

## DECISION NOTICE

Section 126(1) of the *Planning, Development and Infrastructure Act 2016*

### TO THE APPLICANT:

Name:	Nan Hai Pu Tuo Temple Inc
Postal address:	c/- Tectvs Australia Pty Ltd, 71 Gipps Street, Collingwood VIC 3066
Email:	<a href="mailto:darren@tectvs.au">darren@tectvs.au</a>

### IN REGARD TO:

Development application no.: 260/P002/18	Lodged on: 30 September 2025
Nature of proposed development: Variation to major development authorisation – ceremonial archway and memorial garden	

### LOCATION OF PROPOSED DEVELOPMENT:

<b>Street Address:</b> 27 Cactus Canyon Road, Sellicks Hill
<b>Subject Land:</b> Plan/Parcel: Allotment 201, Filed Plan 44979; Certificate of Title: Volume 5915; Folio 573

### DECISION:

Decision type	Decision	Decision date	No. of conditions	Entity responsible for decision
Development authorisation	GRANTED	1 May 2026	25	Minister for Planning
Building Certification	N/A	N/A	N/A	N/A

**FROM THE RELEVANT AUTHORITY:** Delegate of the Minister for Planning



**ANDY HUMPHRIES**  
**DIRECTOR, DEVELOPMENT**  
as delegate of the  
**MINISTER FOR PLANNING**

## **PREAMBLE:**

1. On 18 December 2008 a major development declaration was made by the Minister for Urban Development and Planning for the development of land at Sellicks Hills for the purposes of a temple and accommodation uses, including shrines, a pagoda, accommodation and associated works (being development of a kind listed in Schedule 1 of that notice in parts of the State listed in Schedule 2 of that notice).
2. A proposal from Nan Hai Pu Tuo Temple of Australia Inc (hereafter 'the proponent') to establish and operate a Buddhist Temple, including shrines, pagoda, accommodation and ancillary works and development on Main South Road, Sellicks Hill was the subject of a development application lodged on 27 January 2009.
3. The major development was the subject of a Development Report (level of assessment) and assessed in accordance with Section 46 and 46D of the *Development Act 1993*. On the 21st of February 2013, a provisional development authorisation with reserved matters was granted by the Governor of South Australia.
4. On 20 February 2014, the Development Assessment Commission, as the delegate of the Minister for Planning, determined that all reserved matters specified in the provisional development authorisation had been satisfactorily addressed and accordingly, a final development authorisation was granted pursuant to Section 48(2)(b)(i) of the *Development Act 1993*.
5. On 18 April 2019 and 19 December 2019, the Development Assessment Commission, as delegate of the Minister for Planning, approved further variations to the development authorisation, comprising a new permanent storage shed and undercroft storage area (located at the rear of the shrine) respectively.
6. The development authorisation was previously extended on 16 February 2022, 23 March 2023 and 23 February 2026. The latest extension, allowed for the completion of the final building stages not later than 7 March 2033.
7. The delegation instrument previously approved by the Governor lapsed with the introduction of the *Planning, Development and Infrastructure Act 2016*, when the Minister for Planning assumed decision making responsibilities for all new applications/decisions required after 19 March 2021.
8. On 30 September 2025, Tectvs (on behalf of the Nan Hai Pu Tuo Temple Inc) requested a further variation to the development authorisation to amend the approved plans for the ceremonial archway (part of the main shrine complex) and the memorial garden, specifically the configuration and height of four stone stupas.
9. As the delegate of the Minister for Planning, I have decided to grant a varied development authorisation to the proposed changes to plans for the ceremonial archway and memorial garden pursuant to s.115(8) of the *Planning, Development and Infrastructure Act 2016*.
10. For ease of reference, I have reproduced the varied development authorisation in its entirety herein.

