction

The objectives and principles of development control that follow apply in the Commercial Zone shown on [Maps FrH/18 to 19](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** A zone primarily accommodating local servicing, wholesaling, storage, light and service industry.
- Objective 2:** Enhancement of the appearance of development adjacent to Lincoln Highway.
- Objective 3:** Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The Commercial Zone will be developed to accommodate a variety of activities to service the local community and visitors to the region including service industry, service trade premises, petrol filling stations, tourist accommodation and local offices. Development will be of a high standard and incorporate landscaping to soften the visual impact of buildings and provide shade to car parking areas.

Portions of the Commercial Zone contain significant stands of native vegetation. Development will be designed to retain as much native vegetation as possible.

Development adjoining residential areas will include measures to minimise the transfer of noise and other impacts.

Some commercial, depot and service station type activities have already developed and it is desirable that future development reflects the importance of the zone's location on the main entry point to the town of Cowell.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development involving the display and sale of goods should be located immediately adjacent to the Lincoln Highway, provided no hazard to traffic will result.
- 2 Development should include sufficient provision for vehicular access and for the manoeuvring and loading of service vehicles so as best to ensure the safety of the public and the free flow of traffic in the locality.
- 3 Car parking areas, servicing areas and areas for the storage of goods and materials should be sited and screened suitably by fencing or landscaping designed to enhance the amenity of the locality.
- 4 Development should be of a high standard of design with respect to scale, external materials, colours and siting so as to enhance the amenity of the locality and the view from the Lincoln Highway.

Complying Development

- 5 Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

Non-complying Development

- 6 The following kinds of development are **non-complying** uses in the Commercial Zone:

- Builder's Yard
- Detached Dwelling except on the eastern side of the Lincoln Highway
- General Industry

Intensive Animal Keeping
Junk Yard
Multiple Dwelling
Prescribed Mining Operations
Residential Flat Building
Row Dwelling
Semi Detached Dwelling
Special Industry
Stock Sales yard
Stock Slaughter Works

Public Notification

- 7 The following kinds of development are assigned as **Category 1 Development** in the Commercial Zone:

Dwelling associated with a motel
Motel
Motor Repair Station
Office
Petrol Filling Station
Retail Showroom
Service Industry
Service Trade Premises
Store
Warehouse

COMMERCIAL (BULK HANDLING) ZONE

Introduction

The objective and principles of development control that follow apply to the Commercial (Bulk Handling) Zone shown on [Map FrH/19](#). They are additional to those expressed for the whole of the council area.

OBJECTIVE

Objective 1: A zone in which farm commodities are received, stored and despatched in bulk.

Facilities for the transportation, handling and storage of farm commodities in bulk, are essential components of the rural economy. The town of Cowell contains essential infrastructure for the bulk handling and storage of farm commodities.

The facilities are integral to the rural economy and should be protected from encroachment by incompatible development or activities likely to be affected by continued operation of them.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development within 300 metres of facilities for the transportation, handling and storage of farm commodities in bulk, should not prejudice the continued operation of those facilities.
- 2 Development within 300 metres of facilities for the transportation, handling and storage of farm commodities in bulk, should be designed, sited and developed having regard to the potential environmental impact arising from the operation of the bulk transportation, handling and storage facilities.
- 3 Development in the zone should be sensitive to the need for bulk handling storage and transportation facilities to be subjected to the extended operation during the grain harvest.
- 4 Development of facilities for the handling, transportation and storage of farm commodities, in bulk, should have:
 - (a) adequate area set aside on the site of the development for the marshalling of vehicles attending the site;
 - (b) roadways and parking areas surfaced in a manner sufficient to have dust emission from the site reduced to a level appropriate to the locality;
 - (c) landscaping established around the perimeter and within the site for the purpose of providing shade and shelter and to assist with screening and dust filtration;
 - (d) appropriate dust management procedures in place to reduce dust generation from unsurfaced roadways on windy days;
 - (e) vehicle circulation between elements on the site, restricted to the site of the development; and
 - (f) materials and finishes appropriate to the locality of the development.
- 5 Development of facilities for the handling, transportation and storage of farming commodities in bulk may include the storage of fertiliser and also contain activities that are involved in the value adding of farm commodities
- 6 The following kind of development should predominate in the Commercial (Bulk Handling) Zone:
Grain Storage and Handling

Non-complying Development

- 7 The following kinds of development are **non-complying** uses in the Commercial (Bulk Handling) Zone:

Dwelling
Fuel Depot
General Industry
Junkyard
Land Fill
Light Industry except where it applies to the value adding of farm commodities
Motor Repair Station
Petrol Filling Station
Primary School
Service Industry
Shop
Stock Slaughter Works
Waste Disposal Depot
Waste Transfer Station

Public Notification

- 8 The following kind of development is assigned as **Category 2 Development** in the Commercial (Bulk Handling) Zone:

Grain storage and handling facilities

INDUSTRY ZONE

Introduction

The objectives and principles of development control that follow apply in the Industry Zone shown on [Maps FrH/18 and 21](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** A zone primarily accommodating light, service and general industry.
- Objective 2:** Buildings, fencing and land attractively developed and maintained.
- Objective 3:** A zone where development does not deteriorate the natural environment in any way through pollution, degradation of natural vegetation, soil erosion or any other form of degradation, nor damage.
- Objective 4:** Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The Industry Zone will be an intensively developed, high quality, landscaped industrial area. The zone will accommodate a wide range of industrial activities including manufacturing, warehousing, transport, distribution and the processing of aquaculture products. The zone will be protected from the intrusion of residential and other inappropriate uses which will reduce the land resource for industrial uses or create potential for land use conflicts. High impact industrial uses will be located well away from residential and rural living areas.

Development within the Industry Zone will achieve generous set-backs from roads and residential development in adjoining zones in order to minimise visual amenity and environmental impacts. The appearance of the zone will be improved by additional tree planting and landscaping which 'break-up' views to buildings and structures from adjoining roads. Where industrial development is proposed adjacent to a more sensitive use or to the Council Refuse Site, vegetated buffers will be provided within individual development sites.

Industrial buildings will be designed to meet the needs of the intended use, however the mass and scale of the buildings will be located and designed to minimise the visual impact as viewed from public roads and surrounding properties.

Building mass will be well articulated, using smaller building modules, variation in the facades and varying roof form and pitch. Building material and colour will reduce the apparent bulk of the buildings and will reflect the nature of the surrounding area, particularly for sites that are more publicly visible.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1** Buildings should occupy no more than 50 percent of the area of any allotment.
- 2** Division of land liable to prejudice the further co-ordinated development of industrial activity within the zone should not be undertaken.
- 3** Development should include sufficient provision for vehicular access, and for the manoeuvring and loading of service vehicles so as best to ensure the safety of the public and the free flow of traffic in the locality.
- 4** Car parking areas, service areas and areas for the storage of goods, equipment and materials should be sited and screened suitably with fencing or landscaping designed to enhance the amenity of the locality.
- 5** Development should not be undertaken unless designed to avoid removal of mature vegetation. Existing vegetation should be retained for screening purposes wherever possible.

- 6 Buildings and structures should be of a high standard of design with regard to external appearance, building materials, colours siting and landscaping so as to preserve and enhance the appearance of the locality and the quality of views from the Lincoln Highway.
- 7 Provision must be made for the disposal of waste waters, sewage and other effluent from each allotment without risk to health, following permeability testing if soil qualities unknown.
- 8 All allotments should be of sufficient area to ensure the satisfactory disposal of septic tank effluent within the confines of each allotment, and where necessary a sediment tank, grease arrester, soakage and sand filter system, or other similar system, should be installed to ensure the satisfactory disposal of fish processing waste, and to ensure that surface and underground water resources and coastal waters are protected. If required waste should be carted away.
- 9 Development should prevent contamination of any water supply, any surface or underground water resources and coastal waters.
- 10 Fish processing waste should be retained and treated on site, disposed of by irrigation in accordance with approved management procedure or transported to an appropriately licensed landfill depot. Fish processing waste should not be permitted to enter the sea unless treated such that it complies with the appropriate legislative requirements.
- 11 Development should be designed to protect water quality and the marine eco-system.
- 12 Refuse and storage should be screened from view with fencing and landscaping.
- 13 Stormwater must be capable of being drained safely and efficiently and being disposed of from the land in a satisfactory manner.
- 14 No dwelling should be erected in the zone except for a dwelling established on an existing business premises which is actively used for business purposes.
- 15 Dwellings, in association with industrial development, should be sited to the rear of allotments or in such a manner as to enable the continued suitable operation of adjoining activities and the business activity on the site itself.
- 16 Dwellings, in association with industrial development, should comprise either purpose built residences which are either transportable or constructed on site, or extensions to existing buildings which include adequate living quarters and amenities.
- 17 Buildings or extensions of buildings should:
 - (a) be constructed of new or as new materials, with external surfaces including walls, doors, roofs, door and windows frames, gutters and downpipes, fascias and other external fittings which are in good state of repair;
 - (b) be newly painted or present an even and consistent surface finish;
 - (c) be coloured to complement or match existing development on the site to enhance the appearance of the development in the locality, (colour schemes used for housing within the town of Cowell or colours similar to the colourbond range of colours will be considered suitable);
 - (d) support suitable additional landscaping;
 - (e) not use of several different types of cladding for walls; and
 - (f) use second hand materials which are in a good state of repair and capable of being painted or otherwise finished or treated so that they will appear as new and enhance the appearance of the development.
- 18 Storage sheds or garden sheds established in association with dwellings should be of colourbond steel construction or similar.

- 19 Division of land to create allotments which contain dwellings should not occur.
- 20 Development located on land adjoining a Residential or Rural Living Zone or the Refuse Site should include a landscaped buffer of 50 metres in width.

Complying Development

- 21 Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

Non-complying Development

- 22 The following kinds of development are **non-complying** in the Industry Zone:

Bank
 Camping Area
 Caravan Park
 Detached Dwelling
 Consulting Room
 Hotel
 Intensive Animal Keeping
 Prescribed Mining Operations
 Community Centre
 Semi-detached Dwelling
 Shop or group of shops except where associated with the sale of goods manufactured, machined
 or processed on the same allotment
 Stock Slaughter Works

Public Notification

- 23 The following kinds of development are assigned as **Category 1 Development** in the Industry Zone:

Alterations and additions to existing development
 Builder's Yard
 Fuel Depot
 General Industry
 Light Industry
 Motor Repair Station
 Public Service Depot
 Retail Showroom
 Road Transport Terminal
 Service Industry
 Service Trade Premises
 Shop
 Store
 Timber Yard
 Vehicle Parking Area
 Weighbridge
 Warehouse

LIGHT INDUSTRY (AQUACULTURE) ZONE

Introduction

The objectives and principles of development control that follow apply to that part of the District Council of Franklin Harbour referred to as the Light Industry (Aquaculture) Zone shown on [Maps FrH/19 and 21](#). They are additional to those expressed for the whole council area.

OBJECTIVES

- Objective 1:** A zone accommodating land based aquaculture support facilities.
- Objective 2:** A zone where development is designed, managed, sited and maintained such that it minimises any adverse affects on surrounding properties in terms of pollution, dust creation, noise, smell and other forms of pollution.
- Objective 3:** A zone where development does not deteriorate the natural environment in any way through pollution, degradation of natural vegetation, soil erosion or any other form of degradation.

PRINCIPLES OF DEVELOPMENT CONTROL

Form of Development

- 1 For the purposes of the zone, land based aquaculture support facilities include light industry comprising the cleaning, washing, packing or adapting for sale of any fish or marine produce and the small scale manufacture, maintenance or repair of infrastructure used in aquaculture, plus the storage of boats, vehicle and equipment associated with aquaculture activities
- 2 Development should be for aquaculture and activities ancillary to aquaculture.
- 3 Buildings and structures should be:
 - (a) no more than five metres in height;
 - (b) designed in such a way and of such scale as to be unobtrusive and not detract from the amenity of the area; and
 - (c) be constructed of materials and colours which are unobtrusive in nature and design to harmonise and blend with character of land within the zone.
- 4 The external cladding or walling material and roof sheeting of buildings and structures being comprised of new materials or materials not having been previously used for any other purpose which damages or impairs the soundness or uniform appearance of the material.
- 5 Development of allotments, and subsequent buildings and structures, adjacent the main road should:
 - (a) incorporate a five metre wide landscaped corridor along the boundary of the site, continuous with the road boundary; and
 - (b) ensure any building work undertaken, including outbuildings, utilizes pre-painted materials or is painted within 12 months of erection.
- 6 Development of allotments and subsequent development should:
 - (a) ensure adequate access to all premises;
 - (b) ensure all loading and unloading of vehicles takes place on industrial premises;

- (c) ensure that the number, location and access points to a road or thoroughfare are designed to best ensure the safety of the public and the free flow of traffic in the locality; and
 - (d) ensure the establishment of parking areas, the design, layout and pavement of which are designed so as to best ensure the safety of the public and the free flow of traffic in the locality.
- 7 Provision must be made for the disposal of waste waters, sewage and other effluent from each allotment without risk to health, following permeability testing if soil qualities unknown.
 - 8 All allotments should be of sufficient area to ensure the satisfactory disposal of septic tank effluent within the confines of each allotment, and where necessary a sediment tank, grease arrester, soakage and sand filter system, or other similar system, should be installed to ensure the satisfactory disposal of fish processing waste, and to ensure that surface and underground water resources and coastal waters are protected. If required waste should be carted away.
 - 9 Development should prevent contamination of any water supply, any surface or underground water resources and coastal waters.
 - 10 Fish processing waste should be retained and treated on site, disposed of by irrigation in accordance with approved management procedures or transported to an appropriately licensed landfill depot. Fish processing waste should not be permitted to enter the sea unless treated such that it complies with the appropriate legislative requirements.
 - 11 Wash-down areas established to enable the cleaning of oyster racks and other equipment should be suitably located on sites so as to lessen any potential impact from odour generated from cleaning activities.
 - 12 Wash-down areas should be hard surfaced and screened against the prevailing wind direction to minimise the potential for over-spray.
 - 13 Adequate facilities should be created on site to enable the storage of cages and other equipment requiring cleaning, away from residences.
 - 14 Development should ensure that inlet and outlet pipes associated with aquaculture are located a minimum distance of one kilometre from any existing marine aquaculture lease.
 - 15 Development should be designed to protect water quality and the marine eco-system.
 - 16 Refuse and storage should be screened from view with fencing and landscaping.
 - 17 Stormwater must be capable of being drained safely and efficiently and being disposed of from the land in a satisfactory manner and so as to prevent erosion or pollution of surface or underground water resources.
 - 18 No dwelling should be erected in the zone except for a caretaker's dwelling established on an existing business premises which is actively used for business purposes.
 - 19 Caretaker's dwellings should be sited to the rear of allotments or in such a manner as to enable the continued suitable operation of adjoining activities and the business activity on the site itself.
 - 20 Caretaker's dwellings should comprise either purpose built residences which are either transportable or constructed on site, or extensions to existing buildings which include adequate living quarters and amenities.
 - 21 Buildings or extensions of buildings to be used for the purpose of caretaker's dwellings should:
 - (a) be constructed of new or as new materials, with external surfaces including walls, doors, roofs, door and windows frames, gutters and downpipes, fascias and other external fittings which are in good state of repair;

- (b) be newly painted or present an even and consistent surface finish;
- (c) be coloured to complement or match existing development on the site to enhance the appearance of the development in the locality, (colour schemes used for housing within the town of Cowell or colours similar to the colourbond range of colours will be considered suitable);
- (d) support suitable additional landscaping;
- (e) not use of several different types of cladding for walls; and
- (f) use second hand materials which are in a good state of repair and capable of being painted or otherwise finished or treated so that they will appear as new and enhance the appearance of the development.

22 Storage sheds or garden sheds established in association with caretaker's dwellings should be of colourbond steel construction or similar.

23 Division of land to create allotments which contain caretaker's dwellings should not occur.

Non-complying Development

24 The following kinds of development are **non-complying** in the Light Industry (Aquaculture) Zone:

- Agistment and Holding of Stock
- Bank
- Camping Area
- Caravan Park
- Consulting Room
- Detached Dwelling
- Dwelling except for caretaker's residence
- General Industry
- Hotel
- Horse Keeping
- Intensive Animal Keeping
- Prescribed Mining Operations
- Community Centre
- Semi-detached Dwelling
- Shop or group of shops with gross leasable area greater than 450 square metres
- Special Industry
- Stock Slaughter Works

Public Notification

25 The following kind of development is assigned as **Category 1 Development** in the Light Industry (Aquaculture) Zone:

- Land Based Aquaculture Support Facilities

SPECIAL USE ZONE

Introduction

The objectives and principles of development control that follow apply in the Special Use Zone shown on [Map FrH/18](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

Objective 1: Land within the zone retained and developed for the cemetery and land fill depot.

Objective 2: Retention of the landscape character of land within the zone.

This zone incorporates the cemetery and waste disposal depot.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 This zone should accommodate the cemetery and land fill depot.
- 2 All development in the zone should be located having regard to the need to
 - (a) Protect the amenity of localities;
 - (b) Protect the environmental and landscape character of the localities; and
 - (c) Maintain public safety.
- 3 Security fencing should be designed so that it is not a dominant visual element in the locality.
- 4 Where security fencing is to be erected, this should be set back 3 metres from the property boundary to enable the establishment of a vegetation screen along the property boundary.

