



Guidelines

for the preparation of a
DEVELOPMENT REPORT

For the Nan Hai Pu Tuo Temple at Sellicks Hill

Proposal by Nan Hai Pu Tuo Temple of Australia Inc.



*Development
Assessment
Commission*



Guidelines

for the preparation of a
DEVELOPMENT REPORT

For the Nan Hai Pu Tuo Temple at Sellicks Hill

Proposal by Nan Hai Pu Tuo Temple of Australia Inc.

Department of Planning and Local Government

136 North Terrace, Adelaide
GPO Box 1815
South Australia 5001

Development Assessment Commission South Australia

www.planning.sa.gov.au/dac

ISBN 9780759000773
FIS 22978

June 2009

CONTENTS

1	BACKGROUND	1
2	THE DEVELOPMENT REPORT PROCESS.....	3
3	THE DEVELOPMENT REPORT DOCUMENT	5
4	THE MAIN ISSUES	8

Appendix A The Development Act, 1993, Section 46D, DR Process

Appendix B Proposed Location and Indicative Temple Building Illustration

1 BACKGROUND

- 1.1 The Minister for Urban Development and Planning is assessing the environmental, social and economic impacts of the proposal by the Nan Hai Pu Tuo Temple of Australia Inc. for a temple at Sellicks Hill which would include a temple, accommodation, a Buddha statue, and memorial gardens and associated car parking. The subject site of the proposed development is on a coastal cliff location on the border of the District Council of Yankalilla and the City of Onkaparinga.
- 1.2 On 18 December 2008, the Minister for Urban Development and Planning made a declaration in *The South Australian Government Gazette* for the proposed development to be assessed as a Major Development under the provisions of Section 46 of the *Development Act, 1993* (the Act).
- 1.3 The proposal is to construct buildings for a temple, accommodation and gardens.
 - 1.3.1 The proposal will comprise the following:
 - Buddhist temple buildings
 - Pagoda (a tiered tower with multiple eaves)
 - Accommodation – for religious order staff and retirement accommodation
 - A Buddha statue
 - Memorial gardens
 - Ancillary buildings
 - Car parking
- 1.4 The Development Assessment Commission (Commission) has now determined that the proposal for a Temple and associated buildings a Allotment 201 in Filed Plan 44979 within the Hundred of Myponga, in the area known as Sellicks Hill will be subject to the processes and procedures of a Development Report (DR), as set out in Section 46D of the Act.
- 1.5 The Nan Hai Pu Tuo Temple of Australia Inc. (the proponent) has been advised by the Minister for Urban Development and Planning that a DR is required to assist the Governor in assessing the environmental, social and economic impacts of the proposal. A DR is a document that describes what the proponent wants to do, what the impacts will be and how the proponent plans to manage the impacts.
- 1.6 The Commission has prepared these Guidelines based on the significant issues relating to the proposed development. These Guidelines identify the potential effects of the proposal and the matters that should be addressed in the DR.
- 1.7 An opportunity for public comment will occur when the completed DR is released. At that time, an advertisement will be placed in *The Advertiser*, *Southern Times Messenger* and *Victor Harbor Times* to indicate where the DR document is available and the length

of the public exhibition period. During this time written submissions can be made to the Minister for Urban Development and Planning.

- 1.8** The Commission's role in the assessment process is now fulfilled. The Minister will continue with the assessment process under Section 46 of the Act, from this point. The object of Section 46 is to ensure that matters affecting the environment, the community or the economy to a significant extent, are fully examined and taken into account in the assessment of this proposal.
- 1.9** The documentation and the analyses from the assessment process will then be used by the Governor in the decision-making process under Section 48 of the Act, to decide whether the proposal can be approved and, if so, the conditions that will apply.