## **RESERVED MATTERS:**

NIL

## **PLANNING CONDITIONS**

1. Except where minor amendments may be required by other legislation, or by conditions imposed herein, the proposed Major Development must be undertaken in strict accordance with the following documents:
  - Development Application from Nan Hai Pu Tuo Temple of Australia Inc. dated 27 January 2009 (except to the extent that it may be varied by a subsequent document in this paragraph);
  - Development Application from Nolan Rumsby Planners dated 19 December 2011 (except to the extent that it may be varied by a subsequent document in this paragraph);
  - Development Report, Nan Hai Pu Tuo Temple, prepared by Hames Sharley (for the Nan Hai Pu Tuo Temple of Australia Inc.), dated September 2010 (except to the extent that it may be varied by a subsequent document in this paragraph);
  - Response Document, Nan Hai Pu Tuo Temple, prepared by Nolan Rumsby (for the Nan Hai Pu Tuo Temple of Australia Inc.), dated September 2011 (except to the extent that it may be varied by a subsequent document in this paragraph);
  - Assessment Report prepared by the Minister for Planning dated February 2013;
  - Letter from Tectvs of 14 August 2013 along with accompanying drawings including:
    - a) Site and Context Plan, Project No. 24-066, Dwg No. P01—Revision 1, 14 August 2013.
    - b) Temple Site Plan, Project No. 24-066, Dwg No. P02—Revision 1, 14 August 2013.
    - c) Temple Floor Plan, Project No. 24066, Dwg No. P03—Revision 1, 14 August 2013.
    - d) Roof Plan, Project No. 24066, Dwg No. P04—Revision 1, 14 August 2013.
    - e) Longitudinal Section, Project No. 24066, Dwg No. P05—Revision 1, 14 August 2013.

- f) Front Shrine Plan Elevations and Section, Project No. 24-066, Dwg No. P06—Revision 1, 14 August 2013.
  - g) Bell and drum Towers Plan, Elevations Sections, Project No. 24-066, Dwg No. P07—Revision 1, 14 August 2013.
  - h) Main Shrine Plan and Section, Project No. 24-066, Dwg No. P08—Revision 1, 14 August 2013.
  - i) Main Shrine Elevations, Project No. 24-066, Dwg No. P09—Revision 1, 14 August 2013.
  - j) Side Shrine North Plan and Elevations, Project No. 24-066, Dwg No. P10—Revision 1, 14 August 2013.
  - k) Side Shrine South Plan and Elevations, Project No. 24-066, Dwg No. P11—Revision 1, 14 August 2013.
  - l) Rear Shrine Plan and Elevations, Project No. 24-066, Dwg No. P12—Revision 1, 14 August 2013.
  - m) Rear Shrine Elevations and Section, Project No. 24066, Dwg No. P13—Revision 1, 14 August 2013.
  - n) Pagoda Floor Plans, Project No. 24-066, Dwg No. P14—Revision 1, 14 August 2013.
  - o) Pagoda Elevations and Section, Project No. 24-066, Dwg No. P15—Revision 1, 14 August 2013.
  - p) Memorial Gardens Plan and Elevations, Project No. 24-066, Dwg No. P16—Revision 1, 14 August 2013.  
(varied by the attached plans, all dated February 2015):
    - Project 24066 W00 cover A1 v2.1
    - Project 24066 W03 Proposed Site Plan @AOv2.3 (stages & progress updated)
    - Project 24066 W180 Memorial Garden Layout @ Memorial Garden Layout@A1 v2.1
    - Project 24066 W181 Memorial Garden Plans @A1 v2.1
    - Project 24066 W182 Memorial Garden Elevations @A1 v2.1
    - Project 24066 W183 Memorial Garden Sections @A1 v2.1
  - q) Retreat Floor Plans and Elevations Type A, Project No. 24-066, Dwg No. P17—Revision 1, 14 August 2013,
  - r) Retreat Floor Plans and Elevations, Project No. 24-066, Dwg No. P18—Revision 1, 14 August 2013,
  - s) Sustainability Measures, Project No. 24066, Dwg No. P19—Version 1.0, 14 August 2013,
- Developer Deed of Agreement For Undertaking Work on DPTI Roads (Installation of Type-CHR and AUL(S) treatments and amendments to existing overtaking lane RN4763 Noarlunga to Cape Jervis Road junction with Cactus Canyon Road, Sellicks Hill), with the Department of Planning, Transport and Infrastructure.

