

Council Assessment Panel Agenda & Reports

18 December 2023

Our Vision

*A City which values its heritage, cultural diversity,
sense of place and natural environment.*

*A progressive City which is prosperous, sustainable
and socially cohesive, with a strong community spirit.*

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City of
Norwood
Payneham
& St Peters

13 December 2023

To all Members of the Council Assessment Panel:

- Mr Terry Mosel (Presiding Member)
- Ms Jenny Newman
- Mr Mark Adcock
- Mr Ross Bateup
- Cr Christel Mex

NOTICE OF MEETING

I wish to advise that pursuant to Clause 1.5 of the Meeting Procedures, the next Ordinary Meeting of the Norwood Payneham & St Peters Council Assessment Panel, will be held in the Council Chambers, Norwood Town Hall, 175 The Parade, Norwood, on:

Monday 18 December 2023, commencing at 7.00pm.

Please advise Kate Talbot on 8366 4562 or email ktalbot@npsp.sa.gov.au if you are unable to attend this meeting or will be late.

Yours faithfully



Geoff Parsons
ASSESSMENT MANAGER

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City of
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Payneham
& St Peters

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VENUE Council Chambers, Norwood Town Hall

HOUR

PRESENT

Panel Members

Staff

APOLOGIES

ABSENT

1. **COMMENCEMENT AND WELCOME**

2. **APOLOGIES**

3. **CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT
 PANEL HELD ON 20 NOVEMBER 2023**

4. **DECLARATION OF INTERESTS**

5. DEVELOPMENT APPLICATIONS – PDI ACT

5.1 DEVELOPMENT NUMBER 23004466 – TWENTY FOUR OUTDOOR PTY LTD C/- FUTURE URBAN PTY LTD – 149 PAYNEHAM ROAD, ST PETERS

DEVELOPMENT NO.:	23004466
APPLICANT:	Twenty Four Outdoor Pty Ltd C/- Future Urban Pty Ltd
ADDRESS:	149 PAYNEHAM RD ST PETERS SA 5069
NATURE OF DEVELOPMENT:	Partial change in use from motor repair station and consulting room to motor repair station, consulting room and third-party advertising, and the construction of an LED screen and architectural columns atop the existing building
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Suburban Activity Centre <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Future Road Widening • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development • Urban Transport Routes <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 2 levels) • Interface Height (Development should be constructed within a building envelope provided by a 30- or 45-degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment)
LODGEMENT DATE:	20 Feb 2023
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at City of Norwood, Payneham and St. Peters
PLANNING & DESIGN CODE VERSION:	20 Feb 2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Kieran Fairbrother Senior Urban Planner
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	Nil

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 5:	Representation Map
ATTACHMENT 1:	Application Documents	ATTACHMENT 6:	Representations
ATTACHMENT 2:	Subject Land Map	ATTACHMENT 7:	Response to Representations
ATTACHMENT 3:	Zoning Map	ATTACHMENT 8:	Prescribed Body Responses
ATTACHMENT 4:	Sensitive Receiver Map		

DETAILED DESCRIPTION OF PROPOSAL:

The proposal involves the construction of a 10.50m(W) x 3.50m H) billboard-style advertising display atop an existing commercial building located at 149 Payneham Road, St Peters. The advertising display will sit above a 1.46m(H) cladding panel which will be affixed to the roof of the building. At its highest point, the advertising display will be 9.7m above ground/footpath level. Adjacent to the advertising display will be seven (7) 'architectural columns' designed to soften the appearance of the advertising display by providing a transition in height from the building to the display. These 'architectural columns' and the supporting posts and cladding panel associated with the advertising display will all be painted in a colour matching the associated building.

The advertising display will display third-party advertisements and is not intended to be restricted to displaying only advertisements associated with the lawful use of the land.

The advertising display is one-sided, directed to the southwest. The primary intent of the advertising display is to capture north-bound motorists along Payneham Road; although some peripheral views may be obtained by motorists travelling along Stephen Terrace and Nelson Street.

BACKGROUND:

When the application was first lodged, the proposal was for a 12.0m(W) x 3.0m(H) advertising display. However, as a result of feedback from the Commissioner of Highways (see **Attachment 8**), the proposal was amended, resulting in the dimensions of the advertising display currently before the Panel. This is why the Panel may observe references to a 12.0m-wide advertising display in the supporting Planning Statement and Traffic Impact Assessment contained within **Attachment 1**.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 149 PAYNEHAM RD ST PETERS SA 5069

Title ref.: CT 5483/504	Plan Parcel: F16829 AL500	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Shape:	irregular
Frontage width:	approx. 47 metres to Stephen Terrace and 21 metres to Payneham Road
Area:	approx. 1024m ²
Topography:	relatively flat
Existing Structures:	a single-storey commercial building comprising two tenancies, containing a motor repair station and a consulting room (physiotherapy)
Existing Vegetation:	low-level plantings between the buildings and the two street frontages

Locality

The locality is considered to be the area extending 100m in all directions from the intersection of Payneham Road and Stephen Terrace/Nelson Street (“**Intersection**”). Payneham Road is characterised predominantly by non-residential development in the form single- and two-storey buildings, comprising a variety of land uses including a motor repair station, consulting rooms, offices and shops. The Avenues Shopping Centre is located directly east of the subject site, presenting to the Intersection by way of a large sign board, a car parking area and, further back into the site, a large single-storey building containing a group of shops. This intersection generally enjoys a low level of physical amenity and streetscape character.

Located approximately 50m northeast of the subject land is a three-storey residential flat building located within the site of a local heritage place, the old ‘Jam Factory’. Although not yet constructed, the State Planning Commission recently granted planning consent to a four-storey mixed-use building at 151-157 Payneham Road – between the subject land the ‘Jam Factory’ site.

Immediately west of the subject site are the ‘Avenues’ of St Peters, which is comprised predominantly of historic dwelling stock in the form of single-storey detached dwellings that enjoy a high level of amenity with the exception of those fronting Stephen Terrace.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Change of use: Code Assessed - Performance Assessed
Advertisement: Code Assessed - Performance Assessed
Other - Commercial/Industrial - Architectural blades: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
The proposed development involves a partial change of use for the commencement of a display of an advertisement, which is not exempt from notification by virtue of Table 5 of the Suburban Activity Centre Zone, nor is it development of a minor nature.

Additionally, the seven (7) columns proposed adjacent the LED screen are structures that are not exempt from notification per Table 5 of the Zone either.

