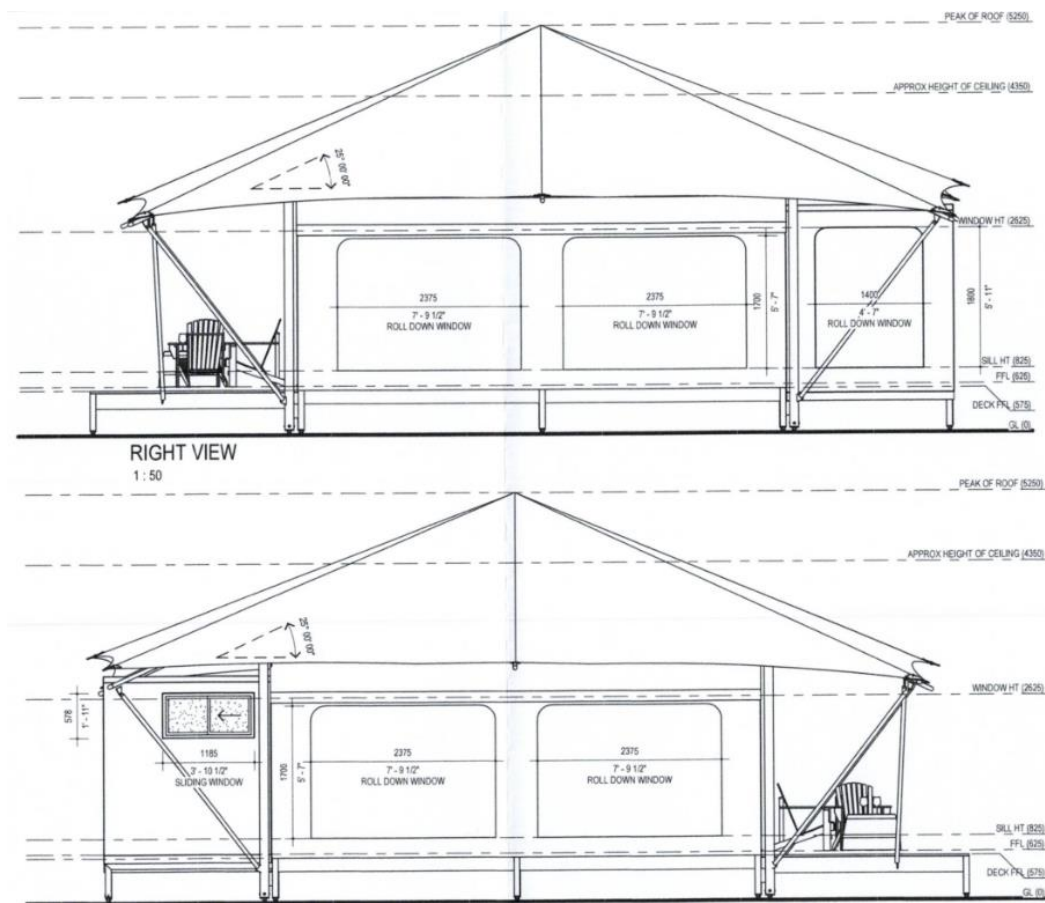


Dr Xenia Doorenbosch & Astute Building Construction & Development, C/-URPS

Construction of one tourist accommodation (glamping tent) with associated access, carparking area and water tank.



2794 South Coast Road, Foul Bay, SA 5577

Development Application ID: 24036351

Overview

DEVELOPMENT NO.:	24036351
APPLICANT:	Astute Building Construction & Development Xenia Doorenbosch URPS Town Planners
ADDRESS:	2794 SOUTH COAST RD FOUL BAY SA 5577
NATURE OF DEVELOPMENT:	Tourist accommodation (glamping tent) with associated access, carparking area and water tank.
ZONING INFORMATION:	Zones: • Conservation • Rural Overlays: • Coastal Areas • Dwelling Excision • Hazards (Acid Sulfate Soils) • Hazards (Bushfire - Medium Risk) • Hazards (Flooding - Evidence Required) • Limited Dwelling • Native Vegetation • Water Resources Technical Numeric Variations (TNVs): • Minimum Site Area (Minimum site area is 40 ha)
LODGEMENT DATE:	23 Sept 2025
RELEVANT AUTHORITY:	State Planning Commission
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2025.17 11/09/2025
CATEGORY OF DEVELOPMENT:	Impact Assessed - Restricted
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Duncan Shearer Planning Officer
REFERRALS STATUTORY:	- Coast Protection Board - Native Vegetation Council - Yorke Peninsula Council
RECOMMENDATION:	Planning Consent be granted subject to reserved matters and conditions

CONTENTS:

APPENDIX

- 1 Relevant Code Policies

ATTACHMENT 1: Application Documentation

- 1A Applicant Planning Report by URPS.
- 1B Initial Letter of Support by URPS.
- 1C Tourist Accommodation Plans and Drawings.
- 1D Glamping Tent Product Information by Wabi Systems.
- 1E Certificates of Title & Associated Title Plans.
- 1F Native Vegetation Clearance Report by Grant Flemming.
- 1G On Site Wastewater report by Mace Engineering Services.

ATTACHMENT 2: Subject Land and Locality

- 2A Subject Land Map
- 2B Subject Land Zoning Map

ATTACHMENT 3 – Notification Documentation

- 3A Combined Representations
- 3B Response to Representations by URPS

ATTACHMENT 3: Referral Agency Responses

- 4A Council Referral Response
- 4B Native Vegetation Council Referral Response
- 4C Coast Protection Board Referral Response

ATTACHMENT 5: Miscellaneous

- 5A RFI from Coastal Protection Board
- 5B Applicant response to Coastal Protection Board RFI
- 5C RFI from Native Vegetation Council
- 5D Applicant response to Native Vegetation Council RFI
- 5E RFI from State Planning Commission.

EXECUTIVE SUMMARY:

The application seeks approval for the construction of tourist accommodation (glamping tent) comprising one elevated tent and deck, with associated new access, vehicle and pedestrian tracks, carparking area, 22,000-litre water tank and on-site wastewater system at 2794 South Coast Road, Foul Bay. The subject land spans both the Rural Zone and Conservation Zone, with the proposed development located entirely within the Conservation Zone. The proposal is classified as Restricted Development under Table 4 of the Planning and Design Code's Conservation Zone, as it involves the construction of tourist accommodation.

Statutory referrals were issued to the Yorke Peninsula Council pursuant Regulation 23 of the *Planning, Development and Infrastructure (General) Regulations 2017* (the Regulations), the Native Vegetation Council pursuant to Schedule 9 (3)(11) of the Regulations and the Coast Protection Board pursuant to Schedule 9 (Schedule 9 (3)(3)) of the Regulations.

The Yorke Peninsula Council does not object to the proposal and commented that the applicant will need to apply for Wastewater Approval and Section 221 permit for access if alterations are needed to the road reserve. The Native Vegetation Council does not object to the development, directing assignment of conditions of any consent granted related to clearance requirements, managing cleared vegetation. The

Coast Protection Board does not object to the development, directing assignment of conditions of any consent granted related to the formulation and review of A Guest Information Pack for visitors, signage to guide visitors to and from the beach, managing earthworks and impacts to coastal land and other coastal protection measures.

Public Notification was undertaken for the application in accordance with section 110 of the Planning, *Development and Infrastructure Act 2016* (the Act) with a total of three valid representations submitted in opposition to the proposal (one wishing to be heard by the panel). Concerns raised included an impact on primary production activities in the area, appropriateness of tourist accommodation within the Conservation Zone, clearing of native vegetation, additional traffic generation/volume and road safety impacts, potential amenity impacts (visual, traffic, noise, visitor activity and management of domestic animals) and bushfire and emergency management.

The applicant has provided responses to (or has otherwise provided justification for) the range of concerns raised and has adequately substantiated the identified deviations from Code policy expectations.

Overall and on balance, the proposal is considered to respond appropriately to the relevant objectives and policy outcomes of the Planning and Design Code, and the development is unlikely to result in unacceptable impacts given the intent of the Conservation Zone. Conditional Planning Consent is recommended.

DETAILED DESCRIPTION OF PROPOSAL:

The application is for the construction of tourist accommodation (glamping tent) comprising one elevated tent and deck, with associated new access, vehicle and pedestrian tracks, carparking area, 22,000-litre water tank and on-site wastewater system at 2794 South Coast Road, Foul Bay, which is currently vacant (figure 1), however has an approval for a single storey dwelling under DA 544/1086/2020 and subsequent variation under DA 25026547 and has an operative date until 16 October 2027.

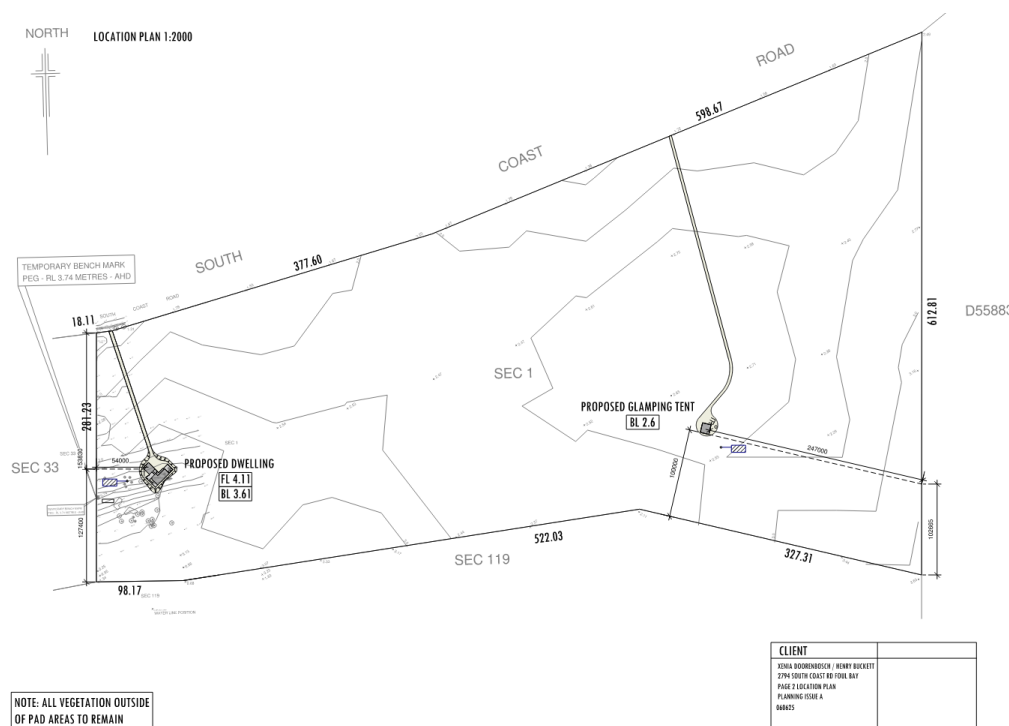


Figure 1: site plans of proposed glamping tent and location dwelling approved under DA 544/1086/2020.