2 THE DEVELOPMENT REPORT PROCESS

- 2.1** A DR, as defined in Section 46 of the Act, includes a description and analysis of issues relevant to the development and the means by which those issues can be addressed.
- 2.2** The DR should detail the expected environmental, social and economic effects of the development. The DR must consider the extent to which the expected effects of the development are consistent with the provisions of any relevant Development Plan, the Planning Strategy and any matter prescribed by the Regulations under the Act. The DR should state the proponent's commitments to meet conditions (if any) to avoid, mitigate or satisfactorily control and manage any potential adverse impacts of the development on the environment. Further to this, any other particulars required by the Minister must be considered.
- 2.3** In preparing the DR, the proponent should bear in mind the following aims of the DR and public review process:
 - 2.3.1** To provide a source of information from which interested individuals and groups may gain an understanding of the proposal, the need for the proposal, the alternatives, the environment which would be affected, the impacts that may occur and the measures to be taken to minimise these impacts.
 - 2.3.2** To provide a forum for public consultation and informed comment on the proposal.
 - 2.3.3** To provide a framework within which decision-makers may consider the environmental aspects of the proposal in parallel with economic, technical and other factors.
- 2.4** Following the release of these Guidelines (Section 46D Appendix A):
 - 2.4.1** The DR must be prepared by the proponent in accordance with these Guidelines.
 - 2.4.2** On completion of the DR, the report is submitted to the Minister for public release.
 - 2.4.3** The DR is referred to the District Council of Yankalilla and to any prescribed authority or body and other relevant authorities or bodies for comment.
 - 2.4.4** Public exhibition of the DR document by advertisement is undertaken for at least 15 business days and written submissions are invited.
 - 2.4.5** Copies of the submissions from the public, Council and other relevant agencies will be given to the Nan Hai Pu Tuo Temple of Australia Inc. soon after closing of the public comment period.

- 2.4.6 The proponent may prepare a written response, in a 'Response Document', to the matters raised by the Minister, and Council or any prescribed or specified authority or body, and the public. The proponent is given 10 business days to provide this Response Document to the Minister.
- 2.4.7 The Minister then prepares an Assessment Report taking into account any submissions and the proponent's Response. Comments from the Council or other authority or body may be considered as the Minister thinks fit.
- 2.4.8 The Assessment Report and the Response Document will be kept available for inspection and purchase at a place determined by the Minister for a period determined by the Minister. Availability of each of these documents will be notified by advertisements in *The Advertiser*, *Southern Times Messenger* and *Victor Harbor Times*.
- 2.4.9 A copy of the DR, any Response Document prepared by the proponent and the Assessment Report will be given to the Council.
- 2.4.10 When a proposal is subject to the DR process, the Governor is the relevant decision maker under Section 48 of the Act and must have regard to:
- Provisions of the appropriate Development Plan and Regulations
 - If relevant, the Building Rules
 - The Planning Strategy
 - DR and the Assessment Report
 - If relevant, the *Environment Protection Act, 1993*
- 2.4.11 The Governor can indicate at any time, and prior to completion of the assessment process, that the development will not be granted authorisation. This may occur if it is clear that the development is inappropriate or cannot be managed properly. This is commonly referred to as an 'early no.'

3 THE DEVELOPMENT REPORT DOCUMENT

- 3.1** The Guidelines set out the major issues associated with the proposal and their degree of significance as determined by the Commission. It describes each issue and then outlines the way that these issues should be dealt with in the DR.
- 3.2** In these Guidelines, the terms 'description' and 'discussion' should be taken to include both quantitative and qualitative material. Similarly, adverse and beneficial effects should be presented in quantitative and/or qualitative terms as appropriate.
- 3.3** The main text of the DR should be clear and precise and presented in terms that are readily understood by the general reader. Technical details should be included in the appendices so that the DR forms a self-contained entity.
- 3.4** The document should give priority to the major issues associated with the proposal. Matters of lesser concern should be dealt with only to the extent required to demonstrate that they have been considered to assist in focussing on the major issues.
- 3.5** THE DEVELOPMENT REPORT SHOULD PROVIDE THE FOLLOWING:

3.5.1 SUMMARY

A concise summary should be provided of the matters set out in Section 46D of the Act, including all aspects covered under the headings set out in the Guidelines below, in order for the reader to obtain a quick but thorough understanding of the proposal and all its effects.

3.5.2 INTRODUCTION

The introduction to the DR should briefly cover the following:

- Background to and objectives of the proposed development
- Details of the proponent
- Staging and timing of the proposal
- Relevant legislative requirements and assessment process
- Purpose and description of the DR process

3.5.3 NEED FOR THE PROPOSAL

This section of the DR should contain a brief statement of the objectives of, and justification for, the proposal, including:

- the specific objectives the proposal is intended to meet;
- expected regional, state or national benefits and costs (including those that cannot be adequately described in monetary or physical terms, eg. effects on cultural and aesthetic amenity); and
- a summary of environmental, economic and social arguments to support the proposal, including the consequences of not proceeding with the proposal.