• **LIST OF REPRESENTATIONS**

Given Name	Family Name	Address	Position	Wishes to be heard?
G G	Scott	PO Box 2758, Kent Town	Support, with concerns	No
Candice	Dullona	20/167-169 Payneham Road, St Peters	Opposed	No
Thomas	Mackinnon	20/167-169 Payneham Road, St Peters	Opposed	No
The St Peters Residents Association Inc		c/- 12 St Peters St, St Peters	Opposed	Yes
Brenton	Burman	68 Third Ave, Forestville	Opposed	Yes
Rob	Vozzo	61 Glynburn Rd, Glynde	Opposed	Yes
Giuseppe	Rocca	114 Payneham Rd, Stepney	Opposed	No

• **SUMMARY**

The concerns raised by the representors can be summarised as follows:

- Increased light pollution
- The advertising display will act as a distraction to motorists
- The advertising display creates a safety risk at a busy intersection
- It is not of a 'neighbourhood-scale' and is a large and obtrusive structure
- It is out of character of the area and will contribute to visual clutter
- The advertising display is inconsistent with other types of advertising displays in the area
- Third-party advertising is inappropriate
- The structure will impede views from a proposed four-storey mixed use development granted planning consent on the adjacent allotment at 151-157 Payneham Road

Representor 5 (Brenton Burman) supplemented their original representation with additional material, which they requested be included for the Panel's consideration. In accordance with the Panel's Meeting Procedures, the Assessment Manager accepted the additional material (contained in **Attachment 6**) and provided a copy to the Applicant for their consideration.

AGENCY REFERRALS

- Commissioner of Highways

As earlier highlighted, the Commissioner of Highways initially had concerns with the proposal. However, favourable amendments were made to the application that satisfied these concerns, and the Commissioner of Highways is now supportive of the proposal subject to the Conditions and Advisory Notes outlined in **Attachment 8**.

INTERNAL REFERRALS

Nil

PLANNING ASSESSMENT

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

Land Use / Advertising Display

The Environment, Resources and Development Court has determined that the commencement of a display of an advertisement can be considered a change of use of land¹, particularly when the proposed advertisement will not necessarily be related to the current lawful land use (i.e. third-party signage). The proposed development comprises a partial change of use of the land for the commencement of the display of an advertisement, noting that the existing motor repair station and consulting room use are to remain and the proposed advertising display will include third-party advertising unrelated to these uses.

Performance Outcome 1.1 of the Suburban Activity Centre Zone states:

“Shops, office, entertainment, health and recreation related uses and other business that provide a range of goods and services to the surrounding neighbourhood and district.”

Corresponding Designated Performance Feature 1.1 specifically identifies ‘advertisement’ as an envisaged form of development and so the partial change of land use is supported in principle. However, one of the contentious aspects of the proposed advertising display relates to the proposal to display third-party advertising; a concern raised by several representors.

Performance Outcome 3.1 of the Advertisements module in the general development policies states:

“Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.”

Contrarily, the ERD Court has held on several occasions that the product or message being advertised is not an important consideration² (albeit these judgments were handed down prior to the Planning & Design Code being written and implemented).

Further, the Court in *A & A Centofanti Pty Ltd*³ identified that ‘third-party advertisements clearly have a place in the urban environment and one looks to Development Plans to provide guidance on where that place might be’ (at [42]).

Both the Suburban Activity Centre Zone and the Advertisements module in the general development policies are silent on the topic of third-party advertising. In fact, nowhere within the whole Planning & Design Code is third-party advertising mentioned, let alone specifically envisaged by a particular zone. Despite this, it is highly doubtful that the Code’s intention is to completely exclude third-party advertisements from ever being displayed. Government advertising campaigns targeted at issues such as speeding, driving without rest on country roads, and the use of handheld devices while driving hold a necessary place somewhere within society. Similarly, the use of public transport stops and similar public infrastructure for the use of third-party advertisements has been a regular feature

¹ *Gawler and Barossa Jockey Club v Town of Gawler* (1995) 64 SASR 598.

² *Keast v City of Marion* [1999] SAERDC 74; *A & A Centofanti Pty Ltd v City of Port Adelaide Enfield* [2009] SAERDC 8; *Adspace Group Pty Ltd v City of Marion* [2009] SAERDC 39.

³ *A & A Centofanti Pty Ltd v City of Port Adelaide Enfield* [2009] SAERDC 8.

of the public realm for many years. Consequently, the proposal to display third-party advertisements is not considered fatal to this application in its own right, and can be supported providing the remaining considerations for assessment sufficiently accord with the Planning & Design Code.

Advertisement Hoarding and Appearance

Desired Outcome 1 of the Suburban Activity Centre Zone states:

“An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community. Buildings and pedestrian areas create a high quality, activated public realm that is integrated with pedestrian and cycle networks and establish well-defined connections to available public transport services.”

Performance Outcome 4.1 of the Suburban Activity Centre Zone states:

“Advertisements are sited and designed to achieve an overall consistency of appearance along street frontages.”

Performance Outcome 1.1 of the Advertisements module of the general development policies states:

“Advertisements are compatible and integrated with the design of the building and/or land they are located on.”

Performance Outcome 1.2 of the Advertisements module of the general development policies states:

“Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.”

Performance Outcome 1.5 of the Advertisements module of the general development policies states:

“Advertisements and advertising hoardings are of a scale and size appropriate to the character of the locality.”

The proposed advertising hoarding will be located above an existing commercial building, sitting at 9.7m above ground level at its highest point. It measures 10.5m wide and 4.96m tall, containing a 10.5m x 3.5m illuminated LED screen on which advertisements will be displayed. Adjacent to the advertising hoarding are seven columns that evenly reduce in height from 4.96m (closest to the advertising display) to 2.15m.

The Intersection does not currently enjoy a high level of amenity or consistent built-form character, as described in the Locality section of this report. Vegetation around the intersection is sparse, with the exception of several large, mature street trees set back sufficiently from the signalised intersection.

The advertising display is setback 5.5m from the Payneham Road boundary and 11.5m from the Stephen Terrace boundary of the subject land. The abutting columns and their complementary paint colour will effectively integrate the advertising hoarding into the design of the existing building consistent with PO 1.1 above.

The proposed advertising hoarding will, however, be taller than other structures that currently abut the Intersection. That being said, the Suburban Activity Zone envisages development up to two storeys in height, and it is worth noting in this context that many zones that contemplate two-storey development also contain an alternative height in metres, of 9 metres. Several representors raised the same concern – that the advertising display is taller than the two-storey limit envisaged by DPF 3.1 of the Zone. It is therefore prudent highlight the fact that the State Commission Assessment Panel recently granted planning consent to a development application for the adjacent site at 151-157 Payneham Road, St Peters, for the construction of a four-storey mixed-use building which will rise to 14.6m above ground level; double the height limit envisaged by DPF 3.1 of the Zone and almost 5 metres higher than the proposed advertising display. While construction on this project has not commenced, the representor who has the benefit of this consent stated in their representation that they intend to act on this consent, which bears some contextual weight on the present assessment.

Representor 5 (who represents the applicant for the development application for 151-157 Payneham Road) suggests that the proposed advertising display is inappropriate because it will obstruct future views from the proposed four-storey mixed use development. In so doing, the representor cites a recent decision of the Queensland Supreme Court in favour of their submission (see **Attachment 6**).

Council administration is of the view that the case cited bears limited relevance to the present proposal because the decision of the Queensland Supreme Court is based on an entirely different legislative scheme, including as to public participation. Likewise, the subjectivity of advertisement impact assessment is such that those passages quoted in the representation provide no assistance to assessing this application. The relevant provisions of the Planning & Design Code do not require consideration of the potential future developments of adjoining land. Relevantly, the development application for 151-157 Payneham Road has only been granted planning consent and therefore no construction work in relation to that proposal has begun. Accordingly, it would be inappropriate to assess the proposed advertising display based on the potential future development of adjoining land and based on a policy perspective that does not exist in the Planning & Design Code. In any case, it is worth highlighting that a two storey building constructed on the subject land could result in the same potential outcomes.