#### Variation Application – March 2016 – Amenities Facility

- WC Amenities, Project 24066W220 Site Plan @A1 v.2.3, dated October 2016,
- Project 24066 Plans Elevations and Sections @A1 v2.2, dated October 2016

#### Variation Application – January 2019 – Storage Shed

- Tectvs plan, Site Plan and proposed shed location plan, Project No. 30001, Dwg No PO1, Revision 10, dated August 2018,
- Tectvs plan, Floor, Roof and Ceiling Plans, Project No 30001, Dwg No P02, Revision 10, dated November 2018.
- Tectvs plan, Elevations, Project 3001, Dwg No P03, Revision 10, dated November 2018.
- WAX/Tectvs plan, Nan Hai Pu Tuo Temple Landscape Masterplan, dated 11.01.19

#### Variation Application – September 2019 - Undercroft Storage

- Correspondence from Tectvs of 23 September 2019 along with accompanying drawings including:
  - Site Plan, Project No. 24066, Dwg No. SK500—Revision 1, September 2019.
  - Section View Plan, Project No. 24-066, Dwg No. SK501— Revision 1, September 2019.

#### Variation Application – September 2025 – Ceremonial Archway and Memorial Garden

- Macro Site Plan – Project No 33052 – Drawing W03 dated 17.11.2025 Rev 1.1
- Site Plan Entry Gateway – Project No 33052 – Drawing W260 dated 17.11.2025 Rev 2.3
- Entry Gateway Plans and Elevations - – Project No 33052 – Drawing W261 dated 17.11.2025 Rev 2.0
- Memorial Shrine Layout - – Project No 33052 – Drawing W180 dated 17.11.2025 Rev 2.3
- Memorial Shrine Floor & Ceiling – Project No 33052 – Drawing W181 dated 17.11.2025 Rev 2.3
- Memorial Shrine Elevations – Project No 33052 – Drawing W182 dated 17.11.2025 Rev 2.3
- Memorial Shrine Elevation North – Project No 33052 – Drawing W182A dated 20.4.26 Rev 2.4

### **Building Work**

2. Before any building work is undertaken on the site, the building work must be certified by a private certifier, or by some person determined by the Minister for Planning, as complying with the provisions of the Building Rules.

## **Parking and Access**

3. The works required to provide safe and convenient access must be designed and constructed to the satisfaction of DPTI and in accordance with the Austroads Guide to Road Design Part 4A: Unsignalised and Signalised Intersections, with all costs (including design, construction, project management, any upgrade of drainage, footpaths or road lighting required, any changes to guard fencing etc.) being borne by the developer. The works shall be completed prior to the opening of the Temple and associated facilities. The works must include an independent safety audit of the design.
4. The main car and bus parking area shown on Site Plan S03 must be sealed with a permeable surface and provide for 100 car parking spaces and four bus parking spaces. The parking layout including surface paving, parking dimensions and line marking must be undertaken in accordance with the Yankalilla Council's requirements.
5. The overflow car parking area shown on Site Plan S03 must provide an all weather surface and provide for 50 car parking spaces. The overflow car park must be constructed in accordance with the Yankalilla Council's requirements.
6. All car parking and manoeuvring areas shall conform to Australian/New Zealand Standards for off-street parking; AS/NZS 2890.1:2004 Parking facilities—Off-street car parking and AS 2890.6-2009 Off-street parking for people with disabilities.
7. All commercial vehicle areas shall conform to the Australian Standard AS 2890.2-2002 Parking facilities: Off-street commercial vehicle facilities.
8. No signage is to be placed external to the site without gaining required approvals.