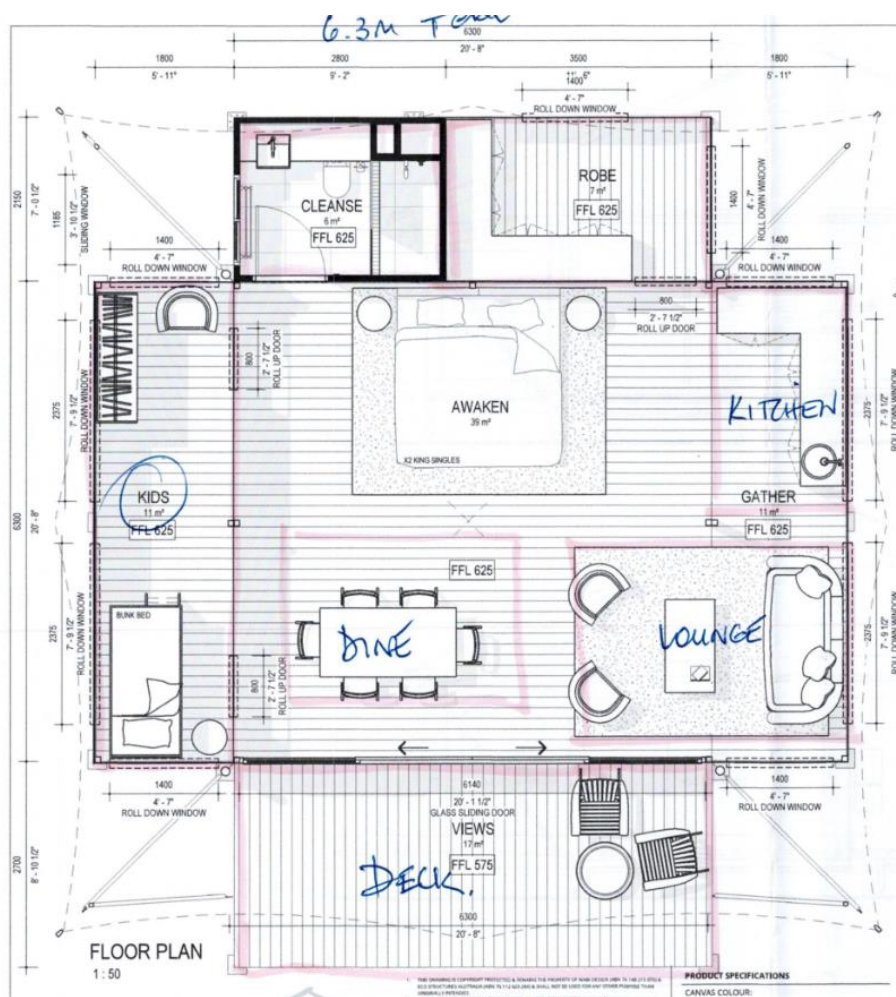


Figure 2: Floor plans of proposed glamping tent.

The proposal comprises a single, self-contained tourist accommodation (glamping tent) intended to provide short-term accommodation for visitors. The development is designed to accommodate a maximum one family (4 people) at a time and includes kitchen and bathroom facilities (see figure 2).

The tent structure includes:

- An elevated deck 575 mm off ground level.
- Approximately 100 square metres of floor area.
- A total height of 5.25 metres to the roof peak.
- A finished floor level approximately 625 mm above ground level.
- A vehicle turnaround and car park area for two vehicles.
- A pedestrian track to the coast.
- A 22,000L water tank.
- An on-site Wastewater system.

Construction materials include:

- Canvas walling.
- PVC roofing.
- Roll-down window coverings.
- Vinyl flooring.

- Glass sliding doors and windows.

As the land is relatively flat and given the raised-deck design, only minor earthworks are proposed to prepare the site.

The proposal includes new access point to South Coast Road with an all-weather gravel driveway to the glamping tent.

The applicant proposes muted external colours, specifically:

- Red Sand coloured canvas.
- Pale Beige coloured roof material.

Table 4 of the Conservation Zone classifies tourist accommodating as Restricted Development. While Table 4 also provides specific criteria that, if met, would exclude tourist accommodation from this classification, this proposal does not satisfy any of those requirements. Therefore, it is a Restricted form of development.

BACKGROUND:

The land has historic use for farming purposes as indicated in the planning report from URPS, the land was used for cropping (barley) until 2015. It was noted that the owners at the time then entered into a land management agreement with the then Department for Environment, Water and Natural Resources, to revegetate and improve biodiversity on certain areas of the land. It should be noted that this is not a Land Management Agreement pursuant to the current PDI Act or former Development Act.

A previous application was lodged on the western portion of land for a 'detached dwelling, garage & 3 rainwater tanks' at 2794 South Coast Road, Foul Bay and was granted Planning Consent on 9 September 2020 (DA 544/1086/2020). The application was considered non-complying development under the former *Development Act 1993* and Yorke Peninsula Council Development Plan, with concurrence gained from the State Planning Commission and referral support from the Coast Protection Board.

A separate DA 24036351 was submitted on 24 October 2024 to the State Planning Commission (SPC), seeking Planning Consent for a detached dwelling and tourist accommodation (glamping tent).

The applicant through consultation with State Planning Commission staff amended DA proposal to tourist accommodation (glamping tent) only, as detached dwelling element is being separately assessed in the variation DA 25026547.

The planning report from URPS stated that on 20 December 2024, the Yorke Peninsula Council extended this Planning Consent to allow time for amended dwelling plans to be submitted as a variation. A variation DA (25026547) was submitted on 27 August 2025, and Planning Consent was granted on 16 October 2025.

SUBJECT LAND & LOCALITY:

Site Description:

The subject land is known as 2794 South Coast Road, Foul Bay and within Certificate of Title Volume 5384 Folio 889.

The allotment has an area of approximately 37.03 hectares, contains no easements and is currently vacant, although has Planning Consent for a single-storey dwelling under DA 544/1086/2020 and a subsequent variation approved under DA 25026547.



Figure 3: Subject land and locality

The site has a primary northern frontage to South Coast Road of approximately 994 metres and the southern portion of the allotment extends south to the coastline of Gulf St Vincent.

The allotment is split between the Rural Zone in the northern portion and the Conservation Zone in the southern portion.

Historically the site has been used for agricultural purposes, including cropping, the land contains areas of native vegetation and revegetation and is characterised by its rural-coastal setting.

The original dwelling application non-complying “statement of effect” stated that the owner of the land and Department of Environment, Water and Natural Resources (now DEW) were in agreement pursuant to *the Local Communities Restoring Critical Habitation Landscape Linkages in the Southern Yorke Peninsula 2012-2016 project* and not related to the Development Act 1993 (ceased) or PDI Act 2016. The program of the land management agreement concentrated on the revegetation of the south-east portion of the land within the Conservation Zone.

The proposed glamping tent is located within the Conservation Zone in the southern-east portion of the site, approximately 100 metres inland from the coast, with access provided from South Coast Road.

The topography of the land generally falls south towards St Vincent Gulf but is relatively flat.

Location reference: 2794 SOUTH COAST RD FOUL BAY SA 5577

Title ref.: CT 5384/889 **Plan Parcel:** H130200 SE1 **Council:** YORKE PENINSULA COUNCIL

Locality

The subject land is located at 2794 South Coast Road, Foul Bay, a coastal locality on the southern Yorke Peninsula (see below).