Non-complying Development

- 5 The following kinds of development are **non-complying** in the Special Use Zone:

- Abattoirs
- Community Centre
- Consulting Room
- Dwelling
- Educational Establishment
- Fuel Depot
- General Industry
- Intensive Animal Keeping
- Junk Yard
- Light Industry
- Motor Repair Station
- Office
- Petrol Filling Station
- Prescribed Mining Operations
- Road Transport Terminal
- Service Industry
- Service Trade Premises
- Shop
- Special Industry
- Stadium
- Store
- Timber Yard
- Warehouse

Public Notification

- 6 The following kinds of development are assigned as **Category 2 Development** in the Special Use Zone:

Cemetery
Waste Disposal Facility

COASTAL WATERFRONT ZONE

Introduction

The objectives and principles of development control that follow apply in the Coastal Waterfront Zone shown on [Maps FrH/19 and 21](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** A zone primarily accommodating development for recreational purposes.
- Objective 2:** Retention of minor commercial development associated with the fishing industry.

This part of the foreshore includes parklands, a Marine and Harbours reserve, a recreation reserve, the jetty and associated fishing industry facilities as well as the tidal-samphire areas associated with the coast. It is desirable to maintain a balance between the recreational, tourist, fishing and conservation aspects as the area provides an important interface between the town of Cowell and the sea.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 This zone should primarily accommodate recreational development with some minor commercial development associated with the fishing industry.
- 2 Development for commercial purposes should not be undertaken unless associated with small-scale expansion of the existing cold storage facilities serving the fishing industry. This development should be designed and landscaped to harmonise with the overall character of the land within the zone.
- 3 The following kinds of development are **non-complying** in the Coastal Waterfront Zone:

- Bank
- Builder's Yard
- Consulting Rooms
- Detached Dwelling
- General Industry
- Intensive Animal Keeping
- Junk Yard
- Light Industry
- Motel
- Motor Showroom
- Multiple Dwelling
- Residential Flat Building
- Row Dwelling
- Semi-detached Dwelling
- Service Industry
- Shop or group of shops with a gross leasable area greater than 450 square metres
- Special Industry
- Stock Saleyard
- Stock Slaughter Works
- Road Transport Terminal
- Timber Yard
- Used Car Lot
- Warehouse

PARKLANDS ZONE

Introduction

The objective and principles of development control that follow apply in the Parklands Zone shown on [Maps FrH/18 to 21](#). They are additional to those expressed for the whole of the council area.

OBJECTIVE

Objective 1: A zone developed as parklands and accommodating a range of active and passive recreation activities and limited community uses.

The parklands surround the central part of the town and are well used for parkland, recreational and community activities together with grain storage facilities. Additional landscaping would enhance and upgrade the amenity of development within the parklands.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development for residential purposes other than accommodation for the aged and staff accommodation required for the Hospital, should not be undertaken.
- 2 Development for caravan park purposes should be confined to Allotment 268, Hundred of Playford.
- 3 Development should include sufficient provision for car parking, such areas being sited and suitably screened with fencing or landscaping designed to enhance the amenity of the locality.
- 4 Development should be of a high standard of design in regard to external materials, colours, scale, siting and landscaping so as to enhance the character and amenity of the locality.
- 5 The following kinds of development are **non-complying** in the Parklands Zone:

Bank
 Builder's Yard
 Consulting Rooms
 Detached Dwelling
 Fuel Depot
 General Industry
 Hotel
 Intensive Animal Keeping
 Junk Yard
 Light Industry
 Motel
 Motor Showroom
 Motor Repair Station
 Petrol Filling Station
 Prescribed Mining Operations
 Road Transport Terminal
 Service Industry
 Shop
 Special Industry
 Stock Saleyard
 Stock Slaughter Works
 Timber Yard
 Used Car Lot
 Warehouse

RURAL LIVING ZONE

Introduction

The objectives and principles of development control that follow apply in the Rural Living Zone shown on [Maps FrH/18 and 19](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** A zone primarily accommodating detached dwellings in association with small-scale farming and related rural activities of a minor nature on various sized allotments.
- Objective 2:** The establishment of uses compatible with adjacent town development.
- Objective 3:** Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The Rural Living Zone will primarily accommodate dwellings on large allotments within a semi-rural setting. In addition, small scale, low impact business activities associated with the use of the land will operate within the area in a manner that does not detract from the rural-residential character. Acknowledging the lack of infrastructure within the Rural Living Zone, dwellings will provide their own water supply and wastewater management system.

Residential development will achieve generous setbacks and landscaped buffers will be established to provide some interface treatment to adjoining industrial areas.

Development will be sparse, with buildings and other structures clustered on each allotment, generously set back from all boundaries. The open rural-residential character of the area will be maintained as will the open informal street treatments. Earthworks, driveways and other site works will be minimised and designed to blend within the landscape.

Portions of the Rural Living Zone contain significant stands of native vegetation. Development will be designed to retain as much native vegetation as possible. When the removal of remnant native vegetation cannot be avoided, environmental benefits will be provided to 'off-set' the loss of vegetation.

The siting of buildings, including roof forms and massing will be designed to sit comfortably within the landscape and not dominate views from adjoining roads. The form of dwellings will be climatically responsive with good orientation to address solar access and to promote natural air-flow while including shading such as verandas, eaves and pergolas.

Building materials and colours will complement the landscape of Cowell and will include corrugated iron, timber, brick and stone. Landscaping around buildings will provide important shading and screening.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1** The keeping or breeding of animals should not be undertaken unless there would be no nuisance due to the creation of noise, smell or risk to health to adjacent areas of the town.
- 2** The minimum size of any allotment created within a plan of land division should be one hectare.
- 3** Land should not be divided unless each allotment is provided with an all-weather access public road.
- 4** Development should be of a high standard of design with regard to appearance, building materials, colours, siting, landscaping and provision for maintenance, so as to enhance the amenity of the locality.

- 5 No buildings should be erected, added to, or altered on any land so that any portion of such building is erected, added to, or altered nearer than 50 metres to the Kimba to Cowell Main Road.
- 6 Non residential business activities comply with the following principles of development control:
- (a) the total floor area of buildings used for the industry or business activity should not occupy more than 25 percent of the total site, or 200 square metres, whichever is the greater;
 - (b) no building or activity associated with the home industry should be located closer to any street alignment than any dwelling;
 - (c) no more than three persons, other than persons living on the site should be employed on the site;
 - (d) one additional on-site car parking space should be provided for every two or more non-residential employees;
 - (e) no vehicle used in association with any industry or business should exceed five tonnes tare weight;
 - (f) a non residential business activity should only be located on a site on which there exists a dwelling in residential occupation and which will continue to be occupied by the proprietor of the business activity on the site;
 - (g) a non residential business activity should have no detrimental effect upon the amenity of the locality or the amenity within the vicinity of the locality by reason of the establishment or bulk of any building or structure the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or cause dangerous or congested traffic conditions in any nearby road;
 - (h) hours of operation should be restricted to the hours between 7.30am and 7.30pm, Mondays to Saturdays, with no hours of operations on Sundays and public holidays; and
 - (i) uses in this Zone should only be allowed if:
 - (i) no display of goods in any window or about the dwelling or the curtilage is visible from a residential road;
 - (ii) any sign erected to advertise the business is restricted to the commercial access land; and
 - (iii) the use does not require the provision of services provided by any public utility of a capacity greater than that available in the locality.

Complying Development

- 7 Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

Non-complying Development

- 8 The following kinds of development are **non-complying** uses in the Rural Living Zone:

Bank
 Consulting Rooms
 General Industry
 Hotel
 Intensive Animal Keeping (excluding stables)
 Junk Yard
 Land Division under 1 hectare
 Motel
 Motor Showroom

Multiple Dwelling
Petrol Filling Station
Prescribed Mining Operations
Residential Flat Building
Road Transport Terminal
Row Dwelling
Semi-detached Dwelling
Shop
Special Industry
Stock Slaughter Works
Timber Yard
Used Car Lot
Warehouse

Public Notification

- 9** The following kinds of development are assigned as **Category 1 Development** in the Rural Living Zone:

Alterations and additions to existing development
Dwelling
Farming
Horse Keeping
Horticulture
Recreation
Shed, garage and other residential outbuildings

RURAL FRINGE ZONE

Introduction

The objectives and principles of development control that follow apply in the Rural Fringe Zone shown on [Maps FrH/18 to 21](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** A zone accommodating a restricted range of primary production activities compatible with the adjacent town areas.
- Objective 2:** A zone serving as a buffer between the town of Cowell and the neighbouring farming areas.

This zone surrounds the town of Cowell and contains natural bushland, agricultural land and low-lying samphire - mangrove swamps to the north east. It is bisected by the Lincoln Highway and provides an attractive setting to the town of Cowell. Vegetation within this zone should be preserved.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development other than that associated with the use of the land for primary production should not be undertaken.
- 2 Land should not be divided unless no additional allotments would be created.
- 3 Buildings and structures should be of a high standard of design with regard to external appearance, building materials, colours, siting and landscaping so as to preserve and enhance the appearance of the locality and the quality of views from the Lincoln Highway.
- 4 Development liable to impair the amenity of the locality or create any nuisance due to noise, smell or risk to health, should not be undertaken.
- 5 The following kinds of development are **complying** within the Rural Fringe Zone subject to compliance with conditions, comprising where applicable:
 - (a) no building being erected, added to, or altered on any land so that any portion of such building is constructed nearer than 50 metres to the existing boundary of any road; and
 - (b) the planning authority having given a certificate that it is satisfied that:
 - (i) the number, design and location of access points to a road or thoroughfare from the site will ensure the safety of the public and the free flow of traffic in the locality;
 - (ii) the size and layout of the car parking area will be safe and convenient;
 - (iii) suitable landscaping is to be provided and maintained;
 - (iv) the space between the floor of the building and the ground surface around the perimeter of the building will be infilled with appropriate material; and
 - (v) all external cladding on structures to be from materials other than those that have previously been used:

Farming (but excluding pig keeping)
Horticulture

- 6 The following kinds of development are **non-complying** in the Rural Fringe Zone:

Bank
Consulting Rooms
Fuel Depot

General Industry
Hotel
Intensive Animal Keeping
Junk Yard
Light Industry
Motel
Motor Showroom
Motor Repair Station
Multiple Dwelling
Office
Petrol Filling Station
Residential Flat Building
Road Transport Terminal
Row Dwelling
Semi-detached Dwelling
Service Industry
Shop
Special Industry
Store
Timber Yard
Used Car Lot
Warehouse

FRANKLIN HARBOUR DISTRICT

Introduction

Area

The objective and principles of development control that follow apply to that part of the area of the District Council of Franklin Harbour shown on [Maps FrH/1 \(Overlay 1\) and \(Overlay 2\)](#) and comprising the Franklin Harbour district excluding the town of Cowell.

OBJECTIVE

- Objective 1:** Protection of the farming industry and preservation of the rural landscape and coastal features of the district, accepting that wind farms and ancillary development may need to be located within the rural areas and that the visual impact of the development will need to be managed.

Background

The District Council of Franklin Harbour is situated on the eastern side of Eyre Peninsula, between Whyalla and Port Lincoln. Topographically the area extends from the moderately steep Minbrie Range to the generally flat coastal land adjacent to and south of the main town of Cowell, located on the picturesque and virtually land-locked Franklin Harbour. Other urban development is located at the holiday house areas of Lucky Bay to the east of Cowell and Port Gibbon to the southwest.

The district is an established grain and wool producing area, with sheep also raised for prime lamb markets. In the past decade a thriving aquaculture industry has developed within Franklin Harbour. The area has also become famous for its deposits of nephritic jade. Natural vegetation is mainly mallee eucalypt and broombush associations growing on brown calcareous earth soils.

The District Structure Plan shown on [Maps FrH/1 \(Overlay 1\) and \(Overlay 2\)](#) shows in general terms the desired strategy for the future development of the district, in accordance with the following measures:

- (a) protection of primary producing lands;
- (b) recognition of holiday house development at Lucky Bay and Port Gibbon;
- (c) control of development and recreational activities in sand dune areas;
- (d) preservation of significant stands of native vegetation and areas of landscape beauty in the district;
- (e) designation of a road hierarchy including primary, secondary and district roads and tourist scenic routes;
- (f) conservation of items or sites of heritage significance;
- (g) protection of areas of significant mineral deposits; and
- (h) sustainable development of the aquaculture industry.

RURAL ZONE

Introduction

The objectives and principles of development control that follow apply in the Rural Zone shown on [Maps FrH/3 to 9 and 11 to 21](#). They are additional to those expressed for the whole of the council area.

OBJECTIVES

- Objective 1:** Retention of land within the zone for primary production.
- Objective 2:** Protection of the rural character of land within the zone.
- Objective 3:** Wind farms and ancillary development located in the zone, accepting that they may need to be sited in visually prominent locations to take advantage of natural resources such as wind.
- Objective 4:** Retention of significant stands of native vegetation.
- Objective 5:** Protection of rural support infrastructure for the bulk handling and transportation of farm commodities situated at Mangalo.
- Objective 6:** Mining activities managed to minimise environmental impact.
- Objective 7:** Development that contributes to the desired character of the zone.

DESIRED CHARACTER

Development in the Rural Zone will include a range of different types of farming activities, as well as appropriate value-adding uses. Large allotments of greater than 40 hectares in size will be maintained to prevent the reduced viability of primary production and to protect the scenic quality of the rural landscape. Development (including land division) will not lead to a reduction in the ability of land within the zone to be used for primary production purposes and will not result in the establishment of rural-residential land-uses.

New buildings will generally be associated with existing clusters of buildings and will be of complementary scale and mass, while also being of appropriate dimensions to serve their intended function. New dwellings will generally be single storey and will include pitched roofs, verandas and porches to address climatic issues. Isolated new buildings, including large sheds, will be located and designed to blend with the existing landscape, with appropriate earthworks and building design to suit the natural landform. Other structures will be of a form that blends with, and does not detract from, the scenic qualities and function of the primary production area.

Wind farms and ancillary development are an envisaged form of development within the zone. Such facilities may be of a large scale, comprise a number of components and require an extended and/or dispersed development pattern. These facilities will need to be located in areas where they can take advantage of the natural resource upon which they rely and, as a consequence, may be located in visually prominent locations.

The open rural landscape is the dominant character element and new development will maintain that character, with new buildings appropriately sited, designed and screened by vegetation. New buildings will be constructed using materials and colours that blend with the rural landscape and are traditionally used within the rural environment including corrugated steel, stone and timber.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1** Development other than that associated with farming or mining activities or wind farms and ancillary development, should not be undertaken.
- 2** Wind farms and ancillary development should be located in areas which provide the opportunity to harvest the wind resource for the efficient generation of electricity and as result it is appropriate for such development to be located:

- (a) in visually prominent locations in the landscape;
 - (b) close to roads and not to be subject to the setback requirements of other forms of development.
- 3** The visual impact of wind farms and ancillary development should be managed in accordance with the Renewable Energy policies contained in the Council-Wide section.
- 4** Development not conforming with the principle expressed in principles of development control numbered 1 above should not be undertaken unless such development is:
- (a) for the establishment of tourist accommodation facilities having a high standard of design and appearance, able to be served with necessary public utilities and makes adequate provision for car parking and suitable landscaping; or
 - (b) for industrial purposes of a type not likely to detract from the amenity of a township area or cause a disturbance to neighbours by its visual impact or generation of noise, smell, waste water, smoke or fumes.
- 5** Land should not be divided where it may lead to reduced agricultural or farming productivity.
- 6** Land should not be divided where it would cause an undesirable increase in the number of rural allotments in any part of the zone.
- 7** Rural land should not be divided into allotments less than 40 hectares unless:
- (a) no additional allotments are created; or
 - (b) an owner of land wishes to create a separate allotment of not greater than five hectares in area to contain one of two habitable houses on the land, each of which was built or under construction before 29 August 1985; or
 - (c) one additional allotment not exceeding five hectares in an area is being excised from the land held in a Certificate of Title existing prior to 29 August 1985, where the allotment is to provide a separate title for the erection of a dwelling for a relative of the registered proprietor of the subject land, or a person being in employment on the land.
- 8** Land division may be considered where it is necessary for the creation of an economic activity upon the land based on more intensive non-traditional farming activities including horticulture, floriculture, agriculture, animal keeping, or land based aquaculture, which may not require a traditional sized allotment to be a viable economic unit.
- 9** Development should attempt to reduce the dangers of bushfires by:
- (a) locating buildings a reasonable distance from any vegetation which may present a potential fire hazard;
 - (b) having regard to the location, site layout, aspect, design and exterior materials of the proposed structure in relation to the impact of bushfires;
 - (c) providing a reliable and sufficient water supply on the property for fire-fighting purposes; and
 - (d) providing safe and convenient access, suitable for heavy fire-fighting vehicles, and where possible, providing exit points in two directions from the development.
- 10** Development should not occur within 300 metres of land used for the transportation, handling and storage of farm commodities, in bulk.
- 11** Development within 300 metres of facilities for the transportation, handling and storage of farm commodities in bulk, should not prejudice the continued operation of those facilities.

- 12 Development within 300 metres of facilities for the transportation, handling and storage of farm commodities in bulk, should be designed, sited and developed having regard to the potential environmental impacts arising from operation of the bulk transportation, handling and storage facilities.
- 13 Development in the zone should be sensitive to the need for bulk handling storage and transportation facilities to be subjected to extended operation during the grain harvest.
- 14 Development of facilities for the handling, transportation and storage of agriculture commodities, in bulk, should have:
- (a) adequate area set aside on the site of the development for the marshalling of vehicles attending the site;
 - (b) roadways and parking areas surfaced in a manner sufficient to have dust emission from the site reduced to a level appropriate to the locality;
 - (c) landscaping established around the perimeter and within the site for the purpose of providing shade and shelter and to assist with screening and dust filtration;
 - (d) vehicle circulation between elements on the site, restricted to the site of the development; and
 - (e) materials and finishes appropriate to the locality of the development.
- 15 Development should not take place if there is potential for significant conflict with the establishment or operation of those facilities for the handling, storage or transportation of farm commodities in bulk.
- 16 Buildings should be set-back at least:
- (a) 200 metres from Lincoln Highway, Kimba Road and Cleve Road; and
 - (b) 50 metres from all other roads;

accepting that wind farms and ancillary development may need to be located closer to road boundaries.