The public realm surrounding the Intersection is not considered to be of a ‘high quality’, nor ‘activated’, and so while not strictly considered to be of a ‘neighbourhood-scale’, the scale and size of the advertising hoarding is considered appropriate for the locality. Moreover, the complementary colour scheme and the staggered columns adjacent will soften the visual impact that the development will have on the subject land and building and the character of the Intersection, and is therefore considered to sufficiently accord with PO 1.2 above.

Performance Outcome 2.1 of the Advertisements module of the general development policies states:

“Proliferation of advertisements is minimised to avoid visual clutter.”

Performance Outcome 2.3 of the Advertisements module of the general development policies states:

“Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.”

Advertisements are common-place on land adjacent to the subject site. The Intersection is characterised by a variety of non-residential land uses, all of which contain some form of advertising display predominantly in the form of signage affixed to or painted on a building wall or window. The Avenues shopping centre directly east has a large freestanding advertising display that displays signage for multiple businesses within the centre.

The subject building contains signage across the parapet of the building that addresses both the Payneham Road and the Stephen Terrace frontages. While there may be an argument that the existing building already contains a proliferation of advertising, the proposed advertising display will be separated from the existing building to distinguish it from existing signage ensuring its messages can be clearly read and thus avoiding visual clutter and untidiness.

Traffic Impact / Safety

Performance Outcome 1.1 of the Advertising Near Signalised Intersections Overlay states:

“Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.”

Performance Outcome 5.4 of the Advertisements module of the general development policies states:

“Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.”

The proposed advertising display is located adjacent two (2) State-maintained roads in Payneham Road and Stephen Terrace, and within 100 metres of the signalised intersection of these roads, and so the application was necessarily referred to the Commissioner of Highways (“CoH”) for assessment against PO 1.1 of the Advertising Near Signalised Intersections Overlay (above).

The COH’s full response is contained in **Attachment 8**. In summary, following favourable amendments being made to the application, the CoH is of the opinion that the advertising display will be sufficiently separated from the adjacent traffic lights to not create conflict and that with appropriate conditions (as the CoH has imposed) ‘the proposed sign should not cause undue distraction to motorists at this location’.

The conditions imposed by the CoH are considered appropriate in the context of PO 1.1 above, noting that:

- illumination levels will be automatically controlled and limited at different times of the day such that they will not impair the ability of road users to use the road safely;
- an automatic error detection system shall be installed to turn off the display in the event of a malfunction;
- the display shall display only one message every 45 seconds, with no flashing, scrolling or moving of messages permitted; and
- message changes shall take no more than 0.1 seconds to take effect;

with these final two points ensuring that undue distraction is not caused by distracting messages or the frequent changeover of messages.

Performance Outcome 5.3 of the Advertisements module of the general development policies states:

“Advertisements and/or advertising hoardings do not create a hazard to drivers by:

- a. being liable to interpretation by drivers as an official traffic sign or signal*
- b. obscuring or impairing drivers’ view of official traffic signs or signals*
- c. obscuring or impairing drivers’ view of features of a road that are potentially hazardous (such as junctions, bends, changes in width or traffic control devices) or other road or rail vehicles at/or approaching level crossings.”*

Performance Outcome 5.5 of the Advertisements module of the general development policies states:

“Advertisements and/or advertising hoardings provide sufficient clearance from the road carriageway to allow for safe and convenient movement by all road users.”

The proposed advertising display is located 5.5m from the subject land’s boundary with Payneham Road and 11.5m from the subject land’s boundary with Stephen Terrace, providing sufficient clearance from the road carriageway and locating it sufficiently behind traffic lights such that it will not obscure or impair drivers’ view of traffic signs and other road features, and will continue to allow for safe and convenient movement by all road users.

Environmental Factors

Light Spill

Performance Outcome 5.2 of the Advertisements module of the general development policies states:

“Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination.”

As mentioned above, the CoH has directed the imposition of a condition that limits the luminance levels of the advertising display at different times of the day and under different weather conditions. These levels are adopted from the Department of Planning, Infrastructure and Transport’s ‘Advertising Signs Assessment Guidelines for Road Safety’ (August 2014), which has been relied upon throughout the State since its inception and is considered to satisfy the above Performance Outcomes.

Performance Outcome 4.1 of the Advertisements module of the general development policies states:

“Light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers.”

Performance Outcome 1.2 of the Interface Between Land Uses module in the general development policies states:

“Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.”

Performance Outcome 6.1 of the Interface Between Land Uses module in the general development policies states:

“External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).”

‘Sensitive receiver’ is defined by the Planning & Design Code as, relevantly, ‘any use for residential purposes or land zoned primarily for residential purposes’.

Based on the orientation of the proposed advertising display to face southwest, and the fact that it is a one-sided display, it is only those properties located southwest of the subject land that require consideration for assessment against the abovementioned Performance Outcomes. One representor has raised concerns that illumination from the advertising display will spill onto their proposed development at 151-157 Payneham Road. Similarly, two representors are located in the dwellings further northeast at 167-169 Payneham Road. These dwelling and proposed dwellings should not suffer any impact by way of light spill given the orientation of the proposed advertising display.

Attachment 3 demonstrates the relevant zones surrounding the subject land. Only the Established Neighbourhood Zone is considered to be a zone primarily intended to accommodate sensitive receivers for the purposes of this assessment. While the Business Neighbourhood Zone is a zone that does envisages residential land uses, it does not do so *primarily* above any other land uses.

Attachment 4 highlights the location of sensitive receivers within the vicinity of the subject land, and specifically located in the direction in which the proposed advertising display will face. By reference to **Attachment 4**, these include:

1. A number of single-storey detached and semi-detached dwellings in Stephen Terrace and First Avenue, St Peters, in the Established Neighbourhood Zone;
2. Two, two-storey dwellings and a three-storey residential flat building containing five (5) dwellings, sited behind single-storey commercial tenancies at 125-127 Payneham Road;
3. A two-storey residential flat building containing four dwellings, sited behind a two-storey commercial building at 115 Payneham Road; and
4. Six single-storey dwellings in Cornish Street, Stepney, in the Suburban Activity Centre Zone.

The six dwellings in Cornish Street are not considered to be affected by light from the proposed development due to their distance from the intersection and their location behind larger buildings on Payneham Road that will shield any projected light.

Similarly, the two- and three-storey dwellings behind 125-127 Payneham Road are located approximately 100 metres from the proposed advertising display. At this distance, and with consideration of the permitted luminance levels, the amenity of these dwelling should not be impacted by the proposed advertising display. The same consideration applies to the dwellings located behind 115 Payneham Road and those facing First Avenue.

With respect to the dwellings facing Stephen Terrace, the warehouse located at the rear of 139 Payneham Road will effectively obscure views of the advertising display from any east-facing habitable windows and therefore impede light spill from the display into these windows and onto these allotments. Notably, the two closest dwellings will not have direct views onto the advertising display as a result of their setback behind the adjoining warehouse.