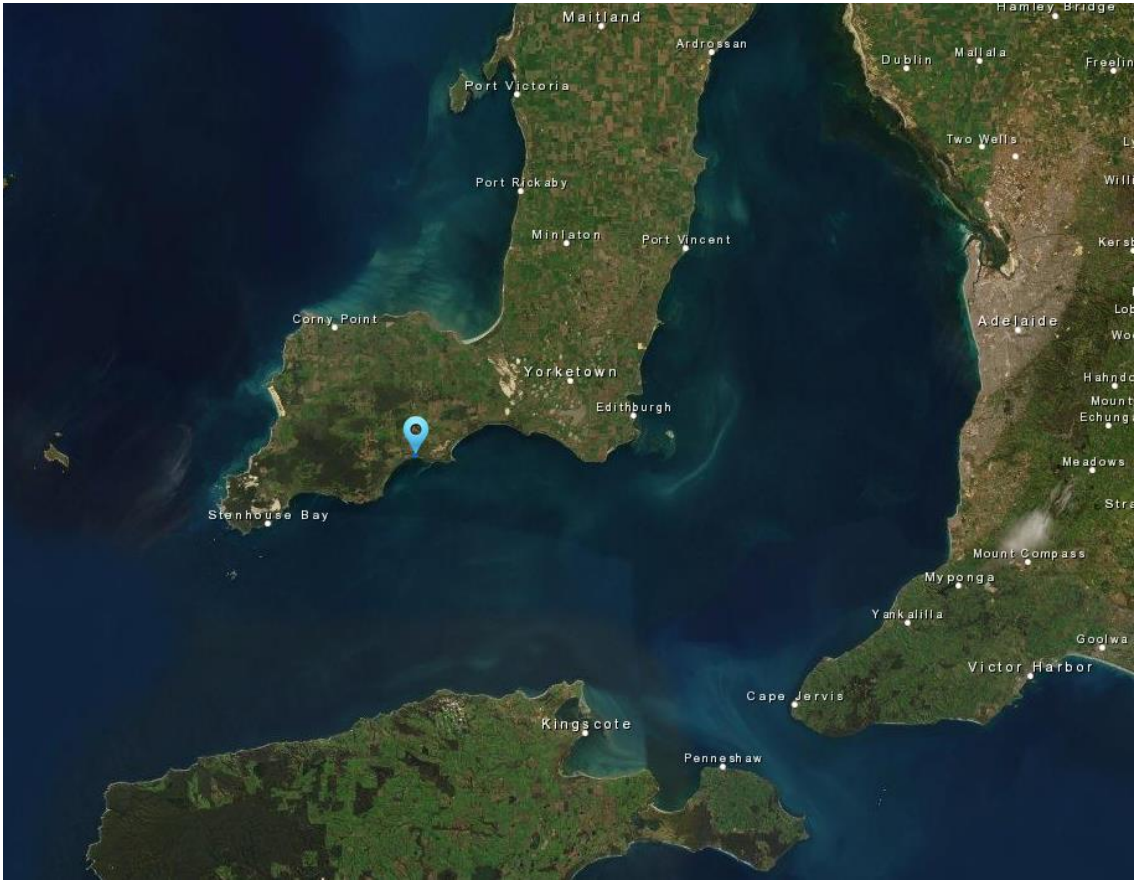


Figure 4: Aerial image.

The locality is characterised by a predominantly natural and rural landscape comprising broadacre farming land, extensive areas of coastal native vegetation and conservation land, scattered rural dwellings, and small-scale tourism and recreational activities. The surrounding coastal strip is predominantly zoned Conservation, while inland areas are generally used for primary production (Rural Zone).

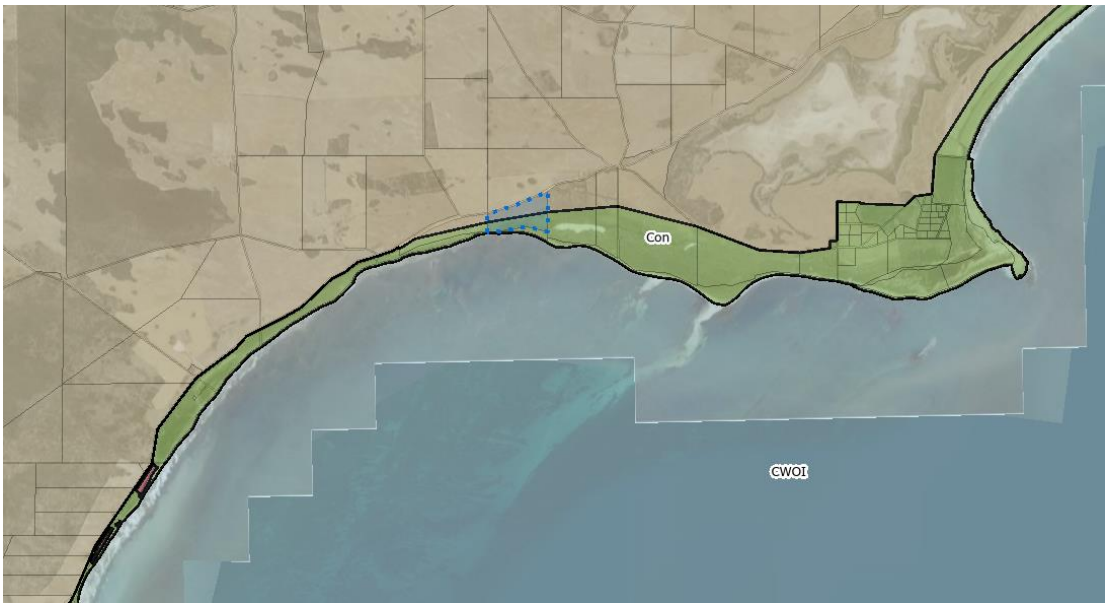


Figure 5: Zone map of area.

Recreational facilities within the broader locality include bush campgrounds (east and west), a boat ramp (west) and holiday accommodation associated with Rural Shack Settlement Zones (west). The subject site is bounded by coastal vegetation to the east and west, the waters of St Vincent Gulf to the south, and a combination of native vegetation and agricultural land to the north.

Surrounding coastal properties are generally large allotments that contain detached dwellings and access tracks, contributing to the low-density, secluded character of the locality.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Tourist accommodation: Impact Assessed - Restricted
- **OVERALL APPLICATION CATEGORY:**
Impact Assessed - Restricted
- **REASON**
P&D Code

PUBLIC NOTIFICATION

Pursuant to section 110(2) of the Act, a development classed as restricted development must be publicly notified.

Public notification was undertaken between 4th May 2026 and 29th May 2026. This included direct letters to all owners or occupiers located adjacent (within 60 metres) of the site of the development site, signage located on the frontage of the subject land and the application being placed on the SA Planning Portal for viewing and available for viewing at the Commission office at 83 Pirie Street, Adelaide.

Representations

A total of three (3) valid representations were received during the notification period, with all three (3) opposed to the proposed development.

One (1) representation expressed their desire to be heard by the SCAP in support of their submission.

SUMMARY

The following consolidated concerns were raised by representors are summarised below:

- **Impact on primary production activities**, including concerns that tourists may complain about normal farming practices such as spraying, fertiliser use, machinery operations, harvesting, seeding at night, sheep movements on roads and fox baiting programs. Representors were concerned this could lead to conflict between visitors and neighbouring farming operations.
- **Appropriateness of tourist accommodation within the Conservation Zone**, with concerns expressed about the construction of a building, access tracks and associated infrastructure (wastewater) on land intended for conservation purposes. This includes concerns that the proposal does not align with the intended purpose and objectives of the Conservation Zone.
- **Clearing of native vegetation**, with objections raised regarding the removal of vegetation for the tent, access track and pathway, and concerns that this would be inconsistent with environmental protection outcomes.

- **Additional traffic generation/volume and road safety impacts**, particularly on South Coast Road, which representors consider already experiences issues associated with agricultural and tourist traffic and requires ongoing maintenance and grading.
- **Questioning the need for additional tourist accommodation**, with concerns that there are already numerous accommodation options in the area and uncertainty regarding the demand and economic viability of further development.
- **Potential amenity impacts**, including increased traffic, noise, visitor activity and concerns were raised regarding how domestic animals (dogs) would be managed, including the risk of domestic animals interrupt or harm livestock on adjacent land.
- **Bushfire and emergency management concerns**, including the suitability of the area for additional visitor accommodation during the fire danger season, emergency response times, and reliance on neighbouring landowners during an emergency.
- **Visual impact**, concerns were raised that the height and scale of the proposed structure would be visible within the surrounding landscape.
- **Consistency and precedent concerns**, including questions about previous approvals on the site, the relationship between the approved dwelling and the proposed tourist accommodation, and whether approval could establish a precedent for similar development on other coastal allotments.

Copies of all representations can be found in **Attachment 3A**.

The Applicant was provided with the representations for consideration following the closure of the notification period and provided the following responses:

- **Impact on farming**, *the proposed glamping tent is more than 300m from the nearest farming property on the opposite side of South Coast Road. This is far enough away to ensure there will be no conflict between land uses.*

The Rural Zone envisages small scale tourist accommodation. If this was sited within the Rural Zone, the Designated Performance Features (DPFs) for tourist accommodation would be satisfied, including a floor area of less than 100sqm and a siting of more than 40m from the allotment boundaries.

As set out in the 14 May 2026 response to the Coast Protection Board (CPB) by Grant Fleming Environmental, a 'Guest Information Pack' will be provided with every booking and within the glamping tent. This will include relevant environmental management guidelines, including that dogs must be under effective control at all times and kept on a lead when required, such as in the presence of Hooded Plovers. This pack will also inform guests of the farm properties in the locality to be mindful of.

- **Vegetation clearance**, *Native vegetation clearance has been minimised and generally avoided, with no trees proposed to be removed. This has been set out in the Data Report by Grant Fleming Environmental and subject to clearance permission from the Native Vegetation Council (NVC). The NVC have responded to the referral with supportive comments and conditions to be imposed on the Planning Consent.*

As explained in our 15 April 2026 statement of support, it is understood that the land was used for cropping until 2015. The owners at the time then entered into an agreement with the then Department for Environment, Water and Natural Resources, to revegetate and improve biodiversity on certain areas of the land. The revegetation of the site far exceeds the minor clearance required for this glamping tent.

- **Development in Conservation Zone**, The dwelling shown on the site plan has a separate Planning Consent from the Yorke Peninsula Council (YPC). This is explained in the Background section of our statement of support. Wastewater system approvals are also granted separately by the YPC under the South Australian Public Health Act 2011.

Our statement also covered the assessment issues for this glamping tent in the Conservation Zone. The zone provisions envisage 'small-scale, low-impact land uses that provide for the conservation and protection of the area, while allowing the public to experience these important environmental assets.' Further, the Desired Outcome for the Zone includes the 'provision of opportunities for the public to experience these through low-impact recreational and tourism development.'

The glamping tent is a very small-scale, low impact land use that will not be visible from the surrounding area. It is not using slab footings, rather it will have a modern tripod system that leaves no footprint when removed.

The tent is on a 37ha allotment, hundreds of metres from the road and other boundaries, in association with and to be supervised by the approved dwelling on the land. It will allow for appreciation of the natural and rural environment, being associated with the conservation efforts on the land. It is 100m from the coast with a carefully designed pedestrian path for beach access.