Complying Development

- 17 Complying developments are prescribed in Schedule 4 of the Development Regulations 2008.

Non-complying Development

- 18 The following kinds of development are **non-complying** uses in the Rural Zone:

Bank
 Builder's Yard
 Consulting Room
 Junk Yard

Land Division into allotments under 40 hectares except:

- (a) where no additional allotment is created;
- (b) where an allotment no greater than 5 hectares is to be created to contain one of two habitable houses on the land, each of which was built or under construction before 29 August 1985; and
- (c) where an allotment no greater than 5 hectares is to be excised from the land held in a Certificate of Title existing prior to 29 August 1985 where the allotment is to provide a separate title for the erection of a dwelling.

Petrol Filling Station
 Service Trade Premises
 Shop greater than 200 square metres in area
 Used Car Lot

Public Notification

- 19** The following kinds of development are assigned as **Category 1 Development** in the Rural Zone:

Alterations and additions to existing development, other than any development listed as non-complying in the Rural Zone

Dwelling

Farming

Farm Building

Horticulture

Recreation Area

Tourist Accommodation in the nature of host farms, farm-stay accommodation, bed and breakfast accommodation and cottage accommodation

- 20** The following kinds of development are assigned as **Category 2 Development** in the Rural Zone:

Industrial, commercial and retail development involving the processing, packing, storage and /or sale of primary produce

Intensive animal keeping, including alterations and additions to existing intensive animal keeping operations, and land-based aquaculture

Grain storage and handling facilities

Wind farms or wind monitoring masts, and ancillary development such as substations, maintenance sheds, access roads and connecting power-lines (including to the National Electricity Grid), where the base of any wind turbine is located 2 kilometres or more from the boundary of the Development Plan area (other than where adjoining the Land Not Within A Council Area Coastal Waters Development Plan) or any of the following zones:

- (a) Residential Zone
- (b) Rural Living Zone
- (c) Rural Fringe Zone.

COASTAL ZONE

Introduction

The objectives and principles of development control that follow apply in the Coastal Zone shown on [Maps FrH/4 to 17 and 19 to 21](#). They are additional to those expressed for the whole of the council area. There are however, specific exemptions affecting the following development in the Coastal Zone. They are:

- (a) the alteration of, addition to, or replacement of a dwelling and associated accessory buildings existing as at 12 December 1994 on Crown land, or land owned by the Crown or a Minister of the Crown; or
- (b) land division creating an allotment to accommodate an existing dwelling currently on Crown land, or land owned by the Crown or a Minister of the Crown.

The provisions specifically exempted in relation to the above development are:

- Council Wide: Objectives 5, 32, 37, 38, 40, 41, 43, 44, 48, 49, 50, 51, 54, 55 and 60 and Principles of Development Control 51, 52, 54, 55, 56, 61, 62, 63, 64, 67, 69, 106, 107, 119, 122, 123, 137, 144, 145, 146, 147, 148, 149, 150, 151, 154, 159, 163, 164
- Coastal Zone: Principle of Development Control 11.

OBJECTIVES

- Objective 1:** Retention of the natural features and character of land adjacent to the coast.
- Objective 2:** Compact and orderly development of Lucky Bay and Port Gibbon.
- Objective 3:** Wind farms and ancillary development located in the zone, accepting that they may need to be sited in visually prominent locations to take advantage of natural resources such as wind.
- Objective 4:** Sand dune areas kept free of urban development and intensive recreation, and selected public access roads and low-key tourist facilities provided in appropriate locations.
- Objective 5:** Retention of Franklin Harbour for tourism, recreation, fishing, boating, possible use as a ferry terminal and oyster cultivation and other forms of marine aquaculture in a manner which does not cause conflict between these uses.
- Objective 6:** Limited oyster cultivation and other marine aquaculture development in Franklin Harbour.
- Objective 7:** Establishment of a boating channel and mooring basin adjacent to land based aquaculture facilities on the northern side of the town, using construction techniques and management practices which will minimise impacts on the ecology of the Harbour.

Wind farms and ancillary development are an envisaged form of development within the zone. Such facilities may be of a large scale, comprise a number of components and require an extended and/or dispersed development pattern. These facilities will need to be located in areas where they can take advantage of the natural resource upon which they rely and, as a consequence, may be located in visually prominent locations.

Oyster growers who operate land based facilities within the Light Industry (Aquaculture) Zone to the north and south of the town of Cowell seek to create boating channels and a mooring basins adjacent to both areas to provide more convenient access to the harbour. Any boating channels and mooring basins established for this purpose should be sited and constructed in such a way as to minimise damage to coastal ecosystems.

Objective 8: Minimising the visual and environmental impacts of shellfish cultivation and other forms of marine aquaculture development.

Objective 9: Maintenance of the existing land tenure arrangements on private lands by limiting land division.

Some areas of the coastline have a history of land division based on the creation of leasehold tenures and multiple occupancy of an allotment, usually associated with the development of shacks, or on the creation of small allotments which are not viable on their own for rural production.

Whilst development policies do not generally affect the continuation of existing lawful uses it is not appropriate for land division of private lands to occur or to change current land tenure arrangements in areas which contain shack development on private lands until comprehensive development policies are put in place. Such comprehensive development policies should ensure that land division and change of land tenure in these areas only occurs in conjunction with appropriate requirements for upgrading effluent disposal facilities to contemporary standards, storm water disposal, access to public roads, conservation of coastal areas through the creation of reserves for conservation purposes, the minimisation of risks arising from flooding or erosion and other relevant requirements.

Objective 10: Land division enabling security of tenure for existing dwellings on Crown land, or land owned by the Crown or a Minister of the Crown.

State Government policy supports land division creating an allotment to accommodate a dwelling situated on Crown land, or land owned by the Crown or a Minister of the Crown, along the coastline of the State. Proposals for land division will be required to meet various criteria, including in relation to approved waste control systems and effluent disposal, direct access to a public road, land division requirements, public access to the waterfront, the creation of waterfront reserves for conservation purposes, and other environmental considerations.

Objective 11: The upgrading of existing dwellings to assist environmental improvements.

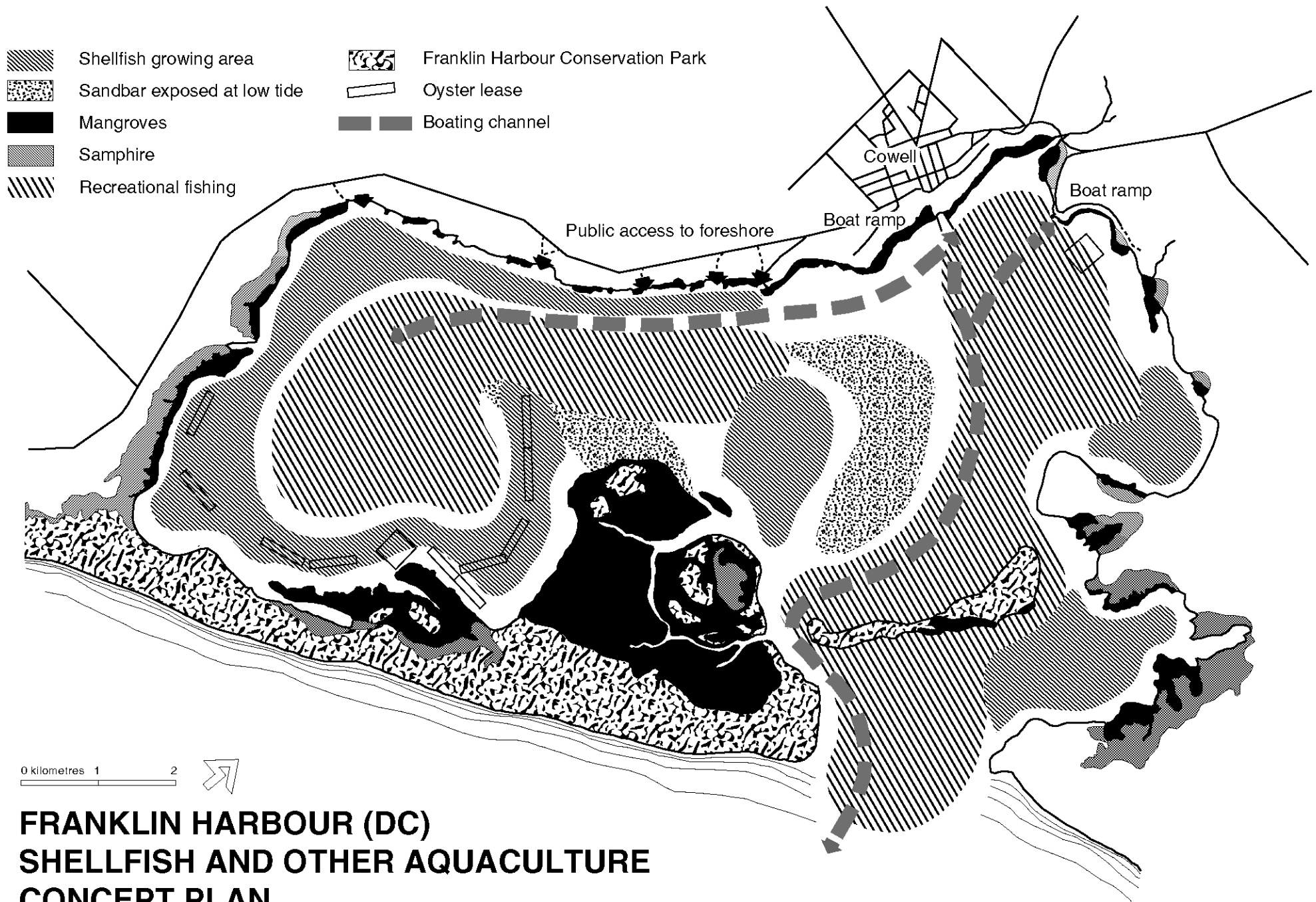
State Government policy supports the upgrading of dwellings situated along the coastline of the State and existing as at 12 December 1994 on Crown land, or land owned by the Crown or a Minister of the Crown. Proposals for upgrading will be required to meet various criteria in order to assist environmental improvements, including the provision of approved waste control systems and effluent disposal, building set-backs and site coverage requirements, the raising of living areas above the level of hazard risk or to reduce the level of hazard risk, and other environmental considerations.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Expansion of the Lucky Bay holiday house area should be restricted to the area fronting the access road immediately behind the existing waterfront holiday house development.
- 2 Development at Port Gibbon should only be undertaken in a compact, orderly manner on the landward side of the existing Esplanade Road.
- 3 Development of tourist accommodation, other commercial tourist facilities and facilities associated with the proposed Wallaroo to Cowell ferry service may be undertaken subject to the following:
 - (a) the development is of a high standard of design with respect to the scale, external appearance, colours, siting and landscaping;
 - (b) access will be safe and convenient;
 - (c) necessary public utilities will be made available;
 - (d) views along the coast are not impaired;
 - (e) adequate on-site car parking facilities will be provided;
 - (f) no degradation to any parts of the coast due to high intensity use is likely to arise;

- (g) the development is located within a reasonable walking distance of a safe swimming beach or other significant recreation resource; and
 - (h) provision being made for the disposal of waste waters, sewage and other effluent from each allotment without risk to health, following permeability testing if soil qualities unknown.
- 4** Development not associated with Lucky Bay or Port Gibbon holiday house areas should not be undertaken unless no buildings are erected, added to, or altered nearer than 50 metres to the boundary of any road.
- 5** Development should not be undertaken so as to restrict effective public access to the coast.
- 6** Wind farms and ancillary development should be located in areas which provide the opportunity to harvest the wind resource for the efficient generation of electricity and as result it is appropriate for such development to be located:
- (a) in visually prominent locations in the landscape;
 - (b) close to roads and not to be subject to the setback requirements of other forms of development.
- 7** The visual impact of wind farms and ancillary development should be managed in accordance with the Renewable Energy policies contained in the Council-Wide section.
- 8** The division of land required for the infill or compact expansion of Lucky Bay or Port Gibbon should have a lot size of not less than 850 square metres with a minimum frontage of 15 metres.
- 9** Land division creating allotments not conforming with development control principle numbered 6 above should not be undertaken unless:
- (a) allotments are of sufficient area to adequately dispose of effluent and other wastes within the confines of the allotment; and
 - (b) the division is required to allow the freeholding of developed leasehold dwelling sites.
- 10** Land should not be divided where it may lead to reduced agricultural or farming productivity.
- 11** Land should not be divided where it would cause an undesirable increase in the number of rural allotments in any part of the zone.
- 12** Land may be divided where:
- (a) no additional allotments are created; or
 - (b) an owner of land wishes to create a separate allotment of not greater than one hectare in area to contain one of two habitable houses on the land, each of which was built or under construction before 29 August 1985; or
 - (c) one additional allotment not exceeding one hectare in area is being excised from the land held in a Certificate of Title existing prior to 29 August 1985, where the allotment is to provide a separate title for the erection of a dwelling for a relative of the registered proprietor of the subject land, such person being in employment on the land; or
 - (d) it facilitates the establishment of a comprehensive tourist development which conforms with development control principle numbered 3 within the Coastal Zone; or
 - (e) it would create an allotment to accommodate an existing dwelling currently on Crown land, or land owned by the Crown or a Minister of the Crown; or
 - (f) it would create a public road or a public reserve.

- 13 Buildings and structures should not be located within sand dunes or on land subject to erosion.
- 14 Development liable to degrade, pollute or cause erosion of any part of the coastal swamp land should not be undertaken.
- 15 Erection of buildings and structures on the coast should not be undertaken unless the design, external materials, colours, siting and landscaping of such buildings and structures would ensure protection of the attractiveness and character of the locality, accepting that wind farms and ancillary development may be of a large scale, comprise a number of components and require an extended and/or dispersed development pattern. These facilities will need to be located in areas where they can take advantage of the natural resource upon which they rely and, as a consequence, may be located in visually prominent locations.
- 16 Development should attempt to reduce the dangers of bushfires by:
 - (a) locating buildings a reasonable distance from any vegetation which may present a potential fire hazard;
 - (b) having regard to the location, site layout, aspect, design and exterior materials of the proposed structure in relation to the impact of bushfires;
 - (c) providing a reliable and sufficient water supply on the property for fire-fighting purposes; and
 - (d) providing safe and convenient access, suitable for heavy fire-fighting vehicles, and where possible, providing exit points in two directions from the development.
- 17 Oyster cultivation sites within Franklin Harbour should not exceed the total area (including approved, but not yet developed leases) of 112.5 hectares.
- 18 Oyster cultivation should not take place outside areas designated on [Fig C/1](#) as shellfish growing areas.
- 19 Two oyster holding areas each not exceeding 2.5 hectares in area may be established in Franklin Harbour, which will be additional to the area under use for shellfish cultivation purposes.
- 20 Oyster cultivation sites should:
 - (a) not exceed ten hectares site area per lease;
 - (b) not exceed a stocking rate of 100 000 mature oysters, or their equivalent by weight per hectare; and
 - (c) be located:
 - (i) at least 100 metres apart; and
 - (ii) an adequate distance from Cowell township, so as to avoid potential pollution and contamination problems and conflicts with users generated by township activities.
- 21 A lease of two hectares in area may be established by the Cowell Area School which will be in addition to the 112.5 hectares under use for oyster cultivation purposes.
- 22 Culture of species other than oyster (excluding other filter feeders) restricted to two 5 hectare lease areas within the north eastern section of Franklin Harbour
- 23 Approval for commercial development for species other than oyster (excluding filter feeders) is dependant upon successful completion of a research and development program which will investigate the effects of any such development upon established uses within the Franklin Harbour.



**FRANKLIN HARBOUR (DC)
SHELLFISH AND OTHER AQUACULTURE
CONCEPT PLAN
Fig C/1**

- 24** Oyster lease holders may convert one hectare of existing leases to a research and development lease for oysters to determine the suitability of oyster growing in other parts of the Franklin Harbour.
- 25** The boating channel and mooring basin to provide direct access to the Harbour adjacent to land based aquaculture facilities on the northern side of the town should be constructed:
- (a) so as to minimise or eliminate the need to remove mangroves;
 - (b) in a manner which will not contribute to turbidity of waters within the Harbour; and
 - (c) so as not to contribute to ongoing problems related to water toxicity through the encouragement of algal blooms.

Land Division and Upgrading of Dwellings on Crown Land

The following Principles of Development Control numbered 26 to 37 inclusive apply only to the development of dwellings located on Crown land, or land owned by the Crown or a Minister of the Crown as at 12 December 1994.