Accordingly, when considering the location and siting of surrounding sensitive receivers, and the orientation of the proposed advertising display, the proposed development is considered to satisfy PO 4.1 of the Advertisements module and POs 1.2 and 6.1 of the Interface Between Land Uses module.

CONCLUSION

This application seeks approval to construct a large advertising display atop an existing commercial building at the intersection of two State-maintained roads. The proposed advertising display will display third-party advertising, contrary to PO 3.1 of the Advertisements module of the Planning & Design Code. Notwithstanding, third-party advertisements have a place in urban environments and that is generally considered to be in locations close to major intersections.

The proposed display and its associated hoarding have been designed in a manner that integrates well with the existing building, softening the visible bulk and scale of the structure so as to not detract from the existing character of the Intersection (albeit a low level of character) while also avoiding visual clutter and untidiness.

The application sufficiently demonstrates that the advertising display will not cause undue distraction to motorists and other road users by way of motion, illumination or obstruction. The Commissioner of Highways is satisfied in this regard and has directed the imposition of conditions that will ensure this remains the case, providing the Council with enforcement options should these conditions not be adhered to.

Finally, the direction in which the advertising display faces, combined with existing siting characteristics of surrounding buildings, minimises any potential effect on the amenity of surrounding existing and approved sensitive receivers by way of light spill.

The proposed development is finely balanced and sufficiently accords with the provisions of the Planning & Design Code to warrant planning consent.

RECOMMENDATION

Grant Planning Consent

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23004466, by Twenty Four Outdoor Pty Ltd C/- Future Urban Pty Ltd is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Conditions imposed by Commissioner of Highways under Section 122 of the Act

Condition 2

The billboard shall be installed as shown on 24 Outdoor, Plan & Elevation, Job No. SA-PET-0922, Drawing No. 230922-2/5, Revision Apr23.

Condition 3

The billboard shall be permitted to display one self- contained message every 45 seconds. The time taken for consecutive displays to change shall be no more than 0.1 seconds. The sign shall not flash, scroll or move. Furthermore, the sign shall not be permitted to display or imitate a traffic control device in any way. Animated effects such as 'fade', 'zoom' or 'fly in/out' or signs that show images across multiple displays shall not be used.

Condition 4

The operational system for the billboard shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction. The screen shall only be reactivated in the next available off peak period.

Condition 5

The billboard shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Subsequently, the LED component of the sign shall be limited to the following stepped luminance levels:

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m ²)
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	60

Condition 6

The non-illuminated portion of the billboard shall be finished in a material of low reflectivity to minimise the likelihood of sun/headlamp glare.

ADVISORY NOTES

Planning Consent

Advisory Note 1

Appeal Rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 2

Consents issued for this Development Application will remain valid for the following periods of time:

1. Planning Consent is valid for 24 months following the date of issue, within which time Development Approval must be obtained;
2. Development Approval is valid for 24 months following the date of issue, within which time works must have substantially commenced on site;
3. Works must be substantially completed within 3 years of the date on which Development Approval is issued.

If an extension is required to any of the above-mentioned timeframes a request can be made for an extension of time by emailing the Planning Department at townhall@npsp.sa.gov.au. Whether or not an extension of time will be granted will be at the discretion of the relevant authority.

Advisory Note 3

No work can commence on this development unless a Development Approval has been obtained. If one or more Consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 4

The Applicant is reminded of its responsibilities under the *Environment Protection Act 1993*, to not harm the environment. Specifically, paint, plaster, concrete, brick wastes and wash waters should not be discharged into the stormwater system, litter should be appropriately stored on site pending removal, excavation and site disturbance should be limited, entry/exit points to the site should be managed to prevent soil being carried off site by vehicles, sediment barriers should be used (particularly on sloping sites), and material stockpiles should all be placed on site and not on the footpath or public roads or reserves. Further information is available by contacting the EPA.

Advisory Note 5

The granting of this consent does not remove the need for the beneficiary to obtain all other consents which may be required by any other legislation.

The Applicant's attention is particularly drawn to the requirements of the *Fences Act 1975* regarding notification of any neighbours affected by new boundary development or boundary fencing. Further information is available in the 'Fences and the Law' booklet available through the Legal Services Commission.

Advisory Note 6

The Applicant is advised that construction noise is not allowed:

1. on any Sunday or public holiday; or
2. after 7pm or before 7am on any other day

Advisory Note 7

The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections) will require the approval of the Council pursuant to the *Local Government Act 1999* prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

Advisory Note 8

The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work. Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and, in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

Advisory Note 9

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act

Advisory Note 10

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from both the Payneham Road and Stephen Terrace frontages of this property as well as additional land from the corner of the site for future upgrading of the Payneham Road/Stephen Terrace/Nelson Street intersection. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act 1972 is required to all building works on or within 6.0 metres of the possible requirements.

Accordingly, the attached consent form should be completed by the applicant and forwarded to DIT with a copy of the DNF and approved plans for processing (via dit.landusecoordination@sa.gov.au).

Advisory Note 11

This Department is undertaking a planning study to identify possible future upgrade options for Payneham Road. The exact nature and timing of any improvements at this intersection have yet to be determined.

Advisory Note 12

Should traffic flows on Payneham Road and or Stephen Terrace be impacted by the installation of the sign, the applicant shall notify DIT's Traffic Management Centre (TMC) – Roadworks on 1800 434 058 or email dit.roadworks@sa.gov.au to gain approval for any road works, or the implementation of a traffic management plan during the installation of the billboard.

149 PAYNEHAM RD ST PETERS SA 5069

Address:

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To view a detailed interactive property map in SAPPa click on the map below



Property Zoning Details

Zone

Suburban Activity Centre

Overlay

Airport Building Heights (Regulated) (*All structures over 110 metres*)

Advertising Near Signalised Intersections

Future Road Widening

Hazards (Flooding - General)

Prescribed Wells Area

Regulated and Significant Tree

Traffic Generating Development

Urban Transport Routes

**Local
Variation
(TNV)**

Maximum Building Height (Levels) (*Maximum building height is 2 levels*)

Zone

Zone

Suburban Activity Centre

Overlay

Zone

Suburban Activity Centre

Overlay

Airport Building Heights (Regulated) (*All structures over 110 metres*)

Advertising Near Signalised Intersections

Future Road Widening

Hazards (Flooding - General)

Prescribed Wells Area

Regulated and Significant Tree

Traffic Generating Development

Urban Transport Routes

Local
Variation
(TNV)

Interface Height (*Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment*)

Selected Development(s)

Advertisement

This development may be subject to multiple assessment pathways. Please review the document below to determine which pathway may be applicable based on the proposed development compliances to standards.

If no assessment pathway is shown this means the proposed development will default to performance assessed. Please contact your local council in this instance. Refer to Part 1 - Rules of Interpretation - Determination of Classes of Development

Property Policy Information for above selection

Advertisement - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Suburban Activity Centre Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community. Buildings and pedestrian areas create a high quality, activated public realm that is integrated with pedestrian and cycle networks and establish well-defined connections to available public transport services.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Advertisements	
PO 4.1 Advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages.	DTS/DPF 4.1 None are applicable.
PO 4.2 Freestanding advertisements: (a) identify the associated business(es) (b) are of a size that is commensurate with the scale of the centre and the street frontage (c) avoid visual clutter (d) positively respond to the context without dominating the locality.	DTS/DPF 4.2 Freestanding advertisements: (a) do not exceed 8m in height, the adjacent building wall height, or the zone's height allowance (whichever is the lesser) (b) do not have a sign face that exceeds 6m ² per side.

Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in which case the application will not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any kind of development where the site of the development is not adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone.	Except any of the following: <ol style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
3. Any development involving any of the following (or of any combination of any of the following): <ol style="list-style-type: none"> (a) advertisement (b) air handling unit, air conditioning system or exhaust fan (c) building work on railway land (d) cinema (e) community facility (f) consulting room (g) dwelling located above a non-residential building level (h) fence (i) indoor recreation facility (j) library (k) office (l) place of worship (m) pre-school (n) retaining wall (o) service trade premises (p) shade sail (q) shop (r) solar photovoltaic panels (roof mounted) (s) temporary public service depot (t) tourist accommodation (u) verandah (v) water tank. 	Except development that does not satisfy any of the following: <ol style="list-style-type: none"> 1. Suburban Activity Centre Zone DTS/DPF 3.1 2. Suburban Activity Centre Zone DTS/DPF 3.2.
4. Any development involving any of the following (or of any combination of any of the following): <ol style="list-style-type: none"> (a) internal building works (b) land division (c) recreation area (d) replacement building (e) temporary accommodation in an area affected by bushfire 	None specified.

(f) tree damaging activity.	
5. Demolition.	<p>Except any of the following:</p> <ol style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Part 3 - Overlays

Advertising Near Signalised Intersections Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Provision of a safe road environment by reducing driver distraction at key points of conflict on the road.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Advertisements Near Signalised Intersections	
<p>PO 1.1</p> <p>Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.</p>	<p>DTS/DPF 1.1</p> <p>Advertising:</p> <ol style="list-style-type: none"> (a) is not illuminated (b) does not incorporate a moving or changing display or message (c) does not incorporate a flashing light(s).

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Advertisement or advertising hoarding that: <ul style="list-style-type: none"> (a) is within 100m of a: <ul style="list-style-type: none"> (i) signalised intersection or (ii) signalised pedestrian crossing and (b) will: <ul style="list-style-type: none"> (i) be internally illuminated or (ii) incorporate a moving or changing display or message or (iii) incorporate a flashing light. 	Commissioner of Highways.	To provide expert technical assessment on potential risks relating to pedestrian and road safety which may arise from advertisements near intersections.	Development of a class to which Schedule 9 clause 3 item 21 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Airport Building Heights (Regulated) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 Building height does not pose a hazard to the operation of a certified or registered aerodrome.	DTS/DPF 1.1 Buildings are located outside the area identified as 'All structures' (no height limit is prescribed) and do not exceed the height specified in the Airport Building Heights (Regulated) Overlay which applies to the subject site as shown on the SA Property and Planning Atlas.

In instances where more than one value applies to the site, the lowest value relevant to the site of the proposed development is applicable.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Any of the following classes of development:</p> <p>(a) building located in an area identified as 'All structures' (no height limit is prescribed) or will exceed the height specified in the <i>Airport Building Heights (Regulated) Overlay</i></p> <p>(b) building comprising exhaust stacks that generates plumes, or may cause plumes to be generated, above a height specified in the <i>Airport Building Heights (Regulated) Overlay</i>.</p>	<p>The airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, the Secretary of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth.</p>	<p>To provide expert assessment and direction to the relevant authority on potential impacts on the safety and operation of aviation activities.</p>	<p>Development of a class to which Schedule 9 clause 3 item 1 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

Future Road Widening Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development which is consistent with and will not compromise efficient delivery of future road widening requirements.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Future Road Widening	
<p>PO 1.1</p> <p>Development does not compromise or is located and designed to minimise its impact on future road widening requirements.</p>	<p>DTS/DPF 1.1</p> <p>Development does not involve building work, or building work is located wholly outside the land subject to the 6m Consent Area, the C Type Requirement or the Strip Requirement of the</p>

Metropolitan Adelaide Road Widening Plan.

Procedural Matters (PM)

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Other than where all deemed-to-satisfy criteria for all policies relevant to this referral are met, development (including the division of land) that is within or may encroach within a Future Road Widening Area.	Commissioner of Highways.	To provide expert technical assessment and direction to the relevant authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in the Planning and Design Code.	Development of a class to which Schedule 9 clause 3 item 4 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Part 4 - General Development Policies

Advertisements

Assessment Provisions (AP)

Desired Outcome (DO)

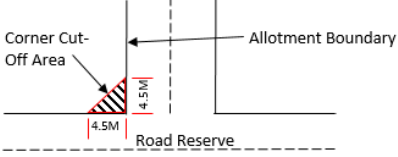
Desired Outcome	
DO 1	Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Appearance	
PO 1.1 Advertisements are compatible and integrated with the design	DTS/DPF 1.1 Advertisements attached to a building satisfy all of the

<p>of the building and/or land they are located on.</p>	<p>following:</p> <ul style="list-style-type: none"> (a) are not located in a Neighbourhood-type zone (b) where they are flush with a wall: <ul style="list-style-type: none"> (i) if located at canopy level, are in the form of a fascia sign (ii) if located above canopy level: <ul style="list-style-type: none"> A. do not have any part rising above parapet height B. are not attached to the roof of the building (c) where they are not flush with a wall: <ul style="list-style-type: none"> (i) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (ii) if attached to a two-storey building: <ul style="list-style-type: none"> A. has no part located above the finished floor level of the second storey of the building B. does not protrude beyond the outer limits of any verandah structure below C. does not have a sign face that exceeds 1m² per side. (d) if located below canopy level, are flush with a wall (e) if located at canopy level, are in the form of a fascia sign (f) if located above a canopy: <ul style="list-style-type: none"> (i) are flush with a wall (ii) do not have any part rising above parapet height (iii) are not attached to the roof of the building. (g) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (h) if attached to a two-storey building, have no part located above the finished floor level of the second storey of the building (i) where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building facade to which they are attached.
<p>PO 1.2</p> <p>Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.</p>	<p>DTS/DPF 1.2</p> <p>Where development comprises an advertising hoarding, the supporting structure is:</p> <ul style="list-style-type: none"> (a) concealed by the associated advertisement and decorative detailing or (b) not visible from an adjacent public street or thoroughfare, other than a support structure in the form of a single or dual post design.
<p>PO 1.3</p>	<p>DTS/DPF 1.3</p>

Advertising does not encroach on public land or the land of an adjacent allotment.	Advertisements and/or advertising hoardings are contained within the boundaries of the site.
PO 1.4 Where possible, advertisements on public land are integrated with existing structures and infrastructure.	DTS/DPF 1.4 Advertisements on public land that meet at least one of the following: (a) achieves Advertisements DTS/DPF 1.1 (b) are integrated with a bus shelter.
PO 1.5 Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.	DTS/DPF 1.5 None are applicable.
Proliferation of Advertisements	
PO 2.1 Proliferation of advertisements is minimised to avoid visual clutter and untidiness.	DTS/DPF 2.1 No more than one freestanding advertisement is displayed per occupancy.
PO 2.2 Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.	DTS/DPF 2.2 Advertising of a multiple business or activity complex is located on a single advertisement fixture or structure.
PO 2.3 Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.	DTS/DPF 2.3 Advertisements satisfy all of the following: (a) are attached to a building (b) other than in a Neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building facade to which they are attached (c) do not result in more than one sign per occupancy that is not flush with a wall.
Advertising Content	
PO 3.1 Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.	DTS/DPF 3.1 Advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement.
Amenity Impacts	
PO 4.1 Light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers.	DTS/DPF 4.1 Advertisements do not incorporate any illumination.
Safety	
PO 5.1 Advertisements and/or advertising hoardings erected on a verandah or projecting from a building wall are designed and located to allow for safe and convenient pedestrian access.	DTS/DPF 5.1 Advertisements have a minimum clearance of 2.5m between the top of the footpath and base of the underside of the sign.