- **Traffic and infrastructure**, traffic impacts will be very minor and acceptable. The glamping tent will only be used by one group at a time and will often be unoccupied. South Coast Road is a public road maintained by the YPC, with sufficient capacity and appropriate condition for this use.

Other off-grid infrastructure will be provided as required, including power and water.

The YPC referral response is supportive, noting the need for separate applications for the wastewater system and road access arrangements.

- **Fire safety**, the glamping tent has been designed to satisfy the relevant provisions of the Hazards (Bushfire – Medium Risk) Overlay. The Building Consent process will also ensure it satisfies the Ministerial Building Standard MBS 008 - Designated bushfire prone areas – additional requirements. This will include access and egress for Country Fire Service (CFS) vehicles, and dedicated water tanks capable of use with fire-fighting equipment.

It is also intended that guests will not use the glamping tent on Catastrophic days under the Australian Fire Danger Rating System.

- **Financial viability**, Concerns about financial viability or competition with other tourist accommodation facilities in the area are not relevant matters for assessment under the Planning and Design Code.

The applicant's response to representations can be found in **Attachment 3B**.

AGENCY REFERRALS

Referral Body	Function	Summary of Response
Coast Protection Board Schedule 9 (3)(3) Coastal Areas Overlay	Direction	The statutory referral response from the Coast Protection Board (The Board) was received on 23 June 2026. The CPB considered elements including impacts of the development and the 'Coastal Environment/Biodiversity', 'Coastal Access', 'Coastal Flooding & Erosion', 'Orderly Development', 'Coastal Amenity', 'Native Vegetation' and 'Stormwater & Wastewater'.

		Coast Protection Board sought clarity on additional information pedestrian access and the management of visitors on-site, the full request for information can be viewed under Attachment 5A. The applicant provided a detailed response by Greg Flemming under Attachment 5B, addressing each of the items raised by the Coast Protection Board. The Coast Protection Board had no objections to the proposed development and directed that Conditions be applied to any approval. The Coast Protection Board referral response is included in Attachment 4C.
Native Vegetation Council <i>Schedule 9 (3)(11) Native Vegetation Overlay</i>	Direction	Native Vegetation Council provided its response on 12 May 2026, indicating no objection to the proposal. Native Vegetation Council requested additional information on the 24th April 2026, and sought that associated Bushland Scoresheets in MS Excel format and spatial data defining impact areas to assist with assessment of the proposal, can be viewed under Attachment 5C. The applicant provided a detailed response by Greg Flemming under Attachment 5D, addressing each of the items raised by the Coast Protection Board. Native Vegetation Council referral response is included in Attachment 4B.
Yorke Peninsula Council <i>Regulation 23(3)(a)</i>	Comment	Council provided its response on 12 May 2026, raising no objection to the development. The referral advised the applicant will need to apply to Council for Wastewater Approval and Section 221 access if alterations needed to road reserve. No conditions or advisory notes were recommended. Yorke Peninsula Council comments can be viewed under Attachment 4A.

PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

Seriously at Variance Test

The proposed development comprises tourist accommodation (glamping tent) with associated access, carparking area and water tank. The development site is located in the Conservation zone which anticipates small-scale, low-impact land uses that provide for the conservation and protection of the area, while allowing the public to experience these important environmental assets, the Zone Desired Outcome ('DO') 1 anticipates the following:

"The conservation and enhancement of the natural environment and natural ecological processes for their ability to reduce the effects of climate change, for their historic, scientific, landscape, habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development."

The development is considered small-scale, low-impact, and designed to limit impacts on native vegetation and coastal landscapes, while enabling visitors to experience the site's environmental qualities in a controlled and sustainable way, which aligns with the intent of the Conservation Zone and broader Planning and Design Code policy outcomes.

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and therefore, warrants further assessment against the Code.

Overlays

Coastal Areas

The Coastal Areas overlay seeks for that natural coastal environments (including environmentally important features such as mangroves, wetlands, saltmarsh, sand dunes, cliff tops, native vegetation, wildlife habitat, shore and estuarine areas) are conserved and enhanced and that provision is made for natural coastal processes; and recognition is given to current and future coastal hazards including sea level rise, flooding, erosion and dune drift to avoid the need, now and in the future, for public expenditure on protection of the environment and development (DO 1 and DO 2).

PO 2.1 seeks for buildings sited over tidal water or that are not capable of being raised or protected by flood protection measures in the future are protected against the standard sea flood risk level and 1m of sea level rise. PO 2.2 Development, including associated roads and parking areas, but not minor structures unlikely to be adversely affected by flooding, is protected from the standard sea flood risk level and 1m of sea level rise.

The proposed tourist accommodation incorporates elevated floor levels, with the application indicating a building level (BL) of 2.6 metres AHD and a finished floor level (FFL) of 6.25 metres AHD. The development was referred to the Coast Protection Board for assessment of coastal flood risk.

The Board advised that, for compliance with its coastal flooding risk standards, minimum levels of 2.9 metres AHD for the building site level and 3.15 metres AHD for the finished floor level are generally required at this location. These levels are based on the 1% Annual Exceedance Probability (AEP) sea flood event, incorporating tide, stormwater and wave effects, together with an allowance for projected sea level rise.

The Board confirmed that the proposed FFL of 6.25 metres AHD substantially exceeds the minimum recommended FFL of 3.15 metres AHD and therefore provides an appropriate level of protection from coastal inundation hazards. While the building level AHD is marginally below the Board's recommended level, the Board raised no objection to the proposal, having regard to the relatively minor nature of the structure and the low risk of exposure to coastal flooding from adjoining land.

The elevated floor levels ensure that the development is protected from identified coastal flood hazards and future sea level rise projections. Having regard to the advice of the Coast Protection Board and the exceedance of the minimum recommended finished floor level, the proposal is considered to achieve the intent of PO 2.1 and PO 2.2 by minimising the risk of damage to buildings and occupants from coastal flooding.

PO 2.3 seeks that development will not create or aggravate coastal erosion or require coast protection works that cause or aggravate coastal erosion, while PO 2.4 seeks that development is set back a sufficient distance from the coast to provide an erosion buffer in addition to a public reserve that will allow for at least 100 years of coastal retreat for single buildings or small-scale developments, or 200 years of coastal retreat for large scale developments unless:

- (a) the development incorporates appropriate private coastal protection measures to protect it from anticipated erosion
or
- (b) there are formal commitments to protect the existing or proposed public reserve and development from anticipated coastal erosion.

The Coast Protection Board advised that as the proposed development is located approximately 190 metres inland from the coastline, they consider the proposal is set back a sufficient distance to provide an adequate erosion buffer from the coastline.

Given the small-scale nature of the proposal and distance from the coastline, the proposal is not considered to cause or aggravate coastal erosion and is considered to be located a sufficient distance from the coast to provide an erosion buffer. The proposal therefore satisfies PO 2.3 and PO 2.4.

PO 3.1 seeks that development avoids the need for coast protection works through measures such as setbacks to protect development from coastal erosion, sea or stormwater flooding, sand drift or other coastal processes and PO 3.2 seeks that development does not compromise the structural integrity of any sea wall or levee bank or the ability to maintain, modify or upgrade any sea wall or levee bank.

Given the small-scale nature of the proposal and substantial distance from the coastline, the proposal avoids the need for any additional coastal protection works and is not considered to compromise any sea wall or levee banks. The proposal therefore satisfies PO 3.1 and PO 3.2.

PO 4.1 seeks that development will not unreasonably affect the marine and onshore coastal environment by pollution, erosion, damage or depletion of physical or biological resources; interference with natural coastal processes; or the introduction of and spread of marine pests and diseases or any other means.

The proposal comprises a small-scale tourist accommodation development accommodating a maximum of four (4) guests. Given its limited scale and low intensity, the development is not expected to generate significant environmental impacts or place undue pressure on coastal resources.

The development will be located approximately 190 metres from the coastline, does not involve works within the marine environment, alteration of the coastline, or activities that would interfere with natural coastal processes. The low occupancy and modest operational requirements are unlikely to result in pollution, erosion, or degradation of the surrounding coastal environment.

Additionally, the applicant has advised that a 'Guest Information Pack' will be provided to guests when booking in. Guests will be advised to place all waste/litter within the receptacles provided, have a 'pack it in' and 'take it out' principle, and pet waste is to be taken with the guests when they leave. This has been placed as a condition to be prepared in consultation with the Coast Protection Board.

Accordingly, the proposal is not expected to unreasonably affect the marine or onshore coastal environment and is consistent with the intent of PO 4.1.

PO 4.2 seek that development avoids delicate or environmentally sensitive coastal areas such as sand dunes, cliff tops, estuaries, wetlands or substantially intact strata of native vegetation, while PO 4.3 seeks that development allows for ecological and natural landform adjustment to changing climatic conditions and sea levels, by allowing landward migration of dunes, coastal wetlands, mangrove and samphire areas.

As the proposed development is located approximately 190 metres inland from the coastline, will avoid delicate or environmentally sensitive coastal areas, clearance of Native Vegetation has been supported by Native Vegetation Council and is therefore consistent with the intent of PO 4.2 and PO 4.3. It is also noted

PO 4.4 seek that development avoids, or in built up areas minimises, impacts on important habitat areas that support the nesting, breeding and movement/migration patterns of fauna, including threatened shorebirds.

A Native Vegetation Report prepared by Grant Fleming included a brief fauna assessment of the site. The author recorded being on the subject land for six hours undertaking their vegetation assessment, during which fauna habitat, tracks and scats were recorded, and incidental observations of birds and other fauna were undertaken. While evidence of fauna of the site was identified, no threatened fauna species were observed during the assessment.