Land Division of Dwellings on Crown Land

- 26** Land division for the purpose of creating an allotment to accommodate an existing dwelling should not occur unless:
- (a) the requirements of the South Australian Health Commission and Local Government for waste water and effluent disposal for permanent occupation of a dwelling are met or provided for in the development application; and
 - (b) direct frontage to a public road is available or provided for in the development application for each allotment.
- 27** Land division for the purpose of creating an allotment to accommodate an existing dwelling should:
- (a) result in only one allotment being created for each existing dwelling, of a size appropriate to its residential use;
 - (b) result in allotments of a suitable size and shape to accommodate existing and likely future development without detrimental impact to adjoining development or land;
 - (c) result in allotments being so proportioned as to permit the efficient management and utilisation of the land;
 - (d) occur in an orderly and economic manner, resulting in the creation of a safe, convenient and pleasant environment and the efficient use of infrastructure and services;
 - (e) not occur unless stormwater is capable of being drained safely and efficiently from each allotment and in such a manner as to prevent erosion or pollution of surface or underground water resources;
 - (f) result in allotment boundaries being located where interference with trees and other vegetation is minimal;
 - (g) result in each allotment having safe and convenient vehicular access which causes minimum impact to the environment;
 - (h) result in any new roads being located behind the existing dwellings, not between the existing dwellings and the public waterfront reserve; and

- (i) result in the provision of a reserve of up to 30 metres in width, from mean high water mark on the sea shore at spring tide, along the water frontage, and where this is not practicable, the maximum possible width of reserve from mean high water mark on the sea shore at spring tide along the water frontage should be provided.

Upgrading of Dwellings on Crown Land

- 28** Not more than one dwelling should be erected on an allotment.
- 29** Where there is an existing dwelling on an allotment, the number of ancillary buildings should be limited to :
 - (a) one garage or one shed; and
 - (b) rainwater tank(s) and tank stand(s).
- 30** Dwellings generally should not exceed one-storey in height (excluding the elevation to minimise the potential for personal or property damage as a result of inundation).
- 31** Development, in the form of the alteration of, addition to, or replacement of an existing dwelling should be sited and designed to minimise obstruction to, or loss of views from, other dwellings.
- 32** The alteration of, addition to, or replacement of an existing dwelling should not occur closer to the waterfront than any part of the existing dwelling.
- 33** The alteration of, addition to, or replacement of an existing dwelling must not occur unless the requirements of the South Australian Health Commission and Local Government for waste water and effluent disposal for permanent occupation of dwellings are met. In this regard, the alteration of or addition to a dwelling does not include:
 - (a) a carport; or
 - (b) a verandah or a pergola; or
 - (c) external decking; or
 - (d) a garage or a shed; or
 - (e) building work (but excluding alterations to existing toilet, bathroom, or laundry areas) not resulting in a change to the total floor area of the dwelling.
- 34** The alteration of or addition to an existing dwelling should:
 - (a) not impair the amenity of the area; and
 - (b) where the proposed development would increase the existing living area beyond 90 square metres, result in floor levels that are at least 0.55 metres above the standard sea-flood risk level unless the development is or can be protected by approved coast protection works.
- 35** The replacement of an existing dwelling should:
 - (a) not impair the amenity of the area; and
 - (b) result in floor levels that are at least 0.55 metres above the standard sea-flood risk level unless the development is or can be protected by approved coast protection works; and
 - (c) result in dwellings being sited to minimise potential damage or hazard from sea level rise or coastal erosion.

36 Garages or sheds (except for agricultural purposes) should:

- (a) be of a size and scale appropriate to an accessory use to a dwelling; and
- (b) not increase the number of ancillary buildings used for storage purposes on the allotment; and
- (c) be of a design and size not to impair the amenity of the area.

General

37 Development (including land division where relevant) should:

- (a) be visually compatible with the area in which it is located;
- (b) not impair the environmental significance of the area;
- (c) not adversely impact upon the ability to maintain the coastal frontage in a stable and natural condition;
- (d) minimise vehicle access to the area the subject of the development;
- (e) avoid adverse impact on the environment by the appropriate location of vehicle access means to the coast;
- (f) provide the maximum possible waterfront reserve between buildings and the water;
- (g) provide or maintain public access routes to waterfront reserves;
- (h) be undertaken in a manner which minimises the effect on natural features, flora and fauna, land adjoining water or scenic routes or scenically attractive areas;
- (i) not impair the use or management of natural resources for the best interests of the community;
- (j) be designed to minimise potential risk from bushfire hazard;
- (k) not detract from the value or significance within the locality of items, land, buildings and structures of exceptional beauty or aesthetic, architectural, scientific, cultural, historic or other heritage value, including Aboriginal sites of anthropological, archaeological or historic significance;
- (l) be landscaped with locally indigenous species in order to enhance the amenity of the area and to screen buildings from public view; and
- (m) only use second-hand or re-used materials for external cladding for any buildings when it is of sound condition, good quality and painted an appropriate colour to harmonise with the surrounding environment.

Complying Development

38 The following kinds of development are **complying** within the Coastal Zone subject to compliance with the following conditions, where applicable:

- (a) no building being erected, added to, or altered on any land so that any portion of such building is erected, added to, or altered nearer than 50 metres to the existing boundary of any road;
- (b) no part of the site of the development lying within 100 metres of mean high water mark or the top of a sea-cliff;

- (c) any building site being at least 0.3 metres above the 100-year average return interval extreme water level tide and stormwater combined) and associated wave effects plus an allowance for any land subsidence to the year 2050;
- (d) the building floor level being at least 0.25 metres above the minimum site level set out in (b) above;
- (e) the planning authority having given a certificate that it is satisfied that there are practical measures available to the developer and to subsequent owners to protect the development to withstand a further 0.7 metre sea level rise;
- (f) the planning authority having given a certificate that it is satisfied that the number, design and location of access points to a road or thoroughfare from the site will ensure the safety of the public and the free flow of traffic in the locality; and
- (g) all external cladding on structures to be from materials other than those that have previously been used:

Farming
Farm Building

Non-complying Development

39 The following kinds of development are **non-complying** in the Coastal Zone:

- (i) Builder's Yard
Culture of filter feeders other than oysters
Fuel Depot
General Industry
Group Dwelling
Junk Yard
Light Industry
Motor Showroom
Multiple Dwelling
Oyster Cultivation which results in the total leased area, (including approved but not yet developed areas, two communal holding areas and a growing area for the Cowell Area School), within Franklin Harbour exceeding 119.5 hectares
Residential Flat Building
Road Transport Terminal
Row Dwelling
Service Industry
Semi-detached dwelling
Shop or group of shops with gross leasable area greater than 450 square metres
Special Industry
Stock Saleyard
Stock Slaughter Works
Timber Yard
Used Car Lot
Warehouse
- (ii) Alteration of, addition to, or replacement of a dwelling existing as at 12 December 1994 on Crown land, or land owned by the Crown or a Minister of the Crown, unless the requirements of principle of development control numbered 31 are in place or provided for in the development application
- (iii) Land Division:
 - (a) for the creation of an allotment to accommodate an existing dwelling on Crown land, or land owned by the Crown or a Minister of the Crown, unless the requirements of principle of development control numbered 24 are in place or provided for in the development application; or

- (b) if the land is not Crown land, or land owned by the Crown or a Minister of the Crown;
and
- (c) if the land contains more than one dwelling, other than a dwelling associated with farming activity.

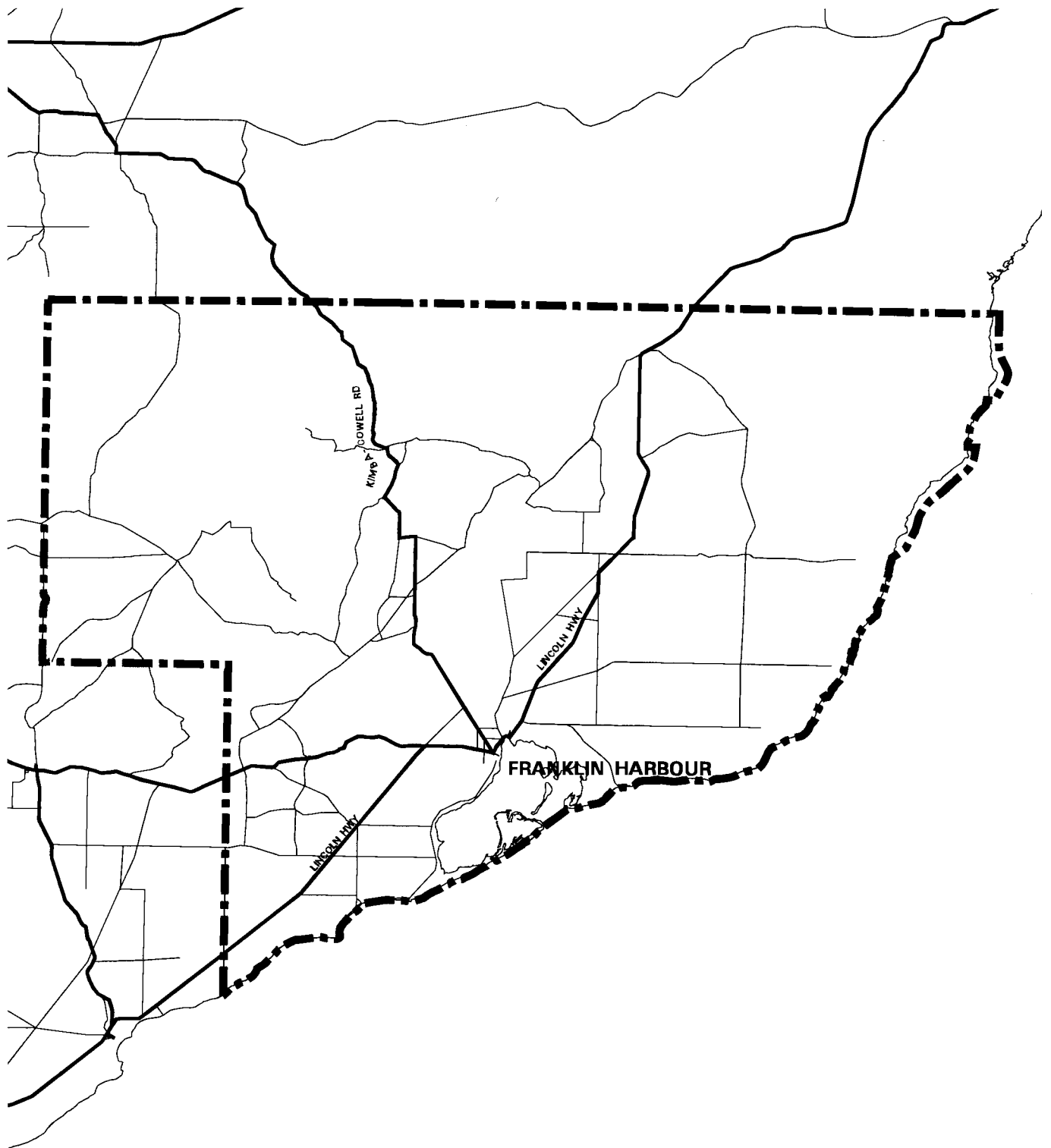
Public Notification

40 The following kind of development is assigned as **Category 2 Development** in the Coastal Zone:

Land based Aquaculture

Wind farms or wind monitoring masts, and ancillary development such as substations, maintenance sheds, access roads and connecting power-lines (including to the National Electricity Grid), where the base of any wind turbine is located 2 kilometres or more from the boundary of the Development Plan area (other than where adjoining the Land Not Within A Council Area Coastal Waters Development Plan) or any of the following zones:

- (a) Residential Zone
- (b) Rural Living Zone
- (c) Rural Fringe Zone.



To identify the precise location of the Development Plan boundary refer to Map FrH/2 then select the relevant Zone Map

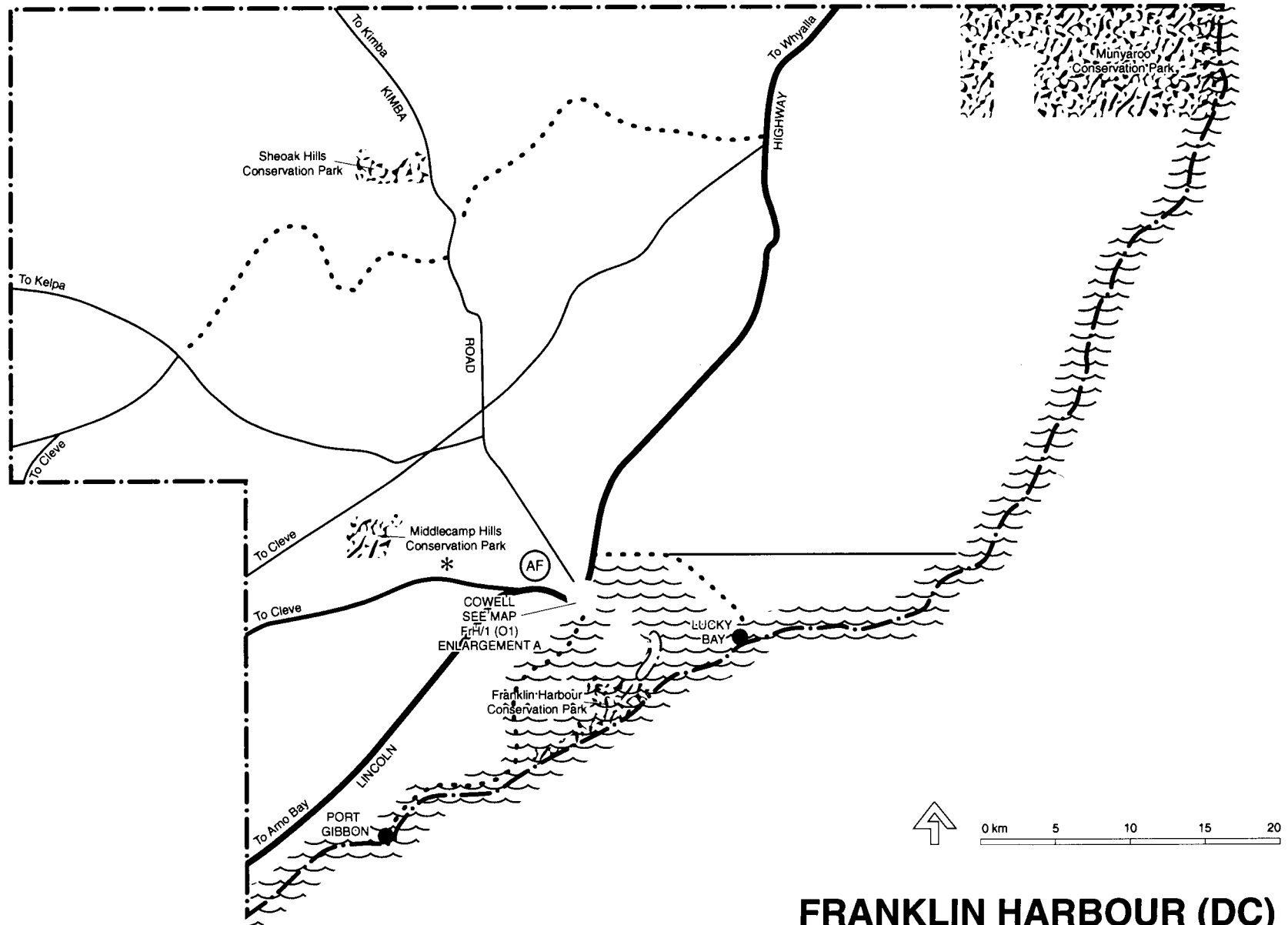


FRANKLIN HARBOUR (DC)

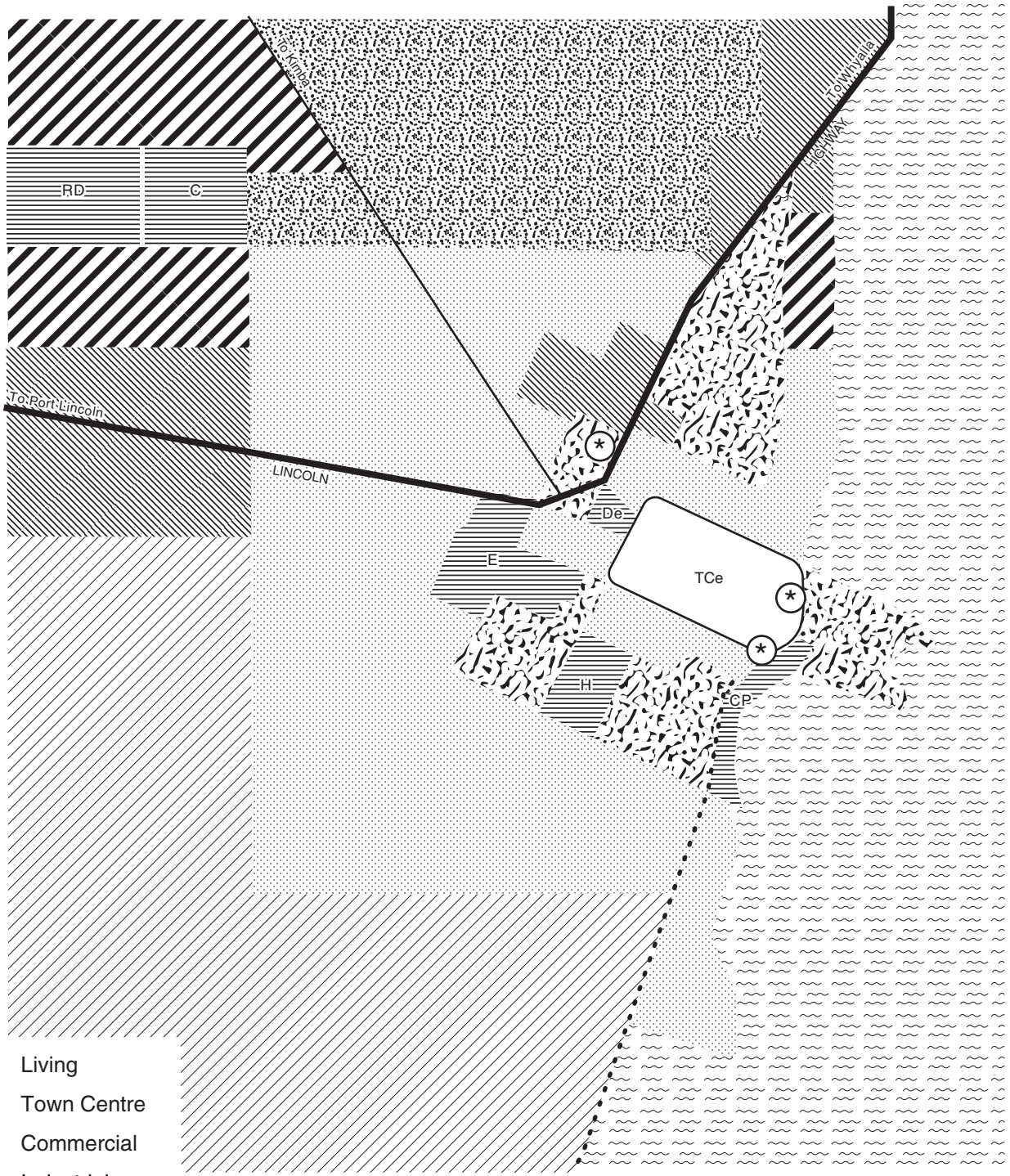
MAP FrH/1








— ■ — Development Plan Boundary





- Township
- Rural
- * Historic Feature
- (AF) Airfield
- ~ Coastal
- ▨ Open Space
- Scenic Route
- Major Local Road
- Secondary Arterial Road
- Primary Arterial Road
- .-.- Development Plan Boundary