3.5.4 DESCRIPTION OF THE PROPOSAL

A description of the spiritual and cultural intent of the proposal will be provided. This includes the criteria for selecting the site.

The description of the proposal should cover its construction and operation, and include the location and layout of the structures and infrastructure availability and requirements.

- Elevations of the temple and associated buildings
- Site and indicative floor plans and landscaping
- Details of the accommodation provided on site and the number of people it will accommodate at capacity
- Recycling and waste management arrangements
- The process and timing of the construction, including earthworks
- Use of Water Sensitive Urban Design

3.6 THE DEVELOPMENT REPORT MUST INCLUDE THE FOLLOWING:

3.6.1 ASSESSMENT OF EXPECTED ENVIRONMENTAL SOCIAL AND ECONOMIC EFFECTS

The assessment of effects should include all issues identified in Section 4 of these Guidelines.

3.6.2 CONSISTENCY WITH GOVERNMENT POLICY

The Act requires the DR to state its consistency with the relevant Development Plan and Planning Strategy.

3.6.3 AVOIDANCE, MITIGATION, MANAGEMENT AND CONTROL OF ADVERSE EFFECTS

The proponent's commitments to meet conditions to avoid, mitigate, satisfactorily manage and/or control any potentially adverse impacts of the development on the physical, social or economic environment must be clearly identified.

3.7 ADDITIONAL INFORMATION

3.7.1 SOURCES OF INFORMATION

The sources of information (eg reference documents, literature searches, research projects, authorities consulted) should be fully referenced. Where judgments are made, or opinions given, these will need to be clearly identified as such, and the basis on which these judgments or opinions are made will need to be justified. The expertise of those making the judgement, including the qualifications of consultants and authorities, should also be provided.

3.7.2 APPENDICES

Technical and additional information relevant to the DR that is not included in the text should be included in the appendices (maps, graphs, tables, photographs, report etc). A glossary may also be appropriate.

The design of the proposal should be flexible enough to incorporate changes to minimise any impacts highlighted by this evaluation.

3.7.3 OTHER

Appropriate plans, drawings and elevations are needed for the decision to be made and as much information as possible should be provided.

4 THE MAIN ISSUES

4.1 THE PROPOSAL

- 4.1.1 Discuss the spiritual and cultural rationale for the project.
- 4.1.2 Detail the purpose for the proposed temple, accommodation, gardens and associated facilities.
- 4.1.3 Describe the benefits of the proposed development to the State and the local community.

4.2 INFRASTRUCTURE AND ENVIRONMENT

- 4.2.1 Detail the location of any existing public utility services (water, sewerage, electricity, gas and communications) and describe how the proposed development will affect these services.
- 4.2.2 Demonstrate the compatibility between the proposed residential uses and the proposed temple/gardens on the site.
- 4.2.3 Detail how the environmental impacts of the demolition of the existing buildings, excavation works and construction of the new building would be minimised and mitigated, having reference to:
 - Noise
 - Dust
 - Groundwater
 - Stormwater runoff
 - Waste disposal and reuse options.
- 4.2.4 Describe the procedures for the removal of waste for visitors and residents and opportunities for recycling.
- 4.2.5 Provide a detailed stormwater management plan, including works proposed to mitigate pollution and run off peaks and pollutants carried by stormwater.
- 4.2.6 Describe how any flood risk or pollutant discharge from the site will be minimised.
- 4.2.7 Indicate measures for the onsite detention of stormwater and for its quality improvement.
- 4.2.8 Provide details of strategies to prevent water erosion on the site, nearby Cactus Canyon, and nearby coastal cliffs.
- 4.2.9 Detail measures to minimise impacts and to protect adjoining watercourses and coastal environments during both the construction phase and on an ongoing basis.