## **Stormwater Management**

9. All stormwater design and construction must be in accordance with Australian/New Zealand Standards, AS/NZS 3500-2003 and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property.
10. Detention and retention storage for stormwater run-off is to be provided on-site in conjunction with the stormwater disposal. This storage is to be designed in accordance with the EPA's requirements.
11. Water-sensitive urban design measures and practices must be adopted for the management of run-off, including stormwater capture and reuse.
12. The proponent must prepare a stormwater management plan that meets the following quality targets:
  - (a) Suspended solids—80% retention of the typical urban annual load with no treatment.
  - (b) Total phosphorous—45% retention of the typical urban annual load with no treatment.
  - (c) Total nitrogen—45% retention of the typical urban annual load with no treatment.
  - (d) Achieve run-off rates as near as practicable to pre-development levels.

## **Landscaping**

13. The proponent must prepare a detailed Landscaping Plan and Planting Schedule for the site, using locally indigenous species (with the exception of the Chinese Garden). The Plan must indicate the mature height and density of species used to screen the temple and associated infrastructure. The Landscaping Plan must be lodged with the Minister for Planning (or his delegate) for approval prior to operation of the facility.
14. When landscaping of the site is established it must be maintained in good health and condition at all times. A plant must be replaced if and when it dies or becomes seriously diseased within the first growing season.

## **Construction Activities**

15. The proponent must prepare a Construction Environmental Management and Monitoring Plan (CEMMP), in consultation with the Environment Protection Authority (EPA). Prior to construction activities commencing on-site, the CEMMP must be approved by the Minister for Planning. The approved CEMMP must be implemented by the proponent and include measures that at a minimum address the following:
  - (i) A Traffic and Pedestrian Management Plan;

- (ii) Management of noise to ensure compliance with the requirements of construction noise as outlined in Part 6 of the *Environment Protection (Noise) Policy 2007* (Noise EPP);
  - (iii) Dust management measures;
  - (iv) A soil erosion and drainage management plan, including:
    - Minimising areas disturbed;
    - Rainfall landing upstream of disturbed areas to be diverted around the site;
    - Installation and maintenance of erosion control measures; and
    - Progressive rehabilitation and stabilisation of disturbed areas.
  - (v) A Waste Management Plan; and
  - (vi) A Communications Plan identifying how affected residents will be notified prior to and during construction and how concerns raised will be addressed and managed.
16. Operating hours for construction activities and construction truck movements to and from the site must be limited to the hours of 7 a.m. to 7 p.m., Monday to Saturday inclusive.
17. The proponent must implement the development in accordance with approved engineering construction plans for roads, drainage, footpaths and intersections.
18. Stockpiled soils must be suitably managed to control dust emissions, erosion and weed infestation.
19. The proponent must prepare a site history report that:
- (a) has been prepared by a site contamination consultant in accordance with Schedules A and B of the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM)*;
  - (b) documents the preliminary investigations at the site carried out in accordance with the NEPM;
  - (c) determines whether a potentially contaminating land use as described in Appendix 1 of Planning Advisory Notice 20 has occurred with the potential to cause site contamination affecting the site; and
  - (d) provides statements in relation to the existence of site contamination at the site. Statements by site contamination consultants in relation to site contamination must be clearly qualified as to the existence of site contamination at the site by specifying the land uses that were taken into account in forming that opinion as required by Section 103ZA of the *Environment Protection Act 1993*.

### **Servicing**

20. Sufficient access must be provided for on-site manoeuvrability of waste collection vehicles and an appropriate screening treatment must be given to the waste disposal area.

### **Heritage**

21. The proponent must prepare a Risk Management Plan prior to construction commencing on the site that identify measures for the protection of identified Aboriginal sites during construction and operation of the Temple and associated infrastructure.

### **Wastewater**

22. The proponent must consult with the Department of Health about the proposed wastewater treatment system and ensure appropriate approvals are in place prior to the operation of the Temple, accommodation units and associated infrastructure.

### **Staging and Completion**

23. The development must be undertaken in accordance with the revised commencement and completion requirements as set out below (or as subsequently determined):
- complete Stage 2 (main shrine only) not later than 7 March 2027
  - complete Stage 2 (all other remaining buildings) not later than 7 March 2033
  - substantially commence Stage 3 (entry gateway and main courtyard) not later than 7 March 2029 and complete not later than 7 March 2033.
24. The proponent must comply with the approved staging and timing requirements, failing which the authorisation may be cancelled by the Minister for Planning.