FRANKLIN HARBOUR (DC) STRUCTURE PLAN MAP FrH/1 (Overlay 1)



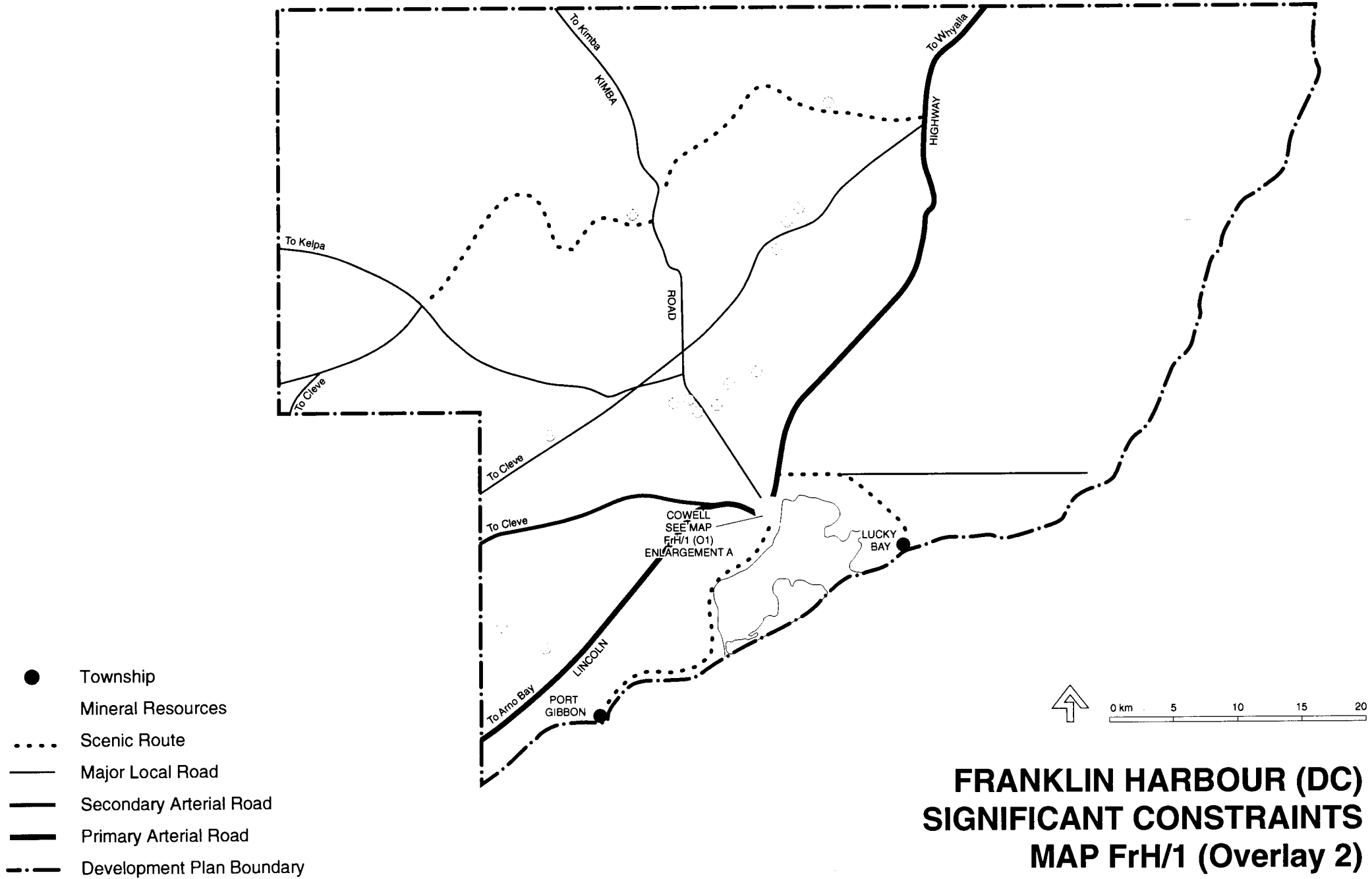
-  Living
-  Town Centre
-  Commercial
-  Industrial
-  Rural Living
-  Rural Fringe
-  Public Purpose - Education
-  Public Purpose - Hospital
-  Public Purpose - Cemetery
-  Public Purpose - Caravan Park
-  Public Purpose - Depot
-  Public Purpose - Refuse Depot
-  Coastal
-  Historic Feature
-  Open Space

-  Scenic Route
-  Major Collector Road
-  Primary Arterial Road
-  Development Plan Boundary

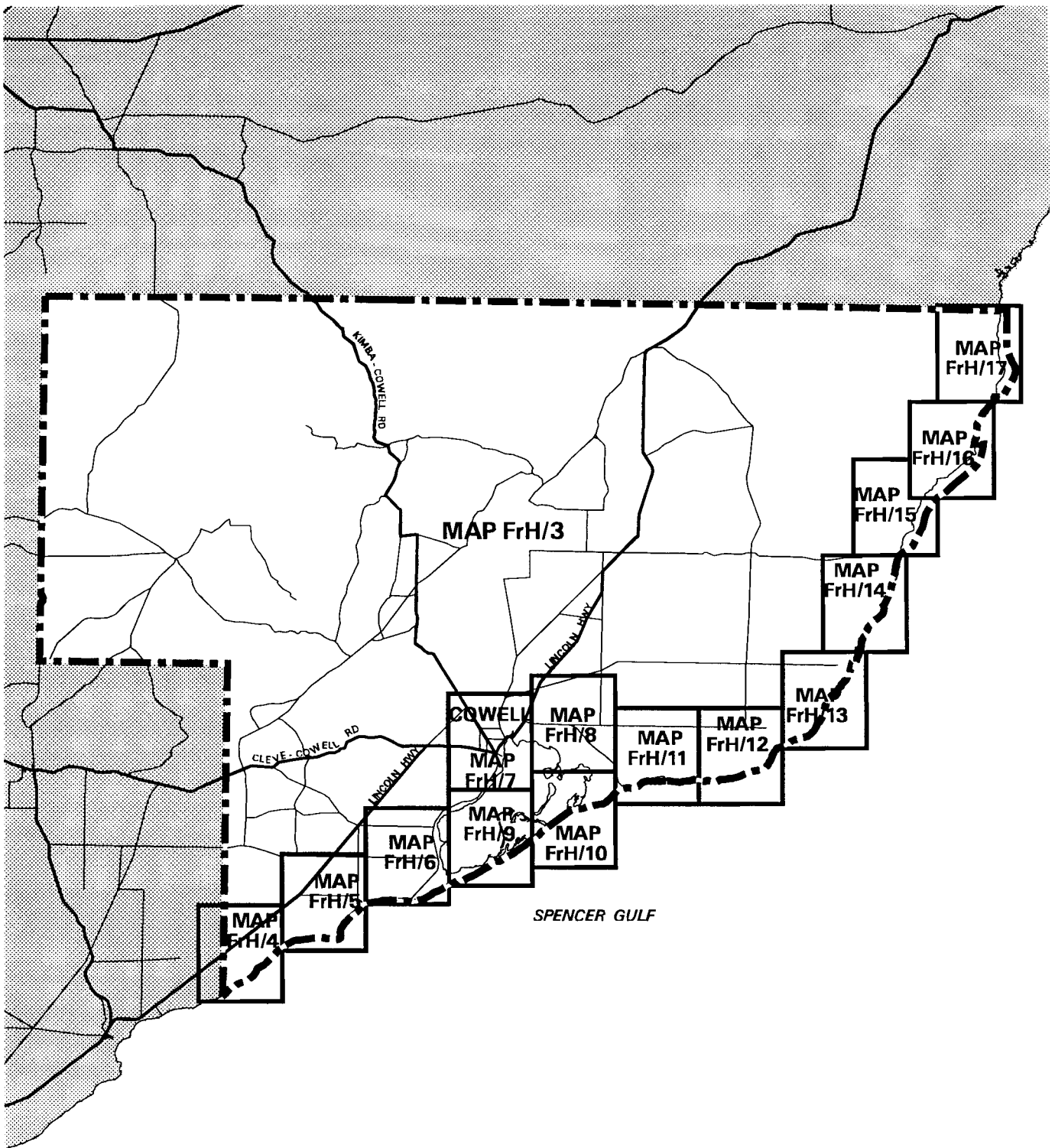


0 metres 250 500 750 1000

FRANKLIN HARBOUR (DC) COWELL (TOWN) STRUCTURE PLAN MAP FrH/1 (Overlay 1) ENLARGEMENT A



**FRANKLIN HARBOUR (DC)
SIGNIFICANT CONSTRAINTS
MAP FrH/1 (Overlay 2)**



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 FrH/3 to FrH/21 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.