The development incorporates operational and management measures to minimise disturbance to native fauna and any shorebirds that may utilise the surrounding coastal environment. These measures include:

- Dogs permitted on the property are required to be under effective control at all times and kept on a lead when required, including in the presence of Hooded Plovers and other sensitive shorebird species.
- Vehicles are restricted to the established driveway and designated car parking areas, with no access permitted to the beach or off-road areas of the property, thereby reducing the potential for disturbance to fauna habitat and nesting areas.
- An information sheet and/or brochure will be provided to guests identifying common native flora and fauna of the locality.
- The information provided to guests will include specific educational material regarding shorebirds, including species that may nest on or adjacent to the beach, such as the Hooded Plover, and the importance of avoiding disturbance to nesting and breeding habitat.

Collectively, these measures will assist in raising awareness of visitor in protecting fauna and habitat and reducing the potential for disturbance to nesting, breeding and movement patterns of native fauna.

Accordingly, the proposal is considered to appropriately minimise impacts on important habitat areas and is therefore consistent with Performance Outcome PO 4.4.

PO 4.5 seeks that development is designed so that wastewater is disposed of in a manner that avoids pollution or other detrimental impacts on the marine and on-shore environment of coastal areas and PO 4.6 seeks that development is designed so that stormwater runoff is disposed of in a manner that avoids pollution or other detrimental impacts on the marine and on-shore environment of coastal areas.

The application proposes a dedicated on-site wastewater management system to service the development. The scale and intensity of the proposed use is considered relatively low, with wastewater report indicating a maximum occupancy of one family or 2 - 4 guests at any one time. Additionally, the development site will be located a distance of 190 metres from the coastline and contains a 22,000L water tank connected to the glamping tent. Accordingly, the anticipated wastewater load generated by the development is limited and capable of being accommodated by an appropriately designed on-site wastewater system and will be located well away from the coastline.

The Coast Protection Board noted the importance of minimising the impact of stormwater and wastewater discharge within coastal areas and advised that stormwater and wastewater management systems should be designed and maintained to minimise discharge, pollution and erosion impacts on the surrounding environment. To address these matters, the Board imposed the following condition and advisory note:

Condition: All stormwater design and construction shall not adversely affect coastal land by erosion, discharge or pollution.

Advisory note: The wastewater management system associated with the development should be designed and maintained to ensure there is no pollution within the coastal environment.

The proposal will therefore be subject to conditions and advisory notes emphasising the importance of incorporating appropriate design, installation and ongoing maintenance of wastewater and stormwater infrastructure to ensure impacts on the surrounding coastal environment are avoided.

On this basis, the proposal is able to provide for the disposal of wastewater and stormwater system in a manner that avoids pollution and other detrimental impacts on the marine and on-shore environment. The development is therefore consistent with PO 4.5 and PO 4.6.

PO 4.7 seeks that development involving the removal of shell grit, cobbles or sand, other than for coastal protection works purposes, is not undertaken. The development does not involve the removal of shell grit, cobbles or sand. The glamping tent utilises a concrete-free footing system that minimises ground disturbance, and no excavation or extraction of shell grit material is proposed. Accordingly, the development satisfies PO 4.7.

PO 5.1 seeks that development maintains or enhances appropriate public access to and along the foreshore and PO 5.2 seeks that public access through sensitive coastal landforms, particularly sand dunes, wetlands and cliffs, is restricted to defined pedestrian paths and constructed to minimise adverse environmental impact.

The proposal includes a defined pedestrian path connecting the glamping tent to the beach. The Native Vegetation Report prepared by Grant Fleming advised the proposed path will generally follow existing clearings and pathways between vegetation, with only minor pruning required to maintain safe access over time.

The Coastal Protection Board indicated the development was for a relatively low number (maximum of one family or 2-4 people) of guests on site, who would access the beach via a proposed pedestrian path following existing natural pathways to the extent possible and pruning vegetation to maintain safe access. The Board emphasised it was important that pedestrian tracks leading to the coastline are well formed and managed (single profile), with clear signage and directions to prevent alternative access and user safety.

The Board recommended the beach access/pathways and restrictions be further considered in the Guest Information Pack, which is considered as a condition of approval.

Given the above, the proposal maintains access to the foreshore while restricting movement to a defined path through sensitive coastal vegetation and is considered to minimise vegetation disturbance. Accordingly, the proposal is consistent with PO 5.1 and PO 5.2.

PO 5.4 seeks that development on land adjoining a coastal reserve is sited and designed to be compatible with the purpose, management and amenity of the reserve and to prevent inappropriate access to or use of the reserve.

The proposed tourist accommodation is of a low-scale and lightweight design that responds to the natural coastal setting and minimises disturbance to the site through the use of a concrete-free footing system. Access between the tent and the beach will be via a defined pedestrian path that generally follows existing clearings within the vegetation, limiting the need for vegetation clearance and reducing the likelihood of informal access tracks developing within the coastal reserve.

The development is not expected to adversely affect the environmental values, amenity or management of the adjoining coastal reserve, nor does it involve activities or infrastructure that would encourage inappropriate access or use of the reserve. Accordingly, the proposal is considered to be compatible with the purpose, management and amenity of the coastal reserve and is consistent with PO 5.4

Hazards (Acid Sulfate Soils)

The Hazards (Acid Sulfate Soils) Overlay seeks that development is located and undertaken to minimise disturbance of potential or actual acid sulfate soils and / or the release of acid drainage (DO 1) and under PO 1.1 that development that involves excavation or a change to a water table where potential or actual acid sulfate soils are present is undertaken to minimise soil disturbance or drainage; prevent or minimise oxidation; and contain and treat any acid drainage to prevent harm or damage to the environment, primary production, buildings, structures and infrastructure or public health.

The development involves only minor earthworks associated with site preparation, with the applicant advising that cut and fill requirements will be minimal due to the relatively flat nature of the site and elevated deck design. The use of a concrete-free footing system further minimises excavation and soil disturbance. No change to the water table is proposed. Consequently, the risk of disturbing potential acid sulfate soils or generating acid drainage is considered low, and the proposal is considered to satisfy the intent of PO 1.1.

Hazards (Bushfire - Medium Risk)

This overlay seeks to ensure that development minimises the threat and impact of bushfires on life and property as well as facilitating access for emergency vehicles to aid the protection of lives and assets from bushfire danger.

PO 1.1 seeks that buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.

The applicant has advised that the tourist accommodation is sited away from hazardous bushland vegetation. This is supported by the Native Vegetation Report, which identifies the accommodation site being located on 'Very Open Shrubland' and 'Very Open Mallee' vegetation associations. As the development is not located within dense native vegetation and is positioned to minimise exposure to bushfire hazards associated with vegetation cover and terrain, the proposal is considered to satisfy PO 1.1.

PO 2.1 seeks that buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.

The tourist accommodation incorporates an elevated deck which will be raised approximately 575 mm above ground level and construction on a concrete-free footing system. This design reduces the potential for combustible material and burning debris to accumulate beneath or against the structure and assists in reducing ember attack risk. Additionally, the development will be required to obtain Building Consent and ensure Ministerial Building Standard MBS 008 (Designated bushfire prone areas) requirements are adhered to. Accordingly, the proposal is considered to achieve the intent of PO 2.1.

PO 3.1 seeks for development to minimise the threat, impact and potential exposure to bushfires on life and property, residential and tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) is sited on the flatter portion of allotments away from steep slopes.

The site comprises gently undulating coastal land that generally grades towards St Vincent Gulf, however the proposed tourist accommodation is located on a relatively flat portion of the allotment (See figure 1). As the development is not sited on steep slopes, the proposal minimises exposure to bushfire hazards associated with topography and is therefore consistent with PO 3.1.

PO 3.2 seeks that residential, tourist accommodation and habitable buildings for vulnerable communities (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) is sited away from vegetated areas that pose an unacceptable bushfire risk.

The applicant has advised that the tourist accommodation is sited away from hazardous bushland vegetation. This is supported by the Native Vegetation Report, which identifies the accommodation site on 'Very Open Shrubland' and 'Very Open Mallee' vegetation associations. As the development is not located within dense native vegetation and is positioned to minimise exposure to bushfire hazards associated with vegetation cover and terrain, the proposal is considered to satisfy PO 3.2.

PO 3.3 seeks that residential, tourist accommodation and habitable buildings for vulnerable communities, (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation), has a dedicated area available that is capable of accommodating a bushfire protection system comprising firefighting equipment and water supply in accordance with Ministerial Building Standard MBS 008 - Designated bushfire prone areas - additional requirements.

The applicant has advised the proposal will include access and egress for Country Fire Service (CFS) vehicles, and dedicated water tanks capable of use with fire-fighting equipment will be provided. The development will be required to obtain Building Consent and ensure Ministerial Building Standard MBS 008 (Designated bushfire prone areas) requirements are adhered to.

Additionally, the applicant has advised they would be open to the preparation of a bushfire management plan for the tourist accommodation operation, which would be consultation with the Country Fire Service. As such, a Reserved Matter has been added which captures this element for final consideration.

Accordingly, the proposal is considered to achieve the intent of PO 3.3.

PO 5.1 seeks that roads are designed and constructed to facilitate the safe and effective:

- (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel
- (b) evacuation of residents, occupants and visitors.

Vehicle access to the development is provided from South Coast Road, an all-weather trafficable public road. A new access point and direct all-weather track will provide efficient access to the tourist accommodation, while a suitable turnaround area is proposed for CFS vehicles. The site layout facilitates emergency vehicle access and manoeuvring supports the safe evacuation of occupants and visitors if required. Accordingly, the proposal is considered to satisfy PO 5.1.

PO 5.2 seeks that access to habitable buildings is designed and constructed to facilitate the safe and effective:

- (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel
- (b) evacuation of residents, occupants and visitors.

While PO 5.3 seeks development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.

Access to the development is provided from South Coast Road, an all-weather trafficable public road. A new access point and direct all-weather track will provide reliable access to the tourist accommodation for occupants, visitors, emergency personnel and fire-fighting vehicles. A turnaround area will be provided, enabling CFS vehicles to manoeuvre within the site and exit in a forward direction if required (see figure 1 and figure 6). The access arrangement also provides a clear and direct evacuation route from the accommodation to the public road network during a bushfire event.