<p>PO 5.2</p> <p>Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination.</p>	<p>DTS/DPF 5.2</p> <p>No advertisement illumination is proposed.</p>
<p>PO 5.3</p> <p>Advertisements and/or advertising hoardings do not create a hazard to drivers by:</p> <ul style="list-style-type: none"> (a) being liable to interpretation by drivers as an official traffic sign or signal (b) obscuring or impairing drivers' view of official traffic signs or signals (c) obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings. 	<p>DTS/DPF 5.3</p> <p>Advertisements satisfy all of the following:</p> <ul style="list-style-type: none"> (a) are not located in a public road or rail reserve (b) are located wholly outside the land shown as 'Corner Cut-Off Area' in the following diagram 
<p>PO 5.4</p> <p>Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.</p>	<p>DTS/DPF 5.4</p> <p>Advertisements and/or advertising hoardings are not located along or adjacent to a road having a speed limit of 80km/h or more.</p>
<p>PO 5.5</p> <p>Advertisements and/or advertising hoardings provide sufficient clearance from the road carriageway to allow for safe and convenient movement by all road users.</p>	<p>DTS/DPF 5.5</p> <p>Where the advertisement or advertising hoarding is:</p> <ul style="list-style-type: none"> (a) on a kerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 0.6m from the roadside edge of the kerb (b) on an unkerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 5.5m from the edge of the seal (c) on any other kerbed or unkerbed road, the advertisement or advertising hoarding is located a minimum of the following distance from the roadside edge of the kerb or the seal: <ul style="list-style-type: none"> (a) 110 km/h road - 14m (b) 100 km/h road - 13m (c) 90 km/h road - 10m (d) 70 or 80 km/h road - 8.5m.
<p>PO 5.6</p> <p>Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.</p>	<p>DTS/DPF 5.6</p> <p>Advertising:</p> <ul style="list-style-type: none"> (a) is not illuminated (b) does not incorporate a moving or changing display or message (c) does not incorporate a flashing light(s).

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

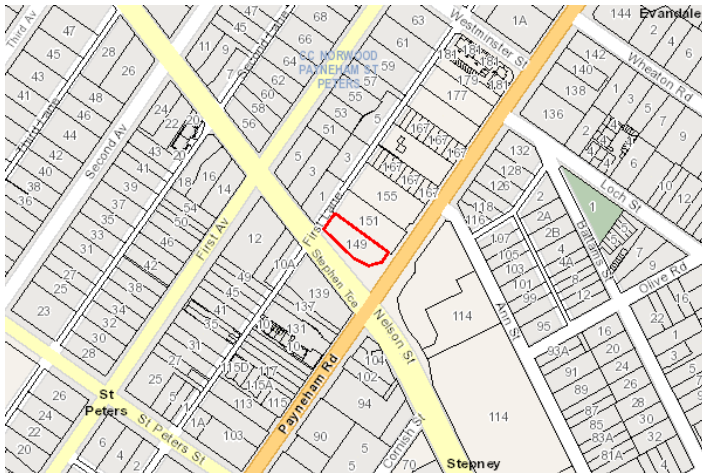
Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: <ul style="list-style-type: none"> (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

149 PAYNEHAM RD ST PETERS SA 5069

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To view a detailed interactive property map in SAPPa click on the map below

**Property Zoning Details****Zone**

Suburban Activity Centre

OverlayAirport Building Heights (Regulated) (*All structures over 110 metres*)

Advertising Near Signalised Intersections

Future Road Widening

Hazards (Flooding - General)

Prescribed Wells Area

Regulated and Significant Tree

Traffic Generating Development

Urban Transport Routes

Local Variation (TNV)Maximum Building Height (Levels) (*Maximum building height is 2 levels*)Interface Height (*Development should be constructed within a building envelope provided by a 30 or 45 degree plane, depending on orientation, measured 3m above natural ground at the boundary of an allotment*)**Development Pathways**

■ Suburban Activity Centre

1. Accepted Development

Means that the development type does not require planning consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

- Brush fence
- Building work on railway land
- Consulting room
- Internal building work
- Office
- Partial demolition of a building or structure
- Public service depot
- Shop
- Solar photovoltaic panels (roof mounted)
- Water tank (above ground)
- Water tank (underground)

2. Code Assessed - Deemed to Satisfy

Means that the development type requires consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

- Advertisement
- Consulting room
- Office
- Replacement building
- Shop
- Temporary accommodation in an area affected by bushfire

3. Code Assessed - Performance Assessed

Performance Assessed development types listed below are those for which the Code identifies relevant policies.

Additional development types that are not listed as Accepted, Deemed to Satisfy or Restricted default to a Performance assessed Pathway. Please contact your local council for more information.

- Advertisement
- Consulting room
- Demolition
- Dwelling
- Fence
- Land division
- Office
- Retaining wall
- Shop
- Store
- Telecommunications facility
- Tree-damaging activity
- Verandah

4. Impact Assessed - Restricted

Means that the development type requires approval. Classes of development that are classified as Restricted are listed in Table 4 of the relevant Zones.

Property Policy Information for above selection

Part 2 - Zones and Sub Zones

Suburban Activity Centre Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community. Buildings and pedestrian areas create a high quality, activated public realm that is integrated with pedestrian and cycle networks and establish well-defined connections to available public transport services.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Shops, office, entertainment, health and recreation related uses and other businesses that provide a range of goods and services to the surrounding	DTS/DPF 1.1 Development comprises one or more of the following:

neighbourhood and district.	<ul style="list-style-type: none"> (a) Advertisement (b) Cinema (c) Community facility (d) Consulting room (e) Dwelling (f) Educational establishment (g) Emergency services facility (h) Hospital (i) Hotel (j) Indoor recreation facility (k) Library (l) Office (m) Place of worship (n) Pre-school (o) Recreation area (p) Residential flat building (q) Retail fuel outlet (r) Retirement Facility (s) Shop (t) Supported Accommodation (u) Tourist accommodation.
<p>PO 1.2</p> <p>Residential development does not prejudice the operation of existing non-residential development and the long-term provision of services and facilities for wider community benefit.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Dwellings are developed only in conjunction with non-residential uses to support business, entertainment and recreational activities.</p>	<p>DTS/DPF 1.3</p> <p>Dwellings are developed only in conjunction with non-residential uses and sited:</p> <ul style="list-style-type: none"> (a) at upper levels of buildings with non-residential uses located at ground level or (b) behind non-residential uses on the same allotment.
<p>PO 1.4</p> <p>Where residential development is appropriate having regard to other performance outcomes of the zone, residential development achieves medium to high densities.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
<p>PO 1.5</p> <p>Development sited and designed to achieve or maintain a vibrant and interesting streetscape within retail areas.</p>	<p>DTS/DPF 1.5</p> <p>Any of the following:</p> <ul style="list-style-type: none"> (a) shop, other than a bulky goods outlet with a gross leasable floor area more than 500m² (b) cinema (c) hotel (d) licensed premises.
<p>PO 1.6</p> <p>Changes in the use of land encourage the efficient reuse of commercial premises to maintain and enhance vibrancy within activity centres.</p>	<p>DTS/DPF 1.6</p> <p>A change of use to a shop, office, consulting room or any combination of these uses where all of the following are achieved:</p> <ul style="list-style-type: none"> (a) the area to be occupied by the proposed development is in an existing building and is currently used as a shop, office, consulting room or any combination of these uses (b) if the proposed change of use is for a shop that primarily involves the handling and sale of foodstuffs, areas used for the storage and collection of refuse are sited at least 10m from the site of a dwelling (other than a dwelling directly associated with the proposed shop) (c) if the proposed change of use is for a shop that primarily involves heating and cooking of foodstuffs in a commercial kitchen and is within 30m of any neighbourhood-type zone boundary or a dwelling (other than a dwelling directly associated with the proposed shop), an exhaust duct and stack (chimney) exists or is capable of being

	<p>installed for discharging exhaust emissions</p> <p>(d) if the change in use involves a gross leasable floor area greater than 250m² and has direct frontage to an arterial road, it achieves either (i) or (ii):</p> <ul style="list-style-type: none"> (i) the primary vehicle access (being the access where the majority of vehicles access / egress the site of the proposed development) from a road that is not an arterial road (ii) the development is located on a site that operates as an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared <p>(e) off-street vehicular parking exists in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number, except in any of the following circumstances:</p> <ul style="list-style-type: none"> (i) the building is a local heritage place (ii) the required contribution will be made into a relevant car parking offset scheme (other than where a relevant contribution has previously been made) (iii) the development is located on a site that operates as an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.
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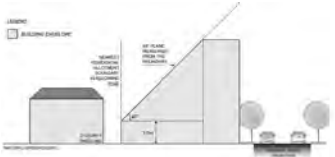
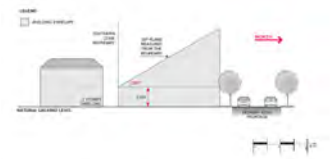
Built Form and Character

<p>PO 2.1</p> <p>Development complements adjacent development within the zone, and mitigates interface impacts on adjoining residential uses in neighbourhood-type zones through appropriate building siting, scale and design.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Buildings are sited and designed to create pedestrian, vehicular, open space and visual linkages between the various built-form elements within the zone and adjoining main roads and thoroughfares.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>Vehicular access points and car parks are coordinated and consolidated to enable the shared use of parking spaces.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Development promotes the use of pedestrian and cyclist connections to centre facilities and services.</p>	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>

Building height and setbacks

<p>PO 3.1</p> <p>Building height is consistent with the form expressed in any relevant <i>Maximum Building Height Levels Technical and Numeric Variation</i> and <i>Maximum Building Height Metres Technical and Numeric Variation</i>, and is otherwise generally low rise to complement the established streetscape and local character.</p>	<p>DTS/DPF 3.1</p> <p>Building height is:</p> <ul style="list-style-type: none"> (a) not greater than: <ul style="list-style-type: none"> (i) the following: <table border="1" style="width: 100%; margin-top: 10px;"> <tr> <th style="text-align: center;">Maximum Building Height (Levels)</th> </tr> <tr> <td style="text-align: center;">Maximum building height is 2 levels</td> </tr> </table> (ii) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - 3 building levels up to a height of 12m <p>and</p> <ul style="list-style-type: none"> (b) not less than: <p>In relation to DTS/DPF 3.1, in instances where:</p>	Maximum Building Height (Levels)	Maximum building height is 2 levels
Maximum Building Height (Levels)			
Maximum building height is 2 levels			

	<p>(c) more than one value is returned in the same field:</p> <ul style="list-style-type: none"> (i) for the purpose of DTS/DPF 3.1(a)(i), refer to the <i>Maximum Building Height (Metres) Technical and Numeric Variation</i> layer or <i>Maximum Building Height (Levels) Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development (ii) for the purpose of DTS/DPF 3.1(b) refer to the <i>Minimum Building Height (Levels) Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development <p>(d) only one value is returned for DTS/DPF 3.1(a)(i), (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other</p> <p>(e) no value is returned for DTS/DPF 3.1(b), (ie there is a blank field), then there is no minimum building height and DTS/DPF 3.1(b) is met.</p>
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<p>PO 3.2</p> <p>Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.2</p> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">Interface Height</p> <p>Buildings constructed within a building envelope provided by a:</p> <ul style="list-style-type: none"> (a) 45 degree plane measured from a height of 3 metres above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram (except where this boundary is a southern boundary):  <ul style="list-style-type: none"> (a) in relation to a southern boundary, 30 degree plane grading north, measured from a height of 3m above natural ground at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram:  </div>
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<p>PO 3.3</p> <p>Buildings on an allotment fronting a road that is not a State maintained road, and where land on the opposite side of the road is within a neighbourhood-type zone, provides an orderly transition to the built form scale envisaged in the adjacent zone to complement the streetscape character.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
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Advertisements

<p>PO 4.1</p> <p>Advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Freestanding advertisements:</p> <ul style="list-style-type: none"> (a) identify the associated business(es) (b) are of a size that is commensurate with the scale of the centre and the street frontage (c) avoid visual clutter (d) positively respond to the context without dominating the locality. 	<p>DTS/DPF 4.2</p> <p>Freestanding advertisements:</p> <ul style="list-style-type: none"> (a) do not exceed 8m in height, the adjacent building wall height, or the zone's height allowance (whichever is the lesser) (b) do not have a sign face that exceeds 6m² per side.

Concept Plans

<p>PO 5.1</p> <p>Development is compatible with the outcomes sought by any relevant</p>	<p>DTS/DPF 5.1</p> <p>The site of the development is wholly located outside any relevant Concept</p>
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<p>Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 5.1, in instances where:</p> <ul style="list-style-type: none"> (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 5.1 is met.
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Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in which case the application will not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any kind of development where the site of the development is not adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone.	Except any of the following: <ol style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
3. Any development involving any of the following (or of any combination of any of the following): <ol style="list-style-type: none"> (a) advertisement (b) air handling unit, air conditioning system or exhaust fan (c) building work on railway land (d) cinema (e) community facility (f) consulting room (g) dwelling located above a non-residential building level (h) fence (i) indoor recreation facility (j) library (k) office (l) place of worship (m) pre-school (n) retaining wall (o) service trade premises (p) shade sail (q) shop (r) solar photovoltaic panels (roof mounted) (s) temporary public service depot (t) tourist accommodation (u) verandah (v) water tank. 	Except development that does not satisfy any of the following: <ol style="list-style-type: none"> 1. Suburban Activity Centre Zone DTS/DPF 3.1 2. Suburban Activity Centre Zone DTS/DPF 3.2.