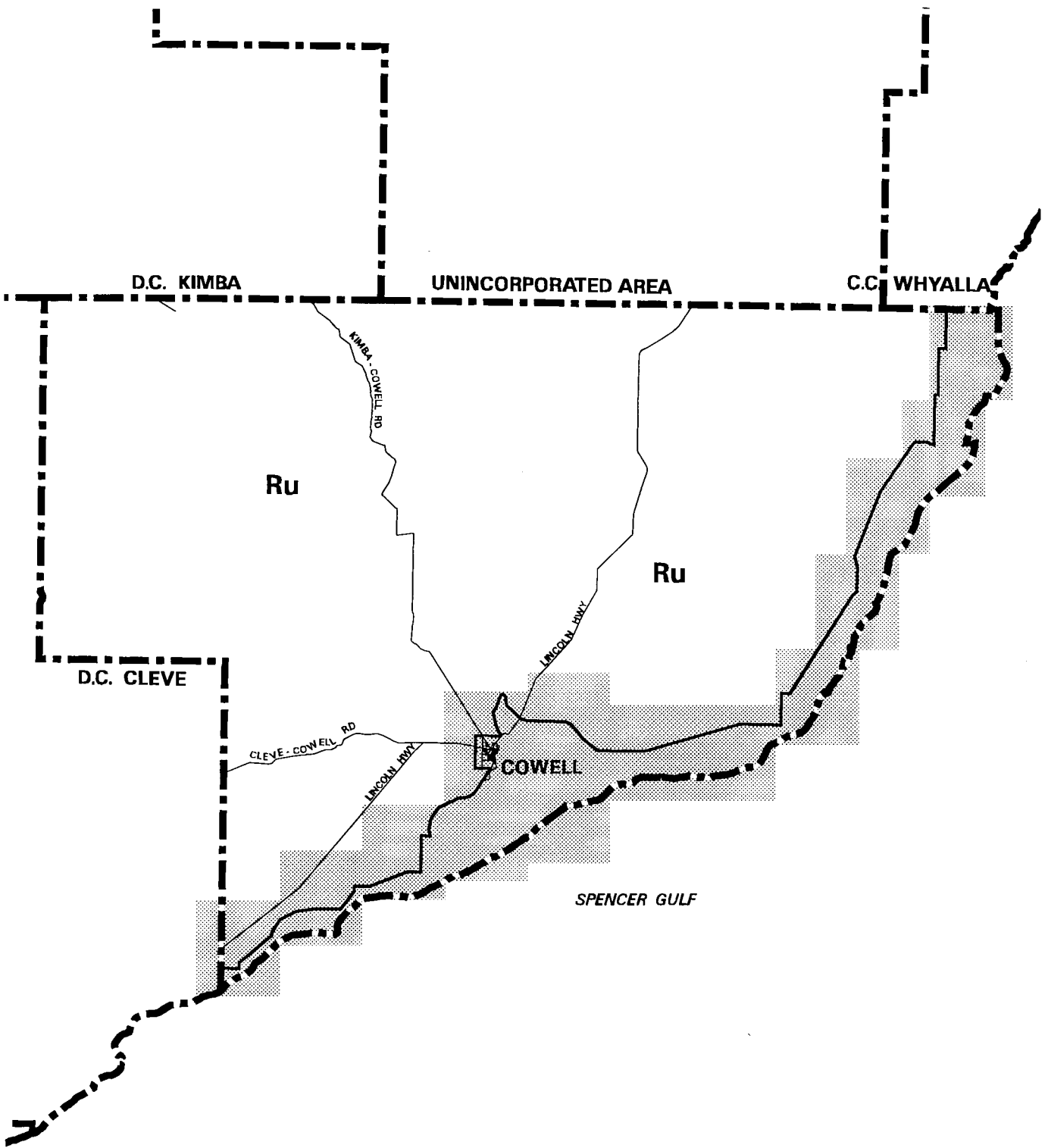


Scale 1:500000



FRANKLIN HARBOUR (D.C.) INDEX MAP FrH/2

--- Development Plan Boundary



NOTE : See Index Map FrH/2 for shaded areas

Ru Rural

Scale 1:500000



**FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/3**

— Zone Boundary
- - - - - Development Plan Boundary



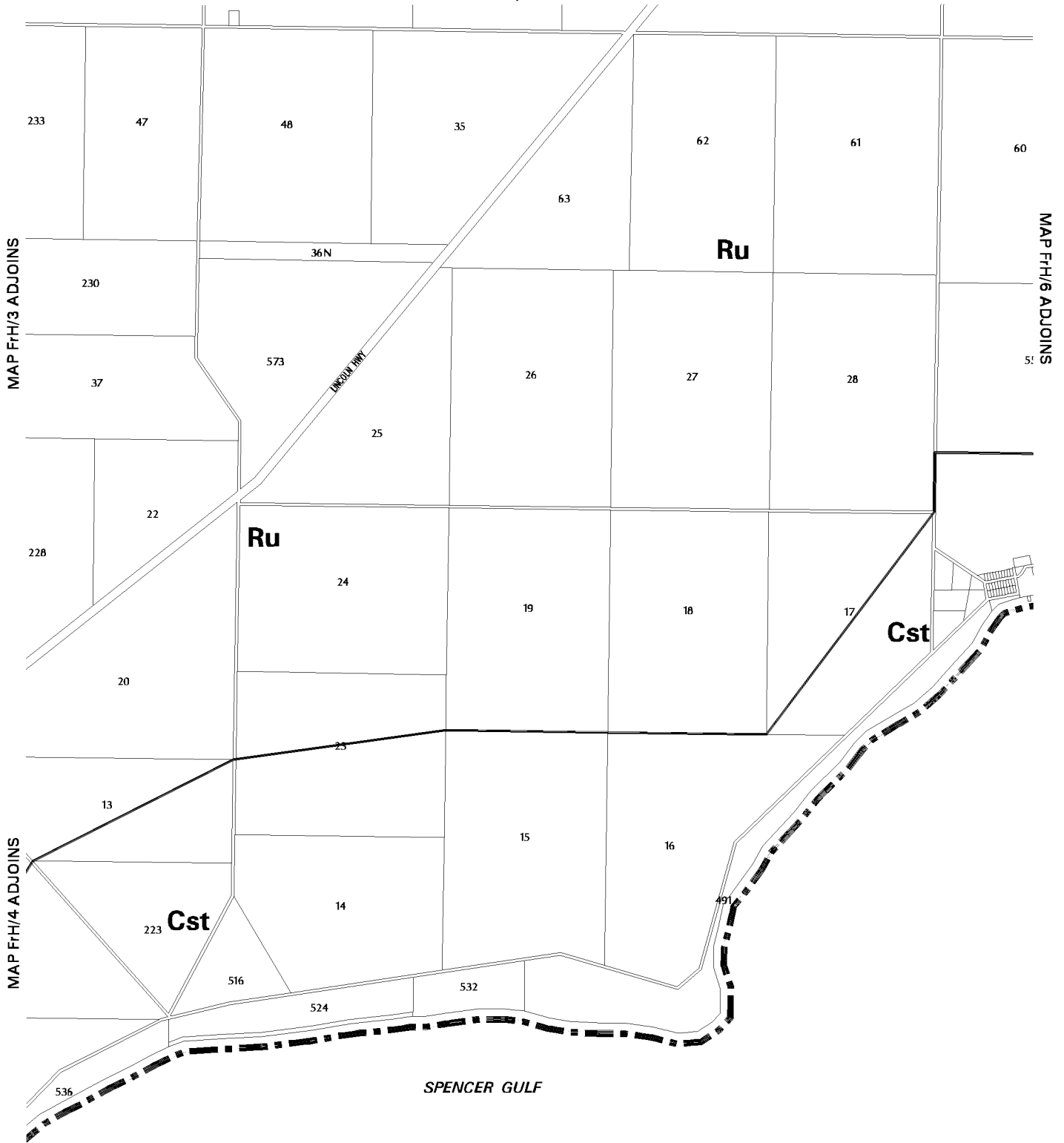
Cst Coastal
Ru Rural

Scale 1:40000



**FRANKLIN HARBOUR (D.C.)
 ZONES
 MAP FrH/4**

— Zone Boundary
 - - - - - Development Plan Boundary



MAP FrH/3 ADJOINS

MAP FrH/6 ADJOINS

MAP FrH/4 ADJOINS

Cst Coastal
Ru Rural

Scale 1:40000



**FRANKLIN HARBOUR (D.C.)
 ZONES
 MAP FrH/5**

—— Zone Boundary
 - - - - - Development Plan Boundary

MAP FrH/3 ADJOINS

140

LINGGOU HWY

84

85

237

7

8

330

FRANKLIN HARBOUR

MAP FrH/3 ADJOINS

81

69

68

Ru

6

70

66

67

5

Cst

331

65

MAP FrH/9 ADJOINS

Ru

59

34

33

2

3

MAP FrH/5 ADJOINS

30

31

32

1

Cst

284

SPENCER GULF

Cst
Ru

Coastal
Rural

Scale 1:40000



FRANKLIN HARBOUR (D.C.) ZONES MAP FrH/6

- Zone Boundary
- - - - - Development Plan Boundary

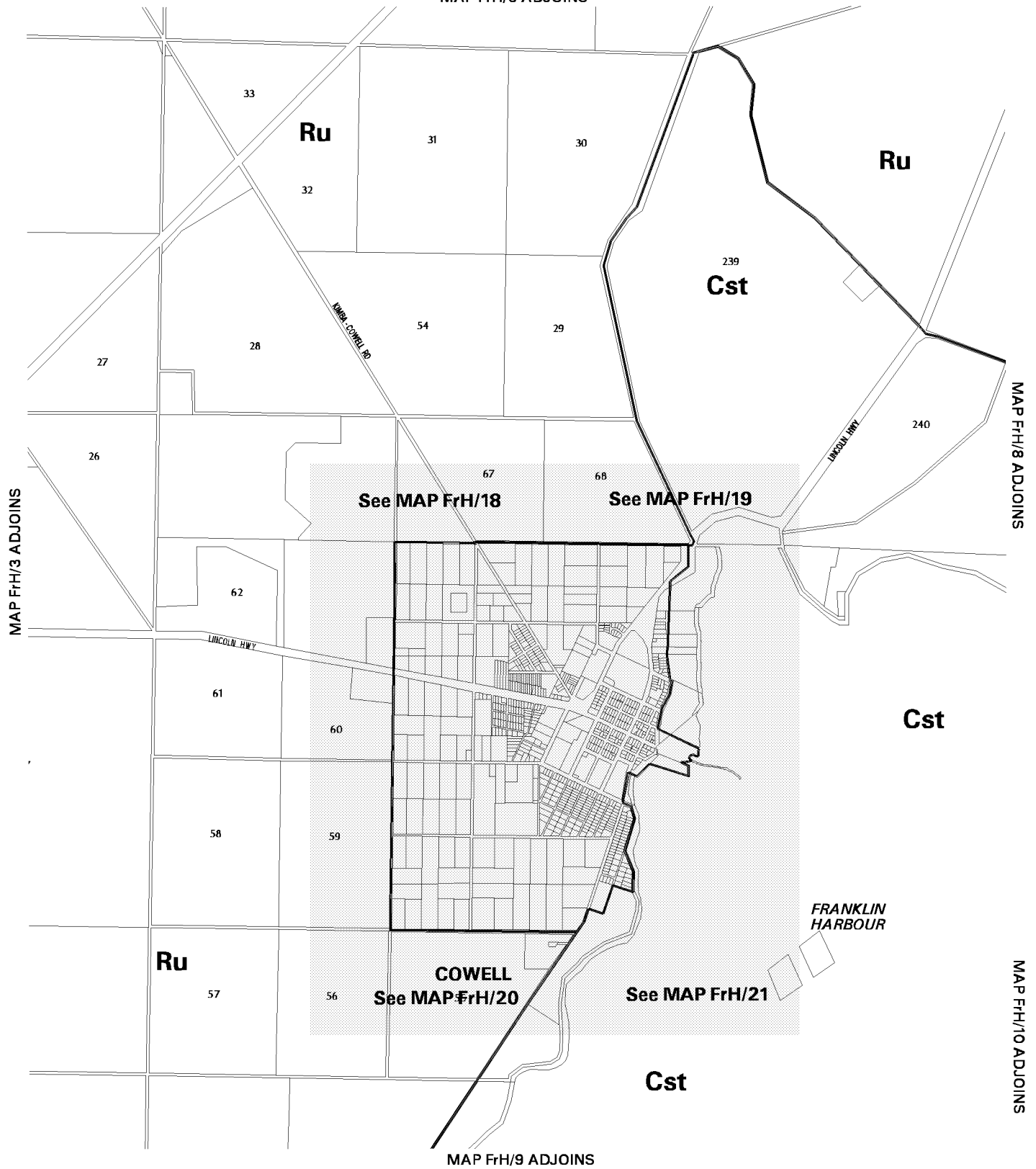
MAP FrH/3 ADJOINS

MAP FrH/3 ADJOINS

MAP FrH/8 ADJOINS

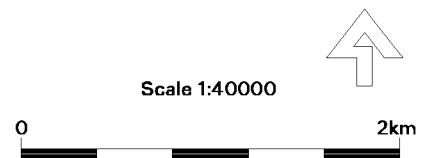
MAP FrH/10 ADJOINS

MAP FrH/9 ADJOINS

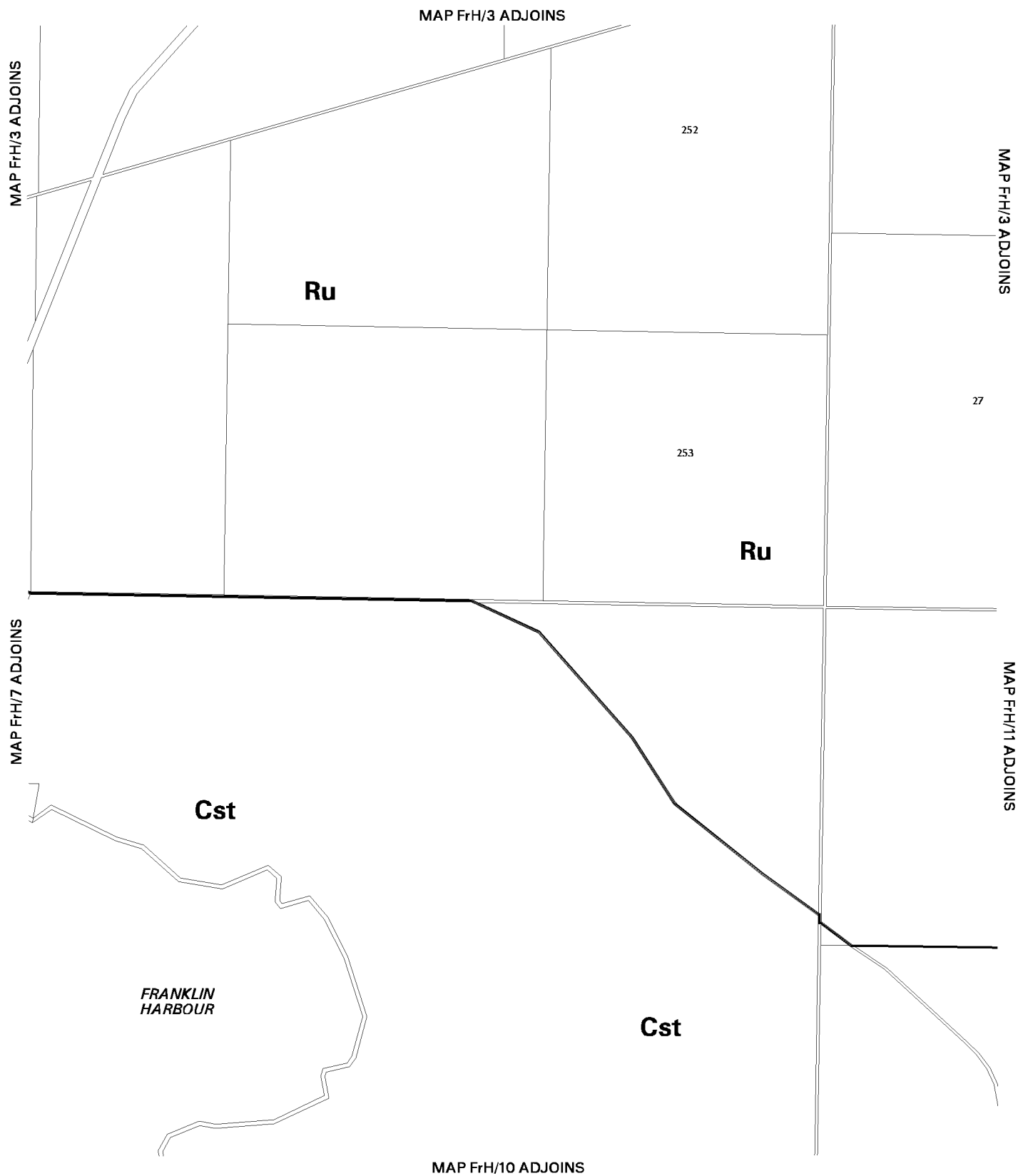


Cst Coastal
Ru Rural

—— Zone Boundary



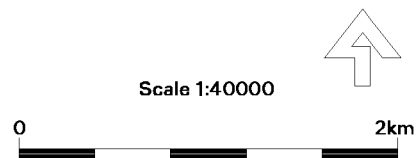
**FRANKLIN HARBOUR (D.C.)
 ZONES
 MAP FrH/7**



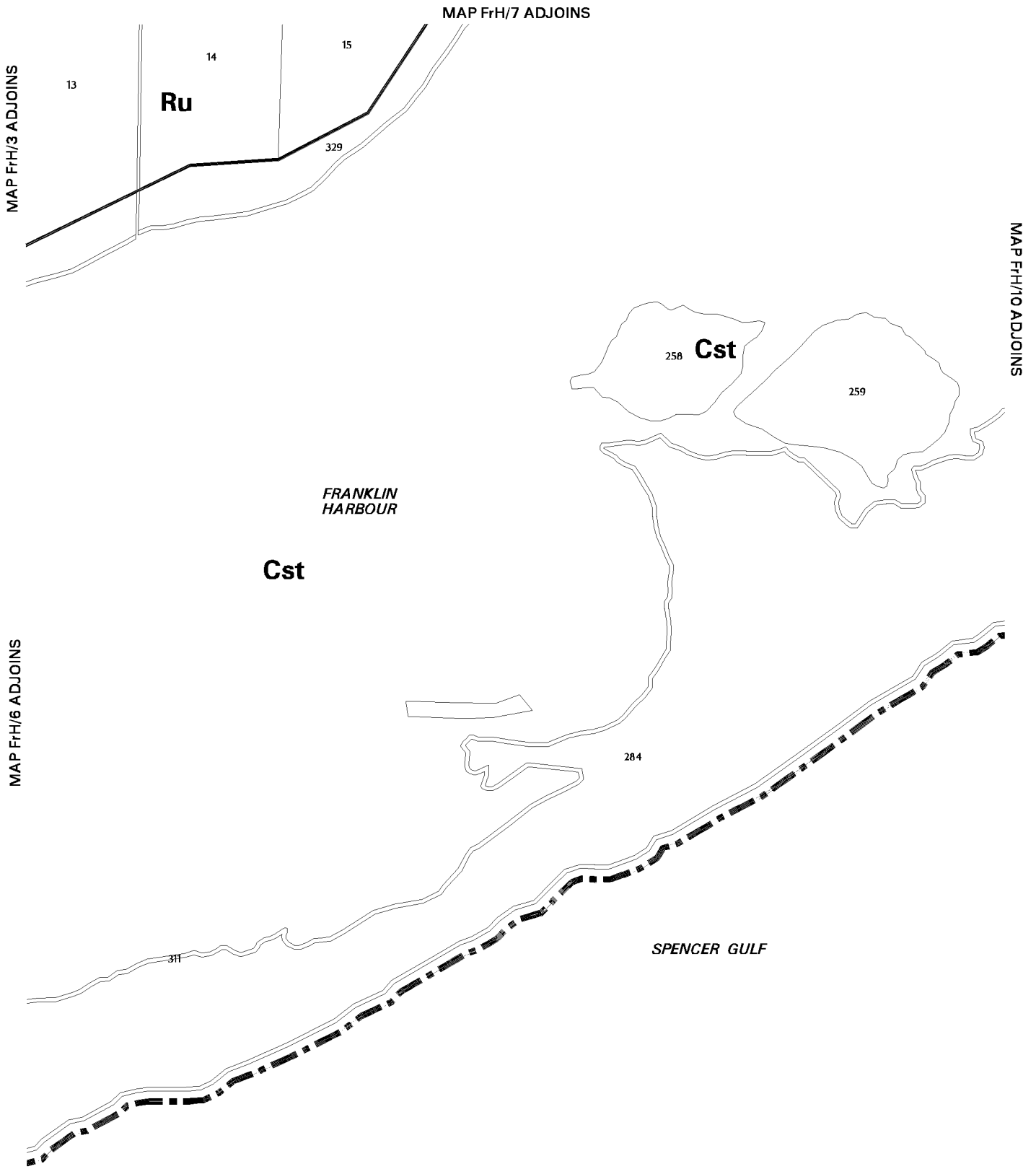
Cst
Ru

Coastal
Rural

————— Zone Boundary



FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/8



Cst
Ru

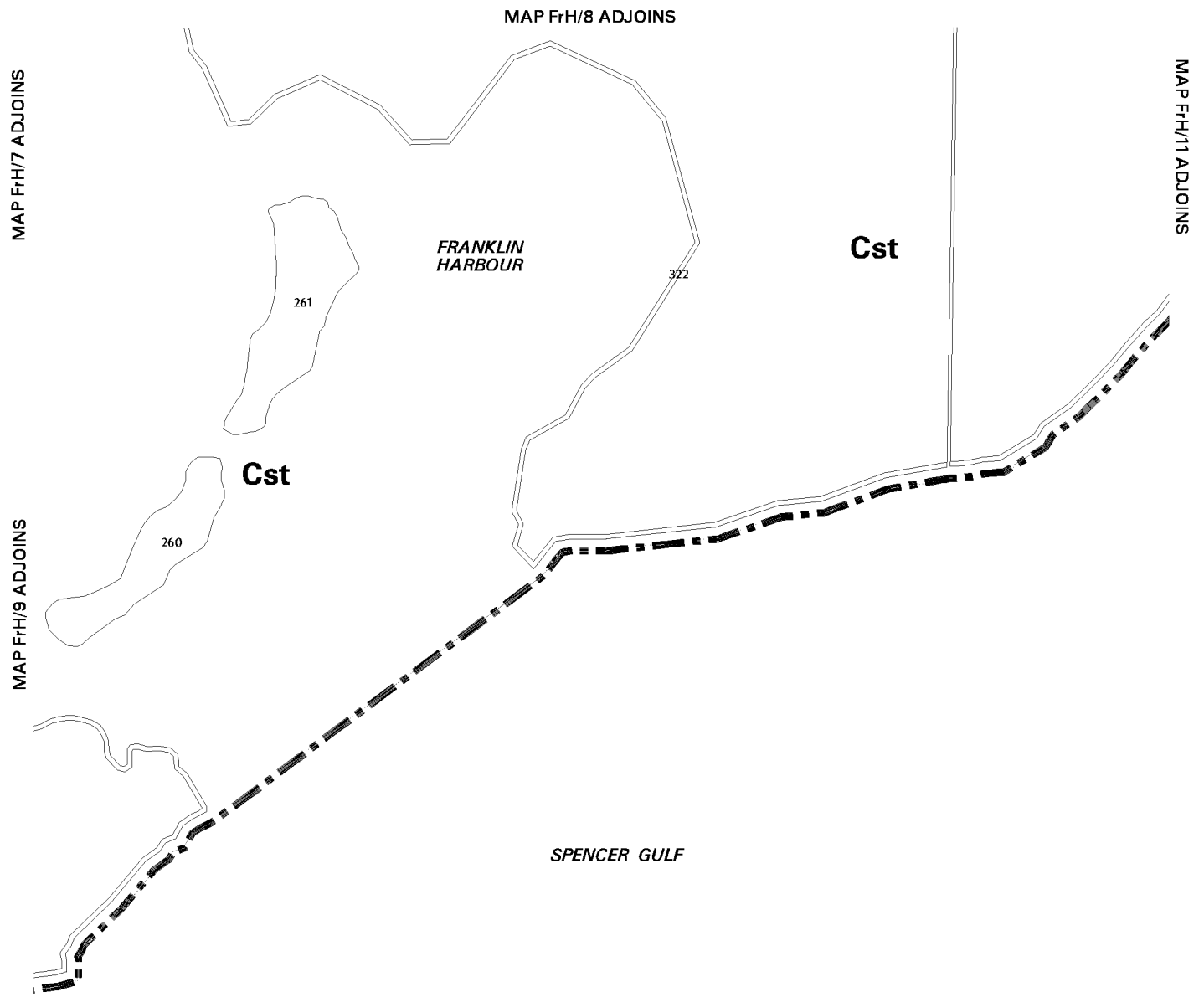
Coastal
Rural

Scale 1:40000



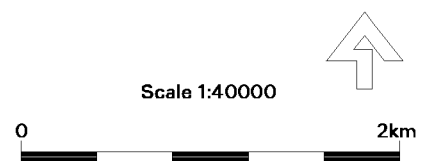
FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/9