The development does not rely on fire tracks for emergency access or evacuation purposes. Rather, access is provided via a dedicated all-weather track connecting directly to South Coast Road, ensuring a safe and effective means of access for emergency services and evacuation of occupants. Accordingly, the proposal is considered to achieve the intent of PO 5.2 and PO 5.3.

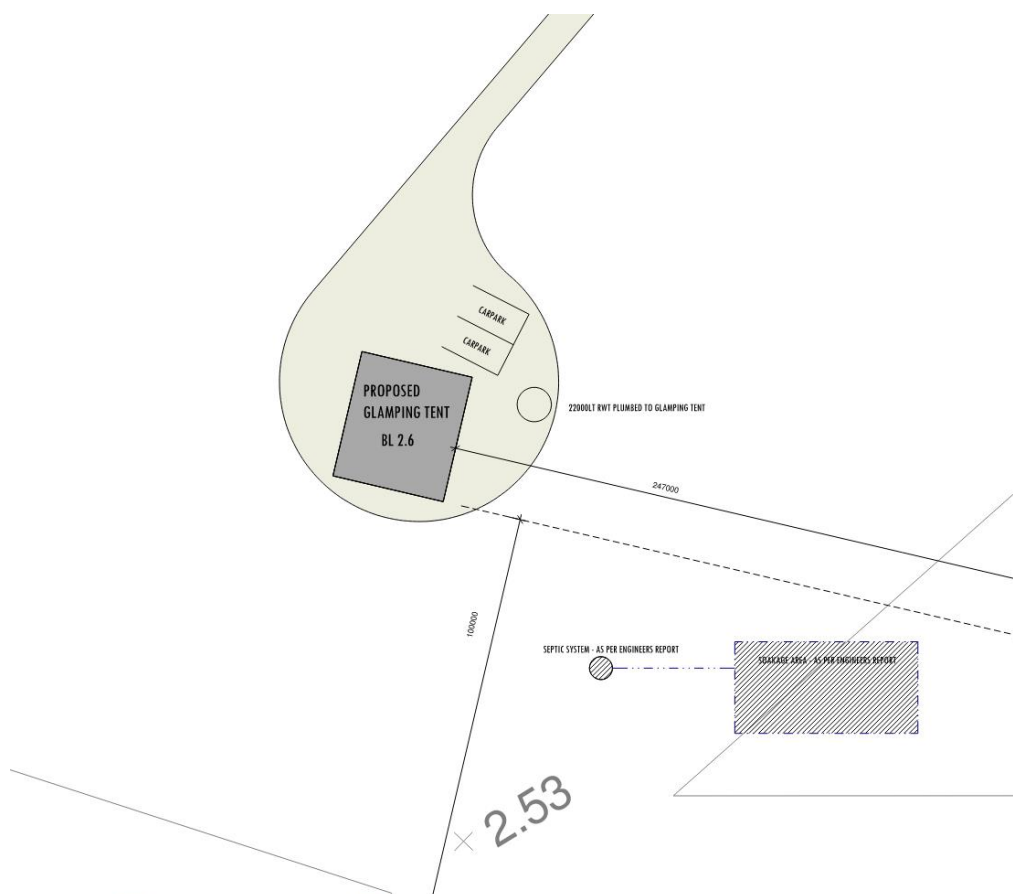


Figure 6: site plan

It is reiterated that the preparation of a bushfire management plan can be included as part of the tourist accommodation operation, which would be in consultation with the Country Fire Service. As such, a Reserved Matter has been added which captures this element for final consideration.

Hazards (Flooding - Evidence Required)

Hazards (Flooding – Evidence Required) Overlay seeks Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

PO 1.1 seeks that development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.

The proposed tourist accommodation will be raised approximately 575 mm above ground level, with a finished floor level approximately 625 mm above ground level. The elevated design minimises the risk of floodwaters entering the building and causing damage or disruption to its use. In addition, a 22,000-litre water tank is proposed to service the development. Combined with the substantial setbacks from boundaries and appropriate siting within the allotment, the development adopts a precautionary approach to potential flood risk and is considered to satisfy PO 1.1.

Native Vegetation

The Native Vegetation Overlay seeks that areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

PO 1.1 seeks that development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.

The proposal demonstrates that native vegetation clearance has been avoided wherever practicable and minimised where unavoidable through careful siting, design, and access of the proposal. The Native Vegetation Report prepared by Grant Fleming confirms that while some clearance is required for the tourist accommodation (glamping tent) (SEB Points required 5.43), associated infrastructure, vehicle access, and a pedestrian path, the chosen location deliberately utilises an area previously cleared for agriculture and direct-seeded in 2015 (see figure 7), thereby avoiding higher-value remnant vegetation closer to the coast. The elevated tent structure reduces ground disturbance and enables vegetation to regenerate if removed, while the vehicle track, beach access path, and soakage areas follow existing clearings and require only minor pruning. Permanent clearance is limited to essential infrastructure, with septic and soakage areas allowed to naturally revegetate, and the proponents committing to retaining surrounding native vegetation and undertaking revegetation across the property. Any unavoidable clearance will be offset through payment into the NVC Fund, ensuring the development meets PO 1.1 by minimising vegetation loss and incorporating appropriate mitigation and restoration measures.

It is also noted that the Native Vegetation Board did not object to the proposal, subject to conditions.



Figure 7: native vegetation mapping

PO 1.2 seeks that native vegetation clearance in association with development

avoids the following:

- (a) significant wildlife habitat and movement corridors
- (b) rare, vulnerable or endangered plants species
- (c) native vegetation that is significant because it is located in an area which has been extensively cleared
- (d) native vegetation that is growing in, or in association with, a wetland environment.

The Native Vegetation Report prepared by Grant Fleming has confirmed that the development will not impact or avoid significant or threatened fauna, there was no threatened plant species recorded and avoids significant clearance of native vegetation. Accordingly, the proposal is considered to achieve the intent of PO 1.2.

DTS/DPF 1.3 seeks that development within 500 metres of a boundary of a State Significant Native Vegetation Area does not involve any of the following:

- (a) horticulture
- (b) intensive animal husbandry
- (c) dairy
- (d) commercial forestry
- (e) aquaculture.

The proposal does not include any of the above land uses and is therefore satisfied.

Water Resources

The overlay seeks for the protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change and also maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.

There is a waterbody located on the adjacent land the east and protrudes in the subject land on the south eastern corner of the allotment (see figure 8).

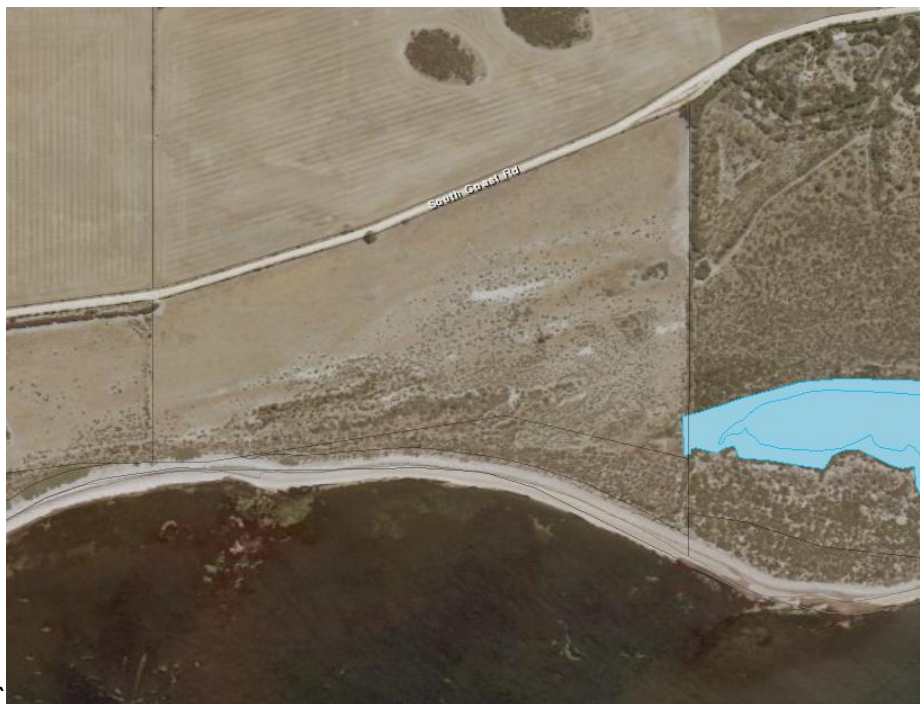


Figure 8: Water resources overlay.

The site of the development and associated wastewater system will not encroach on this waterbody and is located some distance away (see figure 1 and 8). Accordingly, the proposal is considered to achieve the intent of Overlay.

Limited Dwelling

Not applicable

Dwelling Excision

Not applicable

Conservation Zone

The Zone seeks for conservation and enhancement of the natural environment and natural ecological processes for their ability to reduce the effects of climate change, for their historic, scientific, landscape, habitat, biodiversity, carbon storage and cultural values and provision of opportunities for the public to experience these through low-impact recreational and tourism development.

Tourist accommodation is not explicitly listed as being an envisaged form of land use in the Conservation Zone, however the Desired Outcome of the Zone anticipates development that provides opportunities that promote conservation and enhancement of the natural environment provided these are through 'low-impact recreational and tourism development'.

PO 1.1 seeks for small-scale, low-impact land uses that provide for the conservation and protection of the area, while allowing the public to experience these important environmental assets.

The proposed tourist accommodation is considered to satisfy the above provision in the Code as:

- The development is considered a small-scale and low-intensity land use as the single tourist accommodation will accommodate for a maximum one family (max 4 people), contains a 100 m² footprint with fully self-contained facilities, avoiding additional built form and occupies a very small portion of the 37-ha allotment.
- The development is considered to be low-impact in design as it will include an elevated deck (575–625 mm) which avoids slab construction and reduces ground disturbance, allows vegetation to regenerate beneath and around the structure, only minor earthworks are required due to flat topography and the total structure height (5.25 m) remains visually recessive.
- The proposal will have limited impacts on native vegetation, the applicant has selected the site to avoid high-value or high-density vegetation, is located over 'Very Open Shrubland/Mallee', beach access path follows existing informal tracks, avoiding new disturbance and allowing the ability for visitors an immersive experience within natural environmental.