- 4.2.10 Describe the local and regional context for native vegetation including the identification of any rare or threatened species of flora and fauna.
- 4.2.11 Describe the effect of the proposed development on any native flora and fauna, and the ability of any affected communities or individual species to recover, regenerate or be rehabilitated.
- 4.2.12 Describe the use of amenity/landscape plantings and revegetation, including how these will enhance biodiversity through the use of locally indigenous species.
- 4.2.13 Describe how the spread of pest plants, insects, animals and diseases within and around the proposed development would be managed including species that may originate from gardens and landscaped areas.

4.3 SUSTAINABILITY

- 4.3.1 Describe the ecologically sustainable objectives of the proposed development and methodology to be used to achieve these objectives.
- 4.3.2 Provide details on the elevations and plans where the uptake of energy efficient design elements will occur, including design solutions that enhance solar access and where alternative renewable energy options will be utilized.
- 4.3.3 Demonstrate the use of Water Sensitive Urban Design, such as the provision for storm water capture and reuse, roof run-off for irrigation purposes and for the internal use in flushing toilets.

4.4 DESIGN/VISUAL AMENITY

- 4.4.1 Describe the visual impact of the proposed development on the immediate locality, taking into account its height, scale and massing, when viewed from various vantage points including from Sellicks Beach, the Sellicks Hill escarpment and Aldinga Beach.
- 4.4.2 Describe the relationship of the proposed development to adjacent land and its integration in the local context.
- 4.4.3 Describe the architectural elevation treatments for visible building elements, having regard to the prominent nature of the site and the need to integrate with and complement the existing landscape.
- 4.4.4 Provide North, South, East and West elevations of the buildings and proposed gardens.
- 4.4.5 Provide perspectives showing the proposal and its context to the site

- 4.4.6 Provide indicative floor plans and transverse cross-sections of the buildings to demonstrate its relationship to topography of the site and any adjoining properties.
- 4.4.7 Provide details of the landscape plan showing any screening elements.
- 4.4.8 Provide details of the construction materials, surface treatments and colours for the proposed development.

4.5 TRAFFIC, PARKING, VEHICLE AND PEDESTRIAN MOVEMENTS

- 4.5.1 Detail the proposed car parking facilities for the proposed development including details of car parking spaces for residents and the public.
- 4.5.2 Detail proposed internal roads and the standard to which they will be designed and built.
- 4.5.3 Detail internal vehicular bridges and the standard to which they will be designed and built.
- 4.5.4 Detail the impact on traffic movements from the vehicular access to and from the site, including safety and traffic flow considerations.
- 4.5.5 Provide a Traffic and Parking Management Plan by a suitably qualified traffic engineer which includes an analysis of the kinds of vehicle movement the proposed development will generate and the estimated number of people/vehicles for envisaged large events.
- 4.5.6 Provide details of the largest size of delivery/service vehicles likely to visit the site on a regular basis.
- 4.5.7 Describe measures that would provide safe and convenient pedestrian access through the site.

4.6 ECONOMIC ISSUES

- 4.6.1 Describe the economic impact, both positive and negative, that the proposal would make to the immediate locality, regional and the State.
- 4.6.2 Detail the economic effects of the proposal in terms of local or broader employment from construction.
- 4.6.3 Justify the need for the proposed community facilities.

4.7 COMMUNITY IMPACTS

- 4.7.1 Outline the demolition and construction schedules and timetables including hours of work on-site and the arrangements for notification for neighbours.
- 4.7.2 Describe the expected composition of the Temple community which would reside in the accommodation and outline the expected demand for community facilities and support as a result of the proposed development.
- 4.7.3 Describe the provisions to be made for the different members of the community living in the accommodation on site.
- 4.7.4 Describe the educational/cultural/religious activities proposed on site available to the broader community.
- 4.7.5 Identify the effect the proposed development would have on any sites, objects or remains of significance to Aboriginal archaeology, anthropology, history or tradition; including any items listed on the Register of the National Estate, the SA Register of Aboriginal Sites and Objects and any others identified by the Aboriginal traditional owners.
- 4.7.6 Identify the impact on the heritage significance of any known non-indigenous heritage places on or adjacent the site, including State or local heritage places entered on the South Australian Heritage Register, or identified after consultation with the Heritage Branch of the Department for Environment and Heritage, the District Council of Yankalilla or community groups.