——— Zone Boundary
- - - - - Development Plan Boundary

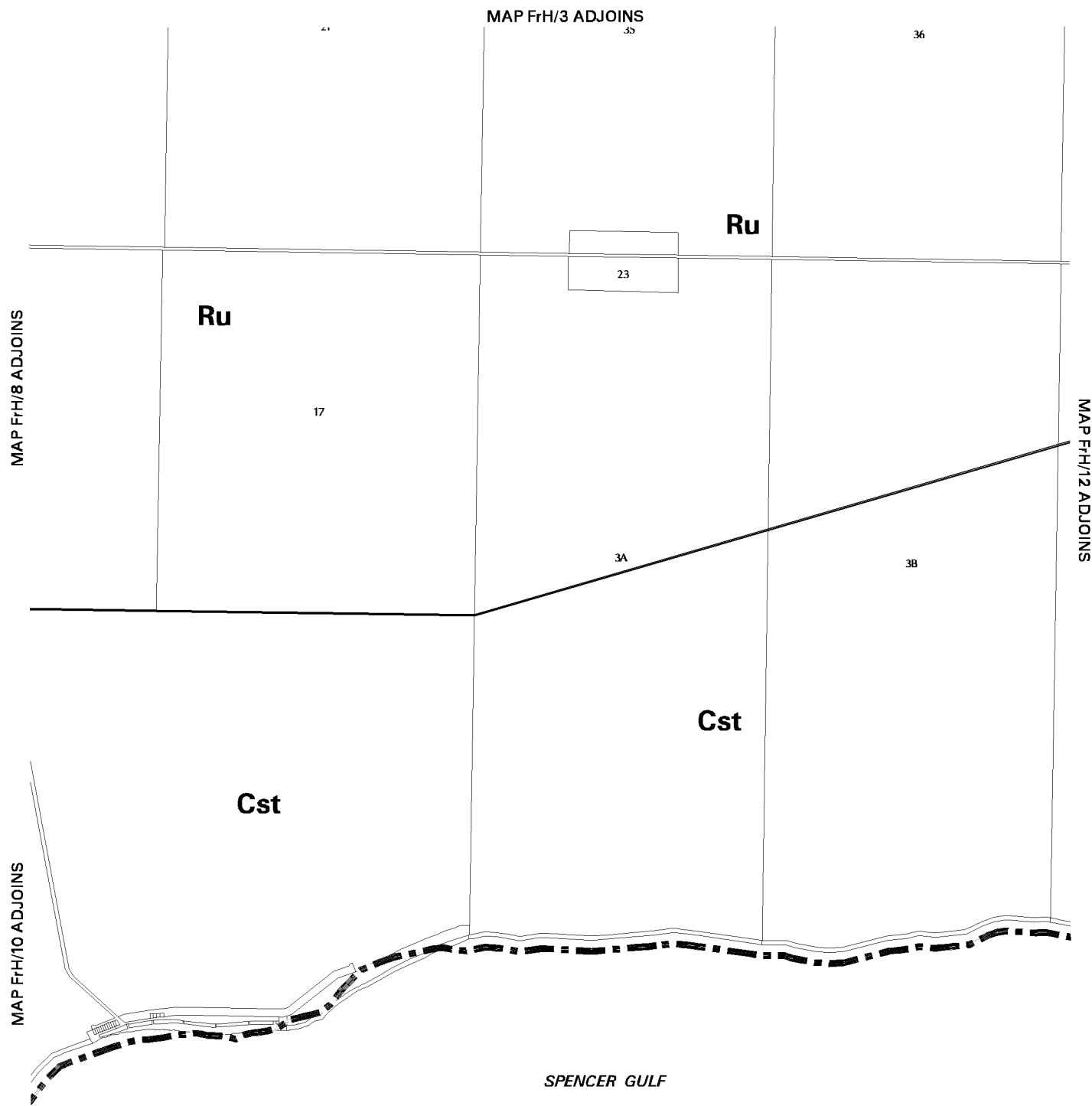


Cst Coastal

————— Zone Boundary
 - - - - - Development Plan Boundary



**FRANKLIN HARBOUR (D.C.)
 ZONES
 MAP FrH/10**



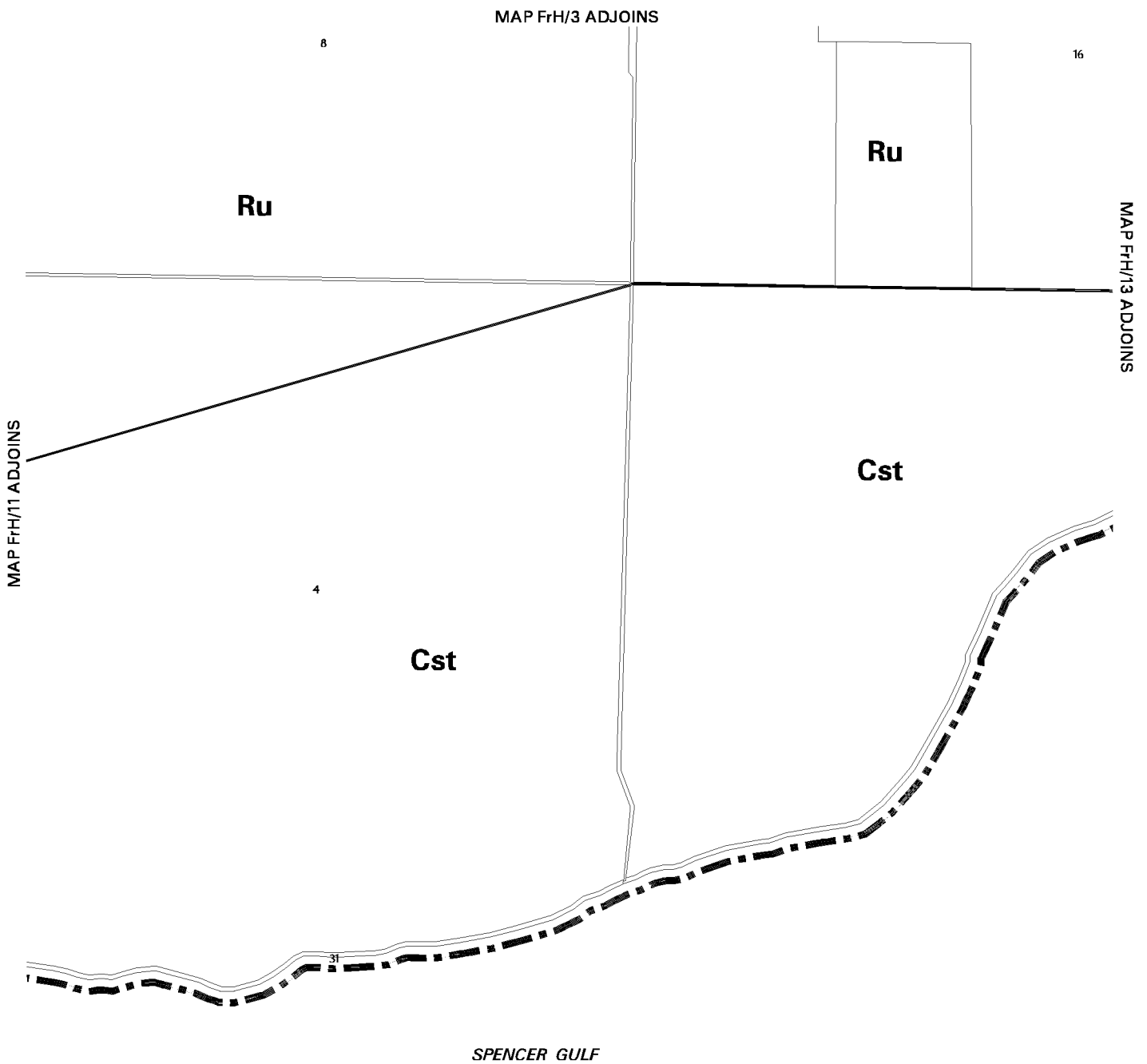
Cst Coastal
Ru Rural

Scale 1:40000



FRANKLIN HARBOUR (D.C.) ZONES MAP FrH/11

—— Zone Boundary
 - - - - Development Plan Boundary



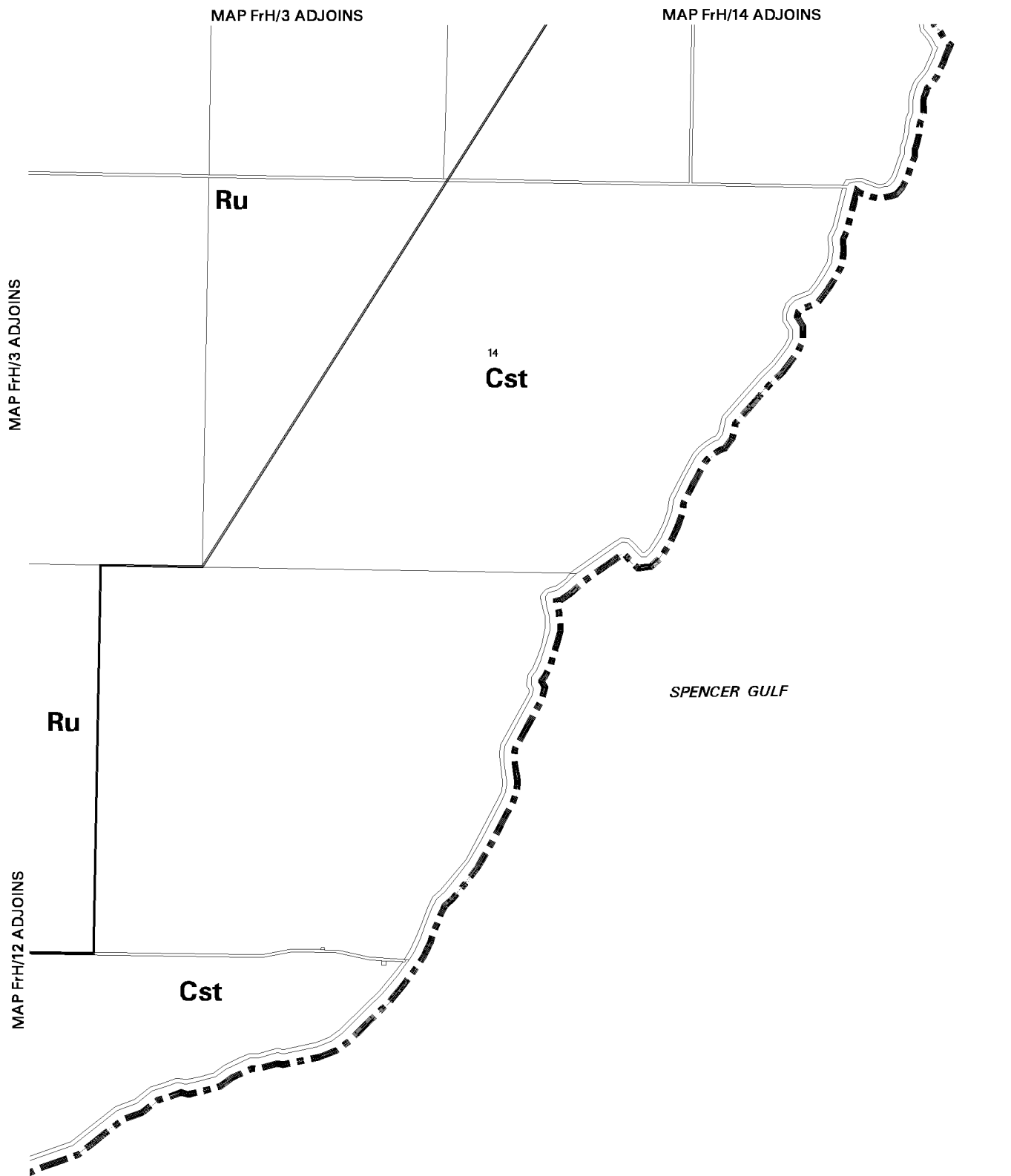
Cst Coastal
Ru Rural

Scale 1:40000



FRANKLIN HARBOUR (D.C.) ZONES MAP FrH/12

—— Zone Boundary
 - - - - - Development Plan Boundary



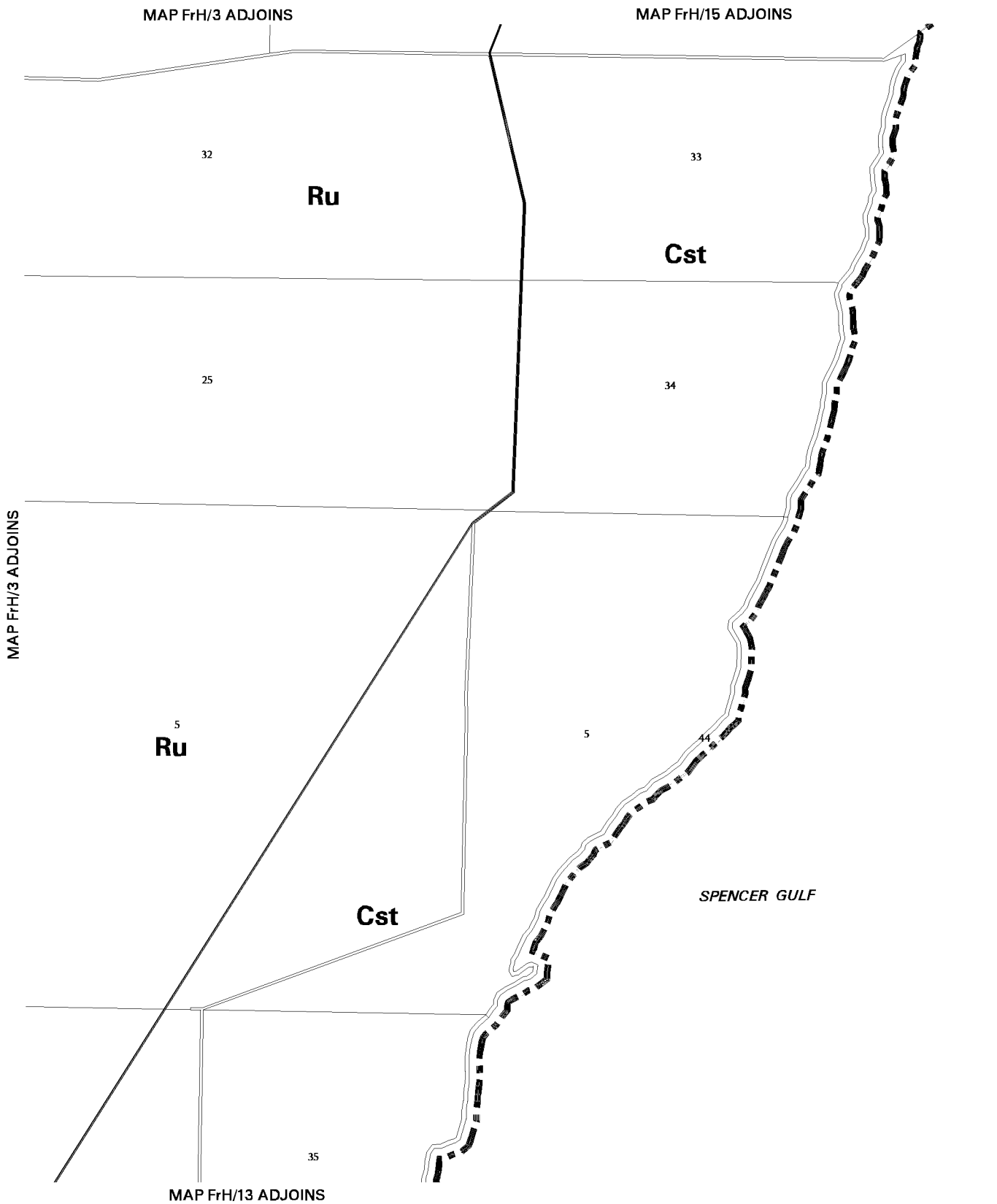
Cst Coastal
Ru Rural

Scale 1:40000



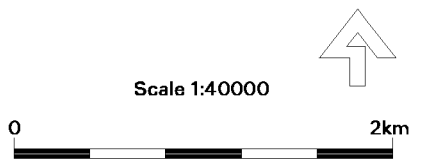
**FRANKLIN HARBOUR (D.C.)
 ZONES
 MAP FrH/13**