The development is considered small-scale, low-impact, and designed to limit impacts on native vegetation and coastal landscapes, while enabling visitors to experience the site's environmental qualities in a controlled and sustainable way.

PO 1.2 seeks for development that is primarily in the form of:

- (a) directional, identification and/or interpretative advertisements and/or advertising hoardings for conservation management and tourist information purposes
- (b) Scientific monitoring structures or facilities
- (c) a small-scale facility associated with the interpretation and appreciation of natural and cultural heritage such as public amenities, camping grounds, remote shelters or huts
- (d) structures for conservation management purposes.

The development provides a small-scale, nature-based accommodation facility which enables visitors to experience and appreciate the natural coastal environment in an immersive but low-impact way, directly aligning with PO 1.2(c).

PO 3.1 seeks that development avoids important habitat, nesting or breeding areas or areas that are important for the movement/migration patterns of fauna.

A Native Vegetation Report prepared by Grant Fleming included a brief fauna assessment of the site. The author recorded being on the subject land for six hours undertaking their vegetation assessment, during which fauna habitat, tracks and scats were recorded, and incidental observations of birds and other fauna were undertaken. While evidence of fauna of the site was identified, no threatened fauna species were observed during the assessment.

The development incorporates operational and management measures to minimise disturbance to native fauna and any shorebirds that may utilise the surrounding coastal environment. These measures include:

- Dogs permitted on the property are required to be under effective control at all times and kept on a lead when required, including in the presence of Hooded Plovers and other sensitive shorebird species.
- Vehicles are restricted to the established driveway and designated car parking areas, with no access permitted to the beach or off-road areas of the property, thereby reducing the potential for disturbance to fauna habitat and nesting areas.
- An information sheet and/or brochure will be provided to guests identifying common native flora and fauna of the locality.
- The information provided to guests will include specific educational material regarding shorebirds, including species that may nest on or adjacent to the beach, such as the Hooded Plover, and the importance of avoiding disturbance to nesting and breeding habitat.

Collectively, these measures will assist in raising awareness of visitor in protecting fauna and habitat and reducing the potential for disturbance to nesting, breeding and movement patterns of native fauna. Accordingly, the proposal is considered to appropriately minimise impacts on important habitat areas and is therefore consistent with Performance Outcome PO 3.1.

PO 4.1 seeks that development is sited and designed unobtrusively to minimise the visual impact on the natural environment by:

- (a) using low-reflective materials and finishes that blend with, and colours that complement, the surrounding landscape
- (b) being located below hilltops and ridgelines
- (c) being screened by existing vegetation.

The applicant has advised that external construction materials include canvas walling, PVC roofing, Roll-down window coverings and glass sliding doors and windows and muted colours proposed to blend with the landscape, with the selections of Red Sand canvas and Pale Beige PVC roof (see figure 9).



Figure 9: Colour pallet proposed for canvas and roof.

While the proposal is sited as being on elevated ground within the allotment, the site to be developed is located a considerable distance from eastern side boundary (247m to 350m) and northern primary front boundary (316m) and will not be readily visible from South Coast Road. There is also considerable vegetation located between the development site and South Coast Road, so views of the structure will be limited into the site from either South Coast Road or from the coast line.

PO 4.2 seeks that development is sited and designed to minimise impacts on the natural environment by:

- (a) containing construction and built form within a tightly defined site boundary
- (b) minimising the extent of earthworks.

While PO 4.3 seeks that recreation or visitor facilities are located in publicly accessible areas in proximity to existing recreation trails to minimise impact on the natural environment.

The development is considered to be low-impact in design as it includes an elevated deck (575–625 mm) which avoids slab construction and only minor earthworks are required due to flat topography of the land. Additionally, access between the tent and the beach will be via a defined pedestrian path that generally follows existing clearings within the vegetation, limiting the need for vegetation clearance and reducing the likelihood of informal access tracks developing within the coastal reserve. Accordingly, the proposal is considered consistent with Performance Outcome PO 4.2 and 4.3.

Access and car parking assessment provisions in the zone include the following:

- PO 5.1 Vehicle access points are limited to minimise impact on the natural environment.
- PO 5.2 Roads and vehicle access ways are located to minimise vegetation clearance and are constructed of permeable materials.
- PO 5.3 Roads are of a width and route to encourage low speeds and minimise impact on the natural environment.
- PO 5.6 Car parking areas are designed to minimise impact on the natural environment.

Vehicle access for the development is limited to a single entry point from South Coast Road, ensuring disturbance to native vegetation is minimised and vehicle movements are confined to one controlled location. The all-weather gravel driveway follows existing clearings and requires only minor pruning, thereby reducing vegetation clearance and utilising permeable materials that lessen runoff and soil compaction. Its width (3m), alignment, and gravel surface naturally encourage low vehicle speeds and maintain a low-impact character consistent with the surrounding environment. Collectively, these measures ensure the proposal meets PO 5.1, PO 5.2, PO 5.3 and PO 5.6 by providing environmentally sensitive, low-impact vehicle access that protects the site's natural values.

Trails and pedestrian assessment provisions in the zone include the following:

- PO 5.4 Recreational trails and access ways are located to direct the public away from sensitive areas to minimise impact on the natural environment.
- PO 5.5 Recreational trails are raised or surfaced with permeable materials to minimise impact on the natural environment.

The proposal meets PO 5.4 and PO 5.5 by providing a defined pedestrian access path that intends to follow existing natural clearings, directing visitors away from sensitive vegetation and preventing informal track formation. The Native Vegetation Report provided by Grant Fleming states the path requires only minor pruning, which will assist in maintaining safe passage and is designed as a low-impact, permeable surface. By aligning the route with previously disturbed areas and avoiding high-value vegetation, the access way minimises environmental disturbance while guiding visitors through the landscape in a controlled and sustainable manner, ensuring compliance with all three provisions.

PO 7.1 seeks for screening and planting to be provided to buildings and structures and comprise locally indigenous species to enhance the natural environment. While no additional planting schedules have been provided, it has been considered there is already a substantial history of revegetated land in the vicinity of the development site. As such, PO 7.1 is considered to be achieved.

Rural Zone

The Rural zone is a zone that supports diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.

Although the development itself is not located within the Rural Zone, the vehicle access point and driveway is, and the proposal aligns with the zone's Desired Outcome by supporting tourist development and accommodation, which is expressly anticipated as a form of envisaged land use under DTS/DPF 1.1 of the Zone.

The access arrangement satisfies PO 2.1 as it provides suitable, safe and clearly defined vehicle access from South Coast Road, using a single entry point that is appropriately designed for low-scale tourist accommodation. The access is constructed of all-weather permeable gravel, follows existing clearings to minimise vegetation disturbance, and is of a width and alignment consistent with low-impact rural access standards. Collectively, these elements ensure the vehicle access meets the functional and environmental expectations of the Rural Zone while supporting a form of development directly contemplated by the zone policies.

General Development Policies

Clearance from Overhead Powerlines

The development application includes an Electricity Declaration confirming that the proposed development would not be contrary to the regulations prescribed for the purposes of section 86 of the *Electricity Act 1996*. It is noted that there are no powerlines in proximity to the development site, and as such, the proposal is in accordance with PO 1.1 and DTS / DPF 1.1 (a) (Clearance from Overhead Powerlines).

Design

PO 6.1 seeks that dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.

The subject land is approximately 37 ha in area and can comfortably accommodate a wastewater system which does not conflict with usable private open space, access tracks, turning areas and pedestrian pathways.

PO 8.1 seeks that development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.

The proposal meets PO 8.1 as the development has been designed and sited to avoid significant earthworks and maintain the natural topography. The tourist accommodation is elevated on a deck structure, meaning limited cut-and-fill is required and no slab construction is required, and the site's naturally flat terrain further reduces the need for ground disturbance. The driveway and access tracks follow existing clearings, requiring only minor pruning rather than excavation or reshaping of land. Collectively, these measures ensure earthworks are kept to a minimum, preserving the natural landform and limiting environmental impact in accordance with PO 8.1.

Infrastructure And Renewable Energy Facilities

PO 12.1 seeks that development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following:

- (a) it is wholly located and contained within the allotment of the development it will service
- (b) in areas where there is a high risk of contamination of surface, ground, or marine water resources from on-site disposal of liquid wastes, disposal systems are included to minimise the risk of pollution to those water resources
- (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm.

The applicant has provided an On-Site Wastewater report by Mace Engineering Services demonstrating that a wastewater system can be accommodated for on the land, subject to an approval from Council's Environmental Health team and compliance with the provisions of the South Australian Public Health Act 2011.

Interface between Land Uses

It is desirable that development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses (DO 1).

The development location is sited and designed to avoid adverse effects on neighbouring primary production land uses, with substantial separation distances ensuring that normal farming operations will not impact visitor safety or amenity. The tourist accommodation is located 315m from the northern boundary, 247m from the eastern boundary and 680m from the western boundary, providing substantial buffers that significantly reduce the likelihood of visitors being affected by routine agricultural activities such as spraying, fertiliser application, machinery operation, night-time harvesting, livestock movements or pest-control programs.

The accommodation is small-scale, hosts only 4 people at a time, and is positioned well within the interior of the 37-hectare allotment, ensuring visitors are not placed in close proximity to active farming interfaces. These setbacks, combined with controlled access and clearly defined visitor pathways, ensure the development does not constrain or conflict with neighbouring agricultural practices and therefore meets DO 1 by appropriately mitigating potential adverse effects between land uses.

Tourism Development

DO 1 seeks for tourism development to be built in locations that cater to the needs of visitors and positively contributes to South Australia's visitor economy.