4.8 CONSTRUCTION AND OPERATIONAL EFFECTS

- 4.8.1 Provide a site construction plan and outline strategies to minimise effects on the local environment, especially traffic and noise.
- 4.8.2 Describe the transport and storage of any construction materials with a view to minimising effects on the local environment.
- 4.8.3 Describe strategies for ensuring public safety during construction.
- 4.8.4 Provide an environmental management plan dealing with operational activities.
- 4.8.5 Provide details of the proposed hours/days the temple and gardens will be open to the public.
- 4.8.6 Provide an estimate of the number days per year there would be special events which would result in higher numbers of people/vehicles to the site.

4.9 HAZARDS/RISKS

4.9.1 Provide a site history report to determine whether the site has any contamination issues.

4.10 LEGISLATION AND POLICIES

4.10.1 Detail the proposal's consistency with the *Yankalilla (DC) Development Plan* and the *Outer Metropolitan Adelaide Planning Strategy*.

4.10.2 Describe the proposal's consistency with the *Environment Protection Act, 1993* and duty of care under this legislation.

4.10.3 Identify any changes that would be required to the provisions in the *Yankalilla (DC) Development Plan*.

APPENDIX A

Development Act, Section 46D:

DR process—Specific provisions

- (1) This section applies if a DR must be prepared for a proposed development.
- (2) The Minister will, after consultation with the proponent—
 - (a) require the proponent to prepare the DR; or
 - (b) determine that the Minister will arrange for the preparation of the DR.
- (3) The DR must be prepared in accordance with guidelines determined by the Development Assessment Commission under this Subdivision.
- (4) The DR must include a statement of—
 - (a) the expected environmental, social and economic effects of the development;
 - (b) the extent to which the expected effects of the development are consistent with the provisions of—
 - (i) any relevant Development Plan; and
 - (ii) the Planning Strategy; and
 - (iii) any matters prescribed by the regulations;
 - (c) if the development involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the *Environment Protection Act, 1993* the extent to which the expected effects of the development are consistent with—
 - (i) the objects of the *Environment Protection Act, 1993*; and
 - (ii) the general environmental duty under that Act; and
 - (iii) relevant environment protection policies under that Act;
 - (ca) if the development is to be undertaken within the Murray-Darling Basin, the extent to which the expected effects of the development are consistent with—
 - (i) the objects of the *River Murray Act, 2003*; and
 - (ii) the *Objectives for a Healthy River Murray* under that Act; and
 - (iii) the general duty of care under that Act;
 - (cb) if the development is to be undertaken within, or is likely to have a direct impact on, the Adelaide Dolphin Sanctuary, the extent to which the expected effects of the development are consistent with—
 - (i) the objects and objectives of the *Adelaide Dolphin Sanctuary Act, 2005*; and
 - (ii) the general duty of care under that Act;

- (d) the proponent's commitments to meet conditions (if any) that should be observed in order to avoid, mitigate or satisfactorily manage and control any potentially adverse effects of the development on the environment;
 - (e) other particulars in relation to the development required—
 - (i) by the regulations; or
 - (ii) by the Minister.
- (5) After the DR has been prepared, the Minister—
- (a) —
 - (i) must, if the DR relates to a development that involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the *Environment Protection Act, 1993* refer the DR to the Environment Protection Authority;
 - (ia) must, if the DR relates to a development that is to be undertaken within the Murray-Darling Basin, refer the DR to the Minister for the River Murray;
 - (ib) must, if the DR relates to a development that is to be undertaken within, or is likely to have a direct impact on, the Adelaide Dolphin Sanctuary, refer the DR to the Minister for the Adelaide Dolphin Sanctuary;
 - (ii) must refer the DR to the relevant council (or councils), and to any prescribed authority or body; and
 - (iii) may refer the DR to such other authorities or bodies as the Minister thinks fit,

for comment and report within the time prescribed by the regulations; and
 - (b) must ensure that copies of the DR are available for public inspection and purchase (during normal office hours) for at least 15 business days at a place or places determined by the Minister and, by public advertisement, give notice of the availability of copies of the DR and invite interested persons to make submissions to the Minister on the DR within the time determined by the Minister for the purposes of this paragraph.
- (6) The Minister must, after the expiration of the time period that applies under subsection (5)(b), give to the proponent copies of all submissions made within time under that subsection.
- (7) The proponent may then prepare a written response to—
- (a) matters raised by a Minister, the Environment Protection Authority, any council or any prescribed or specified authority or body, for consideration by the proponent; and
 - (b) all submissions referred to the proponent under subsection (6),
- and provide a copy of that response to the Minister within the time prescribed by the regulations.