— Zone Boundary
 - - - - - Development Plan Boundary



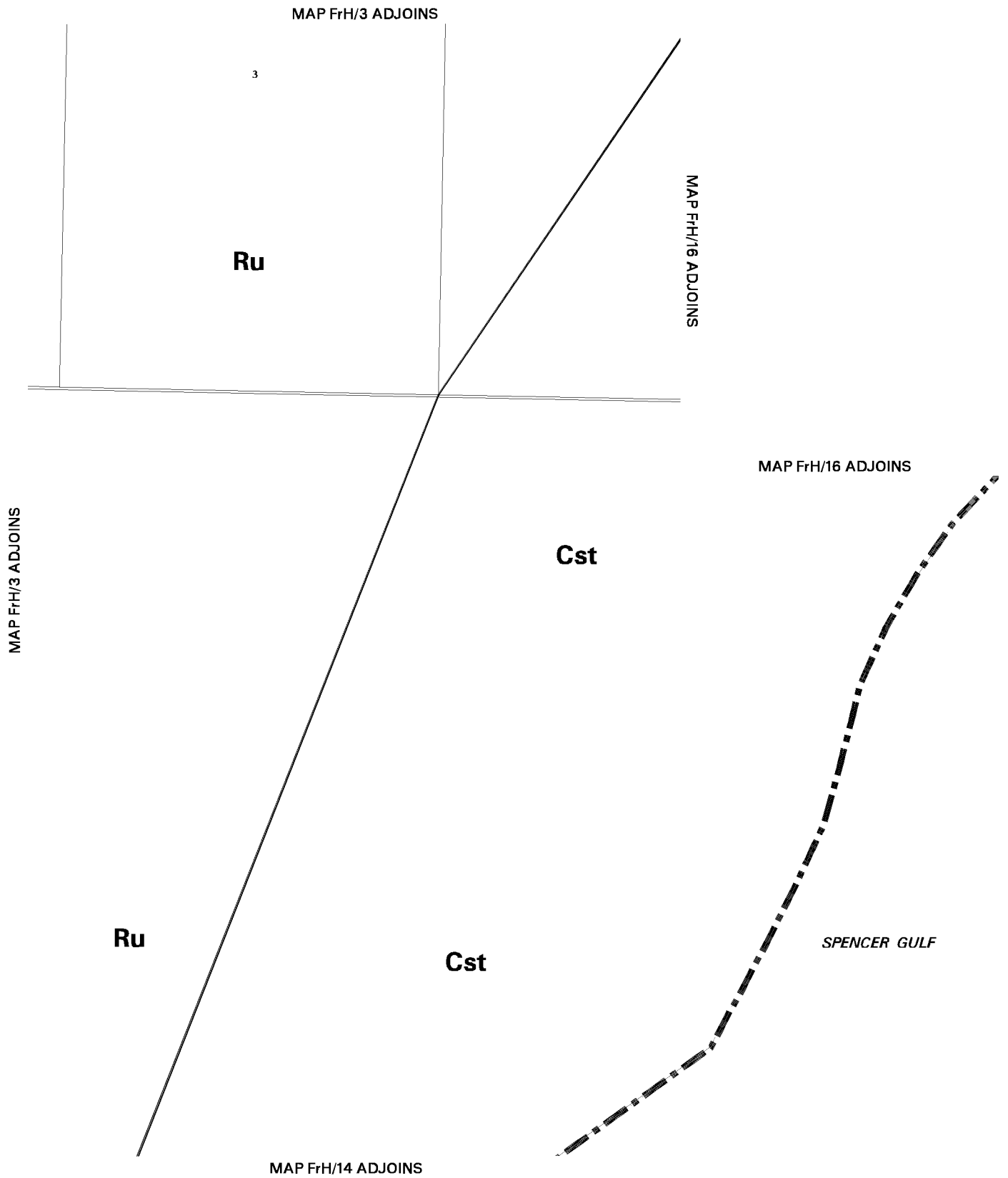
Cst
Ru

Coastal
Rural



FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/14

———— Zone Boundary
- - - - - Development Plan Boundary



Cst
Ru Coastal Rural

———— Zone Boundary
- - - - - Development Plan Boundary

**FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/15**

MAP FrH/3 ADJOINS

MAP FrH/17 ADJOINS

MAP FrH/3 ADJOINS

17

Ru

6

Cst

1000m

33

MAP FrH/15 ADJOINS

Cst

SPENCER GULF

MAP FrH/15 ADJOINS

Cst
Ru

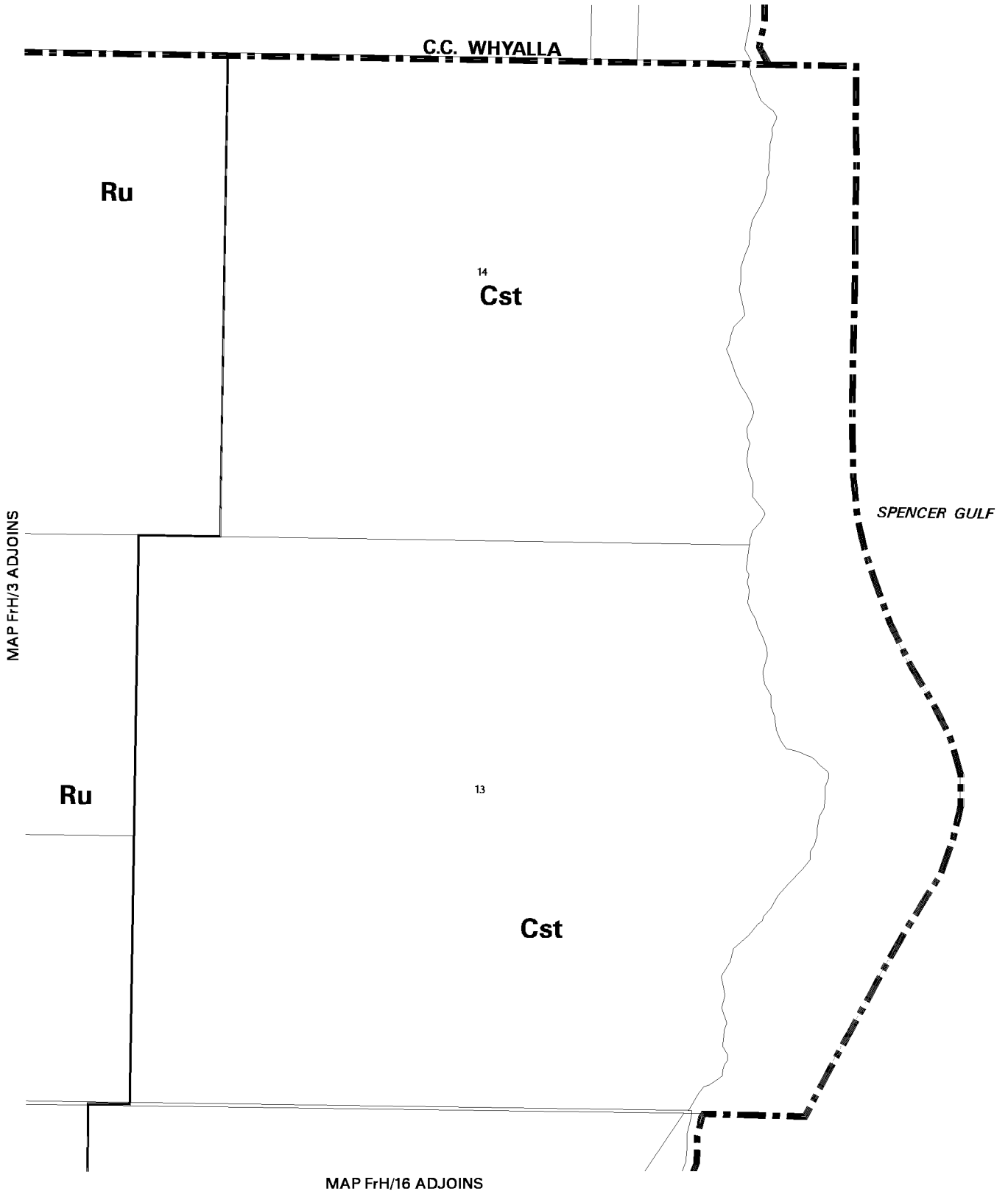
Coastal
Rural

Scale 1:40000



FRANKLIN HARBOUR (D.C.) ZONES MAP FrH/16

- Zone Boundary
- - - - - Development Plan Boundary



**FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/17**

—— Zone Boundary
 - - - - - Development Plan Boundary

67

Ru

MAP FrH/7 ADJOINS

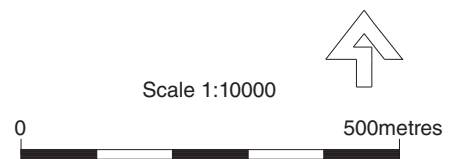
MAP FrH/19 ADJOINS



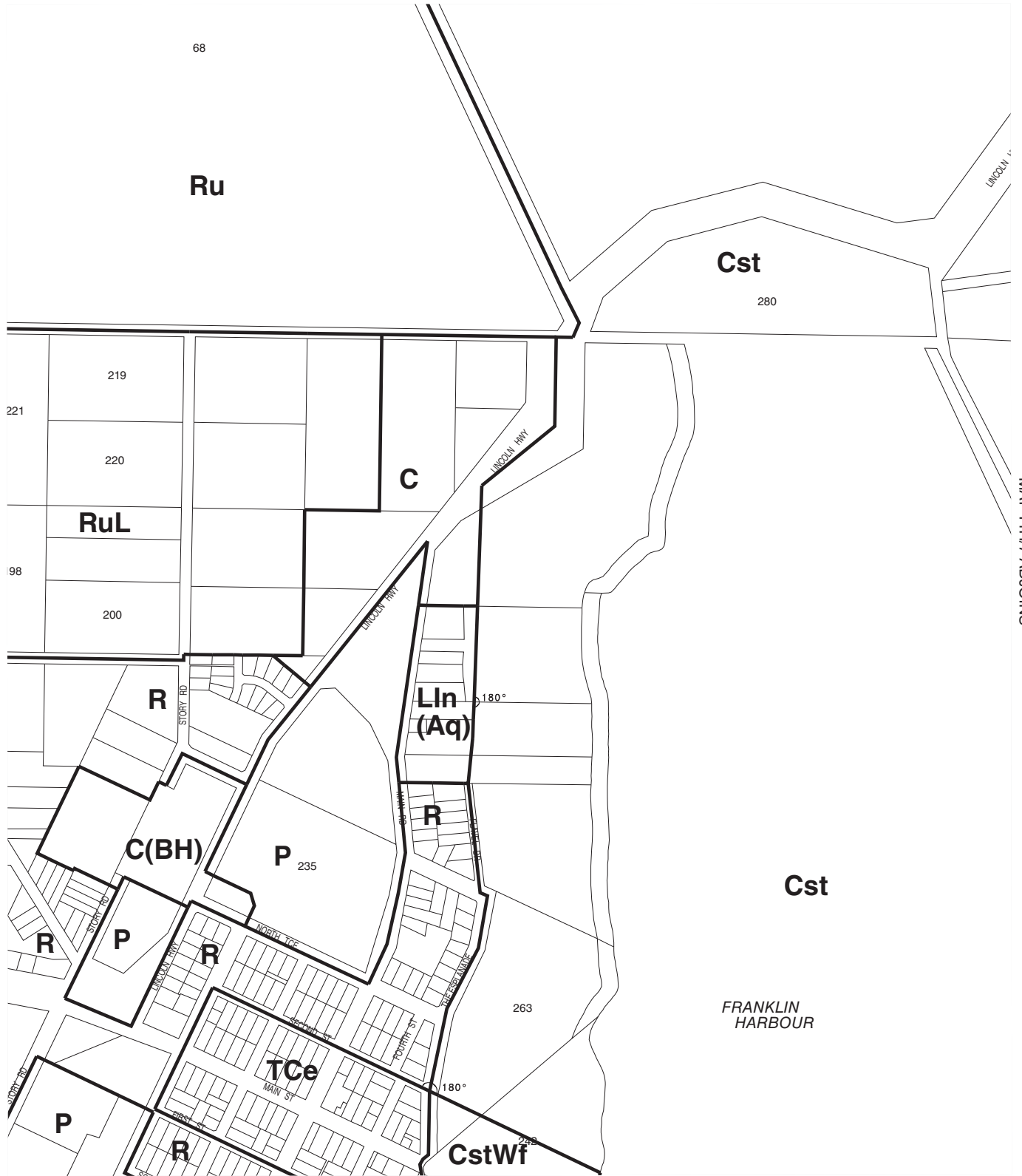
COWELL

- C** Commercial
- In** Industry
- P** Parklands
- R** Residential
- Ru** Rural
- RuF** Rural Fringe
- RuL** Rural Living
- SU** Special Use

-  Zone Boundary
-  Development Plan Boundary



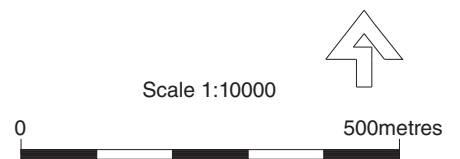
**FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/18**



COWELL

- C** Commercial
- C(BH)** Commercial (Bulk Handling)
- Cst** Coastal
- CstWf** Coastal Waterfront
- LIn(Aq)** Light Industry (Aquaculture)
- P** Parklands
- R** Residential
- Ru** Rural
- RuF** Rural Fringe
- RuL** Rural Living
- TCe** Town Centre

- Zone Boundary
- Development Plan Boundary



**FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/19**

MAP FrH/7 ADJOINS

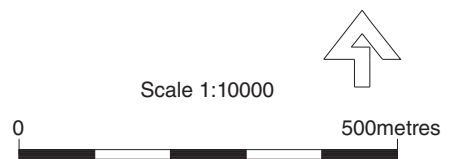
MAP FrH/21 ADJOINS



COWELL

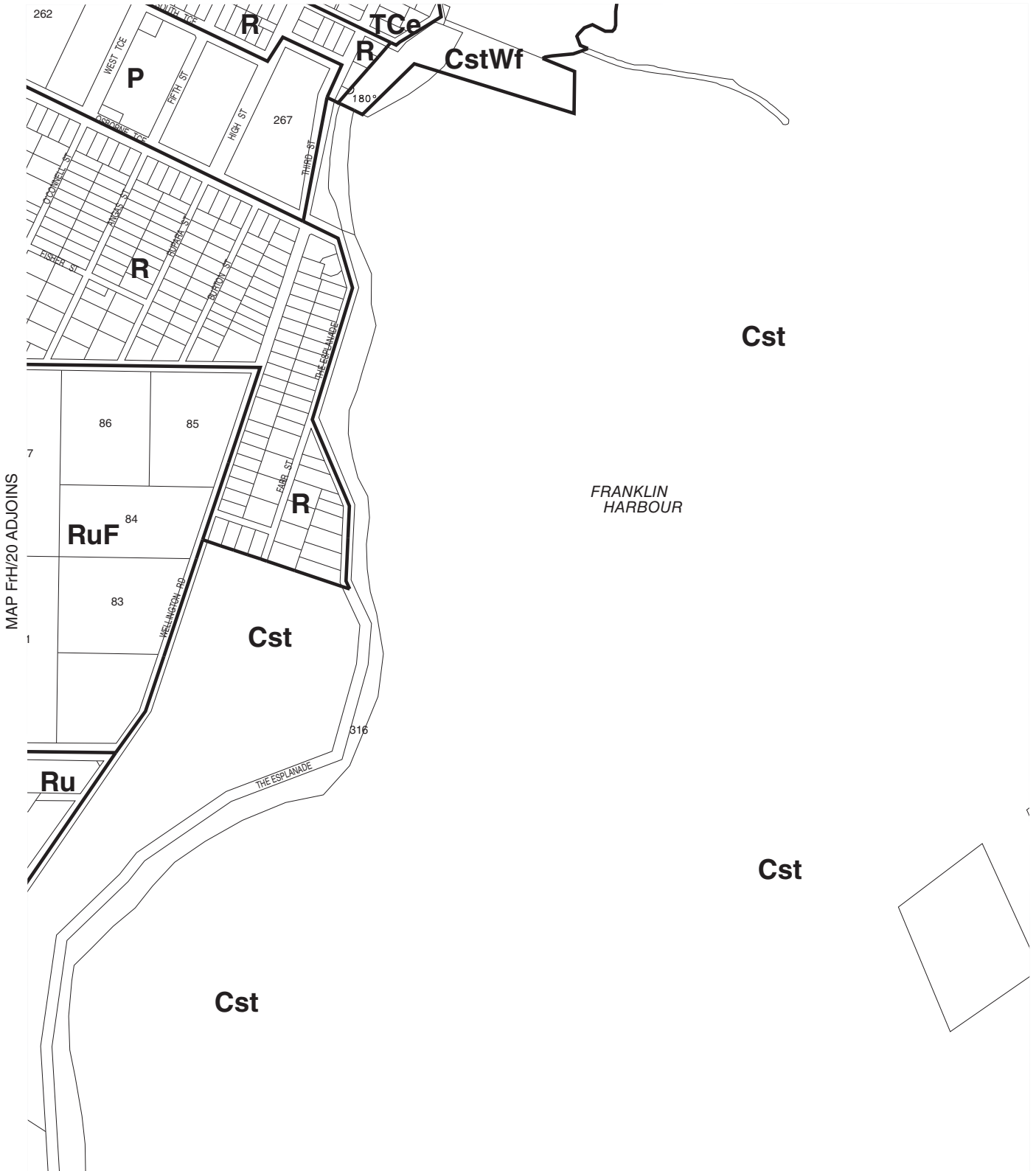
- Cst Coastal
- P Parklands
- R Residential
- Ru Rural
- RuF Rural Fringe

-  Zone Boundary
-  Development Plan Boundary



**FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/20**

MAP FrH/19 ADJOINS

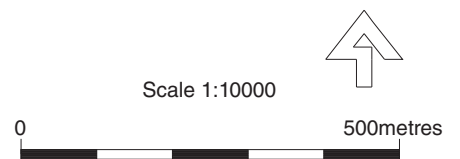


MAP FrH/7 ADJOINS

COWELL

- Cst Coastal
- CstWf Coastal Waterfront
- P Parklands
- R Residential
- Ru Rural
- RuF Rural Fringe
- TCe Town Centre

-  Zone Boundary
-  Development Plan Boundary



**FRANKLIN HARBOUR (D.C.)
ZONES
MAP FrH/21**