## Memorial Garden

25. Within six (6) months of the stone stupas being installed, the perimeter and related landscaping in association with the Memorial Garden shall be planted, as identified by the Nan Hai Pu Tuo Temple Landscape Masterplan dated 11.01.19. Prior to these works occurring, final planting locations and species selections shall be confirmed with the Department for Housing and Urban Development.

## Advisory Notes

### 1. Building Rules

- The proponent must obtain a Building Rules certification for any building work to be undertaken from either the Accredited Professional (at the proponent's option) or the local Council as required by the *Planning, Development and Infrastructure Act 2016*.
- In addition to the Building Code of Australia, the proponent must comply with the *Commonwealth Disability Discrimination Act 1992*, in planning access for the disabled.

### 2. Landscaping Plan and Schedule

The Landscaping Plan and Schedule should provide the following:

- (a) details shall be provided showing street furniture, shading devices and lighting;
- (b) location of tanks for water reuse for irrigation purposes;
- (c) details of the fencing to be provided; and
- (d) further landscaping details in respect of the site boundaries to ensure adequate screening.

### 3. Construction, Environmental Management and Monitoring Plan

A Construction Environmental Management and Monitoring Plan (CEMMP) covering both pre-construction and construction phases should be prepared in consultation with the Environment Protection Authority, before its submission to the Minister for Planning for approval. The CEMMP should include the following:

- (a) reference to, and methods of adherence to, all relevant Environment Protection Authority (EPA) policies and codes of practice for construction sites;
- (b) to address management issues during construction and including a site audit;
- (c) timing, staging and methodology of the construction process and working hours (refer also to condition outlining working hours);
- (d) a risk assessment relating to the potential impacts of construction activities;
- (e) traffic management strategies during construction;
- (f) management of infrastructure services during construction and re-establishment of local amenity and landscaping;
- (g) control and management of construction noise, dust and mud;
- (h) a soil erosion and drainage management plan prepared in accordance with the Stormwater pollution prevention code of practice for the building and construction industry (1999):
- (i) [http://www.epa.sa.gov.au/xstd\\_files/Water/Code%20of%20practice/bccop1.pdf](http://www.epa.sa.gov.au/xstd_files/Water/Code%20of%20practice/bccop1.pdf) ;
- (j) identification and management of contaminated soils and groundwater, should these be encountered;
- (k) site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
- (l) disposal of construction waste and refuse in an appropriate manner according to the nature of the waste;
- (m) protection and cleaning of roads and pathways; and
- (n) overall site clean-up.

The CEMMP should be prepared taking into consideration, and with explicit reference to, relevant Environment Protection Authority policies and guideline documents, including the Environment Protection (Noise) Policy 2007.

### 3. Environmental Duty of Care

The proponent is advised of the General Environmental Duty under Section 25 of the *Environment Protection Act 1993*, which provides that a person must not undertake any activity, which pollutes, or may pollute, without taking all reasonable and practical measures to prevent or minimise harm to the environment.

### 4. Aboriginal Heritage

- The proponent should note that they must comply with the requirements of the Aboriginal Heritage Act 1988.

- The proponent must conduct surveys, report sites, and apply to the Minister for Aboriginal Affairs prior to any disturbance of a site in accordance with the Aboriginal Heritage Act 1988.

5. Testing and Monitoring

The Minister has a specific power to require testing, monitoring and auditing under s.117 of the *Planning, Development and Infrastructure Act 2016*.

**CONTACT DETAILS OF CONSENT AUTHORITIES:**

Name: Minister for Planning	Type of consent: Development authorisation
Postal Address: c/- DHUD, GPO 1815, ADELAIDE SA 5001	
Telephone: 1800 752 664	Email: <a href="mailto:spcapplications@sa.gov.au">spcapplications@sa.gov.au</a>