- (8) The Minister must then prepare a report (an *Assessment Report*) on the matter taking into account—
 - (a) any submissions made under subsection (5); and
 - (b) the proponent's response (if any) under subsection (7); and
 - (c) comments provided by the Environment Protection Authority, a council or other authority or body; and
 - (d) other comments or matter as the Minister thinks fit.
- (9) Copies of the DR, any response under subsection (7) and the Assessment Report must be kept available for inspection and purchase at a place determined by the Minister for a period determined by the Minister.
- (10) If a proposed development to which a DR relates will, if the development proceeds, be situated wholly or partly within the area of a council, the Minister must give a copy of the DR, any response under subsection (7) and the Assessment Report to the council.

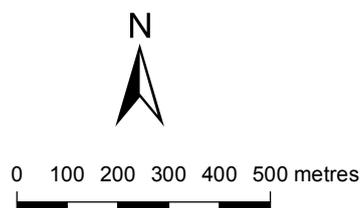
APPENDIX B - Proposed Location and Indicative Temple Building Illustration

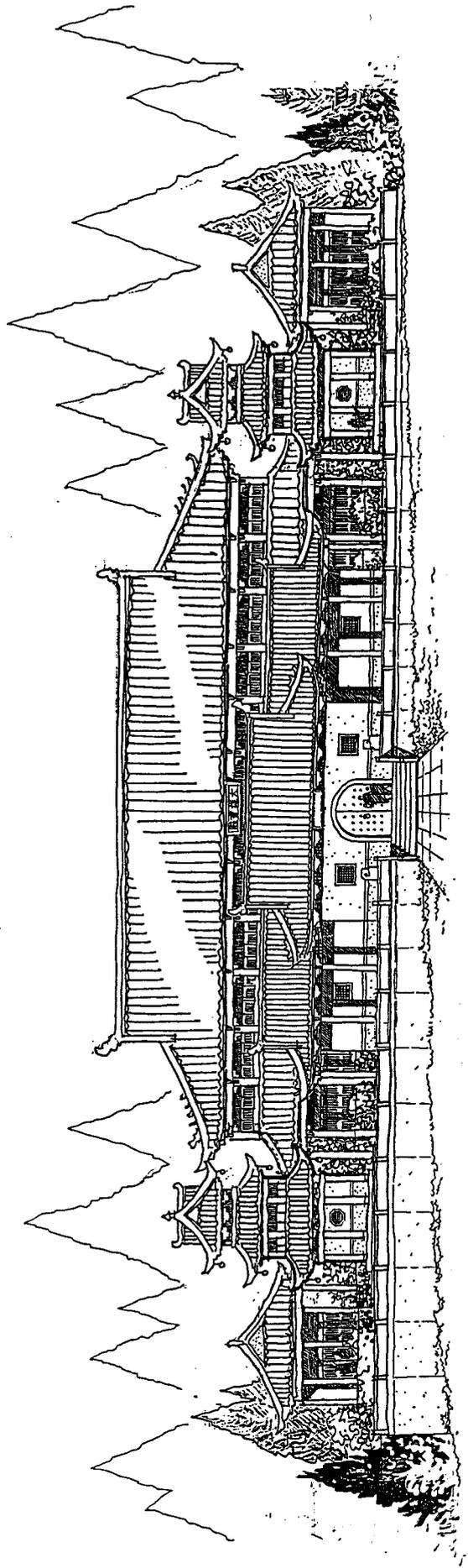


Proposed Nan Hai Pu Tuo Temple, Sellicks Hill – Proposed Location

- Proposed Location
- Cadastre
- Zoning

© Planning SA, March 2009.
 Cadastre supplied by DEH and is current to 30 June 2008.
 Aerial image supplied by DEH (flown 2006).





FRONT ELEVATION (SOUTH--WEST)

FIGURE 5

PROPOSED NAN HAI PU TUO TEMPLE

FRONT ELEVATION