While PO 1.1 seeks that tourism development complements and contributes to local, natural, cultural or historical context where:

- (a) it supports immersive natural experiences
- (b) it showcases South Australia's landscapes and produce
- (c) its events and functions are connected to local food, wine and nature.

The proposal achieves the tourist development desired outcome as it provides small-scale, nature-based tourist accommodation in a location that caters to visitor needs while positively contributing to South Australia's visitor economy. The glamping tent offers an immersive experience within a coastal and native vegetation setting, aligning with contemporary demand for low-impact, environmentally sensitive tourism. Its design, limited scale, and self-contained nature ensure it complements rather than competes with surrounding land uses, while enhancing the region's appeal to visitors seeking natural, quiet and authentic experiences.

The development meets PO 1.1 by supporting immersive natural experiences through its placement within native vegetation and proximity to the coastline, allowing visitors to engage with the landscape in a low-impact way. The experience inherently showcases South Australia's landscapes and coastal environments, highlighting the region's natural character and biodiversity. The controlled pedestrian access, minimal vegetation clearance, and sensitive siting reinforce the development's alignment with tourism outcomes that celebrate and protect South Australia's landscapes.

Overall, the proposal provides an environmentally sensitive tourism offering that enhances visitor appreciation of the natural environment and supports the broader visitor economy, satisfying both DO 1 and PO 1.1.

Transport, Access and Parking

DO 1 seeks for comprehensive, integrated and connected transport systems that are safe, sustainable, efficient, convenient and accessible to all users.

It is noted that concerns were raised during the notification process regarding additional traffic generation and road safety impacts on South Coast Road associated with the development. However, it has been considered the proposed development is small in scale, with a maximum occupancy of one family or 2–4 guests at any one time, resulting in only a minimal increase in vehicle movements. Additionally, Council has not identified any concerns regarding traffic volumes, road safety or site access. Accordingly, the proposal is not expected to adversely affect the safe or efficient operation of the road network and is therefore considered consistent with DO 1.

DTS/DPF 1.4 seeks that all vehicle manoeuvring occurs onsite. As the proposed development will provide an access track comprising all-weather permeable gravel and turn around area, is considered to satisfy the DPF as all vehicle manoeuvring will occur on site.

PO 3.1 seeks for safe and convenient access which minimises impact or interruption on the operation of public roads, while PO 3.5 seeks that access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.

Council has not identified any concerns regarding traffic volumes, road safety or site access. The referral returned from council advised the applicant will need to apply Section 221 for access to road reserve. An advisory note has been placed which states "all works proposed on Council verge and/or that extends

beyond the property boundary requires a permit pursuant to Section 221 of the Local Government Act 1999". Given the above, the proposal is considered consistent with PO 3.1 and PO 3.5.

PO 4.1 seeks that development is sited and designed to provide safe, dignified and convenient access for people with a disability. Given the area available on site and ample space allocated for vehicle turn around, the development is considered to have the ability to provide safe and convenient access for people with disability.

PO 5.1 seeks that sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- (a) availability of on-street car parking
- (b) shared use of other parking areas
- (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared
- (d) the adaptive reuse of a State or Local Heritage Place.

The application is for a maximum of 2-4 people, there are two off-street car parks provided, given the small scale nature of the development, the carparking provided is considered appropriate and acceptable to meet the needs of the development.

PO 6.1 seeks that vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another. As the proposed development will provide an access track comprising all-weather permeable gravel and turn around area, is considered to satisfy the PO as all vehicle manoeuvring will occur on site.

PO 6.2 seeks that vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like. The proposed development will provide an access track comprising all-weather permeable gravel and turn around area, is considered to satisfy the PO as all vehicle manoeuvring will occur on site and will be located a substantial distance from any sensitive receivers.

Site Contamination.

PO 1.1 seeks to ensure land is suitable for use when land use changes to a more sensitive use.

The proposal seeks for a tourist accommodation, this type of land use is considered to be classified as an Item 2 use under Table 1 of Practice Direction 14.

While the site already benefits from an approval for a dwelling, an Item 1 sensitive use, is not considered to be existing/established land use, as no works have commenced on the construction of the dwelling.

As there is no current land use being undertaken, PD14 requires consideration of clause (5)(c), which states that a proposed use will *not* be taken to be a more sensitive use where the site is vacant and a majority of the land is covered by native vegetation.

Practice Direction 14 stipulates if the following can be demonstrated that no Preliminary Site Investigation or Site Contamination Declaration is required:

- (5) *The following qualifications apply in relation to Table 1:*
 - c) *in circumstances where there is no current land use, the proposed use will be taken to be a more sensitive use, other than where:*
 - (iii) *the site of the proposed development is vacant, and a majority of the site is covered by native vegetation (as defined in the Native Vegetation Act 1991) or native plants (as defined in the Biodiversity Act 2025);*

The Native Vegetation Clearance Report confirms that the glamping tent site is located within Very Open Shrubland and Very Open Mallee, an area that was direct-seeded in 2015 and now supports native vegetation regrowth. Although the vegetation was planted, it is still classified as native vegetation under the *Native Vegetation Act 1991*, meaning the site meets the definition required by PD14 clause (5)(c)(iii).

As a majority of the site is covered by native vegetation and the proposed development is located within an area of native vegetation regrowth, the land is not considered to be transitioning to a “more sensitive use” for the purposes of PD14. Consequently, no Preliminary Site Investigation or Site Contamination Declaration is required, and the proposal satisfies PO 1.1 by demonstrating that the land is suitable for the intended tourist accommodation use.

CONCLUSION

Following careful consideration of the details provided and advice from referral agencies, the assessment indicates the proposal is generally supportable and worthy of conditional Planning Consent based on the following:

- The development is considered small-scale, low-impact, and designed to limit impacts on native vegetation and coastal landscapes, while enabling visitors to experience the site’s environmental qualities in a controlled and sustainable way, which aligns with the intent of the Conservation Zone and broader Planning and Design Code policy outcomes.
- The development is sited to avoid land-use conflict, maintain substantial buffers to neighbouring primary production and sensitive land uses, and protect environmental values through minimal earthworks and controlled access due to its small scale, low visitor numbers and sensitive siting.
- Statutory referrals and agency responses confirm that the development can proceed subject to conditions and advisory notes addressing vegetation, coastal protection and infrastructure requirements.
- Public concerns have been carefully considered, with the applicant providing adequate justification and demonstrating that potential impacts can be appropriately mitigated.

On balance, the proposal is unlikely to generate unacceptable social, environmental or economic impacts and is compatible with the locality’s character and intended land-use outcomes. Conditional Planning Consent is therefore considered appropriate.

RECOMMENDATION

It is recommended that the SCAP resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24036351, by Astute Building Construction & Development, Xenia Doorenbosch and URPS Town Planners is granted Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

Reserve Matters

Reserve Matter 1

A bushfire management plan be provided for the safe operation of the tourist accommodation operation, to be prepared in consultation with the Country Fire Service, to the satisfaction of the State Planning Commission.

Planning Consent

Condition 1

The development authorisation granted herein shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below (if any).

Condition 2

The herein approved development comprising one tourist accommodation, is limited to a maximum of four guests at any one time.

Condition 3

Adequate litter bins, waste storage facilities and waste disposal systems shall be provided.

Conditions imposed by Native Vegetation Council under Section 122 of the Act

Condition 4

Prior to any clearance of native vegetation, the Native Vegetation Council must provide written confirmation that the Significant Environmental Benefit requirements under the *Native Vegetation Act 1991* have been satisfied.

Condition 5

Stockpiled materials, including cleared vegetation and excavated soil is not to be placed under native trees or on top of native understorey outside the approved area.

Condition 6

Construction vehicles, equipment or materials are not to be stored or placed on top of native vegetation outside the approved clearance area.

Conditions imposed by Coast Protection Board under Section 122 of the Act

Condition 7

A Guest Information Pack (prepared in consultation with the Coast Protection Board) shall be provided with every booking. This shall incorporate environmental and visitor management guidelines covering the following information:

- Visitor management regarding navigation within the conservation zone, beach access/pathways and restrictions.
- Potential environmental impacts associated with visitation.
- Listing of common native plants and birds.
- Specific information regarding managing human interactions with Hooded Plovers (*Thinornis cucullatus*).

Condition 8

The applicant shall provide clear signage in suitable locations to guide visitors to and from the beach, ensuring that pedestrian access has minimal impact on the coastal environment.

Condition 9

Any earthworks and construction activity shall not adversely affect coastal land or the nearshore marine environment, by erosion, discharge or pollution.

Condition 10

Any imported fill shall be free of weeds and pathogens

Condition 11

Any landscaping shall use local native coastal species, avoiding the spread of exotic plants on the coast. The Northern and Yorke Natural Resources Management Board should be contacted if the applicant requires expert advice including the development of a suitable species list. However, general information can be found in the Coastal Garden Planting Guide found on the following website: [NY-Coastal-Gardens-Planting-Guide.pdf](#)

Condition 12

All stormwater design and construction shall not adversely affect coastal land by erosion, discharge or pollution.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The approved development must be substantially commenced within 24 months of the date of Development Approval, and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Advisory Note 2

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the Relevant Authority).

Advisory Note 3

No works, including site works can commence until a Development Approval has been granted.

Advisory Note 4

All works proposed on Council verge and/or that extends beyond the property boundary requires a permit pursuant to Section 221 of the Local Government Act 1999.

Advisory Note 5

All wastewater from the premises must be discharged to a waste control system that complies with the provisions of the South Australian Public Health Act 2011.

Advisory Notes imposed by Native Vegetation Council under Section 122 of the Act

Advisory Note 6

The clearance of native vegetation must be undertaken in accordance with the approval of the Native Vegetation Council under the *Native Vegetation Act 1991* as set out in Decision Notification 2026/3125/544.

Advisory Notes imposed by Coast Protection Board under Section 122 of the Act

Advisory Note 7

The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not cause environmental harm.