<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) internal building works (b) land division (c) recreation area (d) replacement building (e) temporary accommodation in an area affected by bushfire (f) tree damaging activity. 	<p>None specified.</p>
<p>5. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Design in Urban Areas

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
External Appearance	
PO 1.1 Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).	DTS/DPF 1.1 None are applicable.
PO 1.2 Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.	DTS/DPF 1.2 None are applicable.
PO 1.3 Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.	DTS/DPF 1.3 None are applicable.
PO 1.4 Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by: <ul style="list-style-type: none"> (a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses. 	DTS/DPF 1.4 Development does not incorporate any structures that protrude beyond the roofline.
PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.	DTS/DPF 1.5 None are applicable.
Safety	
PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.

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PO 2.2 Development is designed to differentiate public, communal and private areas.	DTS/DPF 2.2 None are applicable.
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.
PO 2.5 Common areas and entry points of buildings (such as the foyer areas of residential buildings) and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF 2.5 None are applicable.
Landscaping	
PO 3.1 Soft landscaping and tree planting are incorporated to: (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes.	DTS/DPF 3.1 None are applicable.
Environmental Performance	
PO 4.1 Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.	DTS/DPF 4.1 None are applicable.
PO 4.2 Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.	DTS/DPF 4.2 None are applicable.
PO 4.3 Buildings incorporate climate responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.	DTS/DPF 4.3 None are applicable.
Water Sensitive Design	
PO 5.1 Development is sited and designed to maintain natural hydrological systems without negatively impacting: (a) the quantity and quality of surface water and groundwater (b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs.	DTS/DPF 5.1 None are applicable.
On-site Waste Treatment Systems	
PO 6.1 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.	DTS/DPF 6.1 Effluent disposal drainage areas do not: (a) encroach within an area used as private open space or result in less private open space than that specified in Design in Urban Areas Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.

All Development - Medium and High Rise	
External Appearance	
<p>PO 12.1</p> <p>Buildings positively contribute to the character of the local area by responding to local context.</p>	<p>DTS/DPF 12.1</p> <p>None are applicable.</p>
<p>PO 12.2</p> <p>Architectural detail at street level and a mixture of materials at lower building levels near the public interface are provided to reinforce a human scale.</p>	<p>DTS/DPF 12.2</p> <p>None are applicable.</p>
<p>PO 12.3</p> <p>Buildings are designed to reduce visual mass by breaking up building elevations into distinct elements.</p>	<p>DTS/DPF 12.3</p> <p>None are applicable.</p>
<p>PO 12.4</p> <p>Boundary walls visible from public land include visually interesting treatments to break up large blank elevations.</p>	<p>DTS/DPF 12.4</p> <p>None are applicable.</p>
<p>PO 12.5</p> <p>External materials and finishes are durable and age well to minimise ongoing maintenance requirements.</p>	<p>DTS/DPF 12.5</p> <p>Buildings utilise a combination of the following external materials and finishes:</p> <ul style="list-style-type: none"> (a) masonry (b) natural stone (c) pre-finished materials that minimise staining, discolouring or deterioration.
<p>PO 12.6</p> <p>Street-facing building elevations are designed to provide attractive, high quality and pedestrian-friendly street frontages.</p>	<p>DTS/DPF 12.6</p> <p>Building street frontages incorporate:</p> <ul style="list-style-type: none"> (a) active uses such as shops or offices (b) prominent entry areas for multi-storey buildings (where it is a common entry) (c) habitable rooms of dwellings (d) areas of communal public realm with public art or the like, where consistent with the zone and/or subzone provisions.
<p>PO 12.7</p> <p>Entrances to multi-storey buildings are safe, attractive, welcoming, functional and contribute to streetscape character.</p>	<p>DTS/DPF 12.7</p> <p>Entrances to multi-storey buildings are:</p> <ul style="list-style-type: none"> (a) oriented towards the street (b) clearly visible and easily identifiable from the street and vehicle parking areas (c) designed to be prominent, accentuated and a welcoming feature if there are no active or occupied ground floor uses (d) designed to provide shelter, a sense of personal address and transitional space around the entry (e) located as close as practicable to the lift and / or lobby access to minimise the need for long access corridors (f) designed to avoid the creation of potential areas of entrapment.
<p>PO 12.8</p> <p>Building services, plant and mechanical equipment are screened from the public realm.</p>	<p>DTS/DPF 12.8</p> <p>None are applicable.</p>

Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature								
General Land Use Compatibility									
<p>PO 1.1</p> <p>Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>								
<p>PO 1.2</p> <p>Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>								
Hours of Operation									
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land. 	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 50%; text-align: center;">Class of Development</th> <th style="width: 50%; text-align: center;">Hours of operation</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Consulting room</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="padding: 5px;">Office</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="padding: 5px;">Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday								
Overshadowing									
<p>PO 3.1</p> <p>Overshadowing of habitable room windows of adjacent residential land uses in:</p> <ul style="list-style-type: none"> a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight. 	<p>DTS/DPF 3.1</p> <p>North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.</p>								

<p>PO 3.2</p> <p>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</p> <p>a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.2</p> <p>Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:</p> <p>a. for ground level private open space, the smaller of the following:</p> <p>i. half the existing ground level open space</p> <p>or</p> <p>ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Development that incorporates moving parts, including windmills and wind farms, are located and operated to not cause unreasonable nuisance to nearby dwellings and tourist accommodation caused by shadow flicker.</p>	<p>DTS/DPF 3.4</p> <p>None are applicable.</p>
<p>Activities Generating Noise or Vibration</p>	
<p>PO 4.1</p> <p>Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.1</p> <p>Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.</p>
<p>PO 4.2</p> <p>Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:</p> <p>(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(c) housing plant and equipment within an enclosed structure or acoustic enclosure</p> <p>(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.3</p> <p>The pump and/or filtration system ancillary to a dwelling erected on the same site is:</p> <p>(a) enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment</p> <p>or</p> <p>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>
<p>PO 4.4</p> <p>External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the</p>	<p>DTS/DPF 4.4</p> <p>Adjacent land is used for residential purposes.</p>

same or an adjoining allotment.					
<p>PO 4.5</p> <p>Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5</p> <p>None are applicable.</p>				
<p>PO 4.6</p> <p>Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6</p> <p>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 50%; text-align: center;">Assessment location</th> <th style="width: 50%; text-align: center;">Music noise level</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Externally at the nearest existing or envisaged noise sensitive location</td> <td style="padding: 5px;">Less than 8dB above the level of background noise (L_{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)
Assessment location	Music noise level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)				
Air Quality					
<p>PO 5.1</p> <p>Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>				
<p>PO 5.2</p> <p>Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:</p> <ul style="list-style-type: none"> (a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers. 	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>				
Light Spill					
<p>PO 6.1</p> <p>External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>				
<p>PO 6.2</p> <p>External lighting is not hazardous to motorists and cyclists.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>				
Solar Reflectivity / Glare					
<p>PO 7.1</p> <p>Development is designed and comprised of materials and finishes that do not unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>				
Electrical Interference					
<p>PO 8.1</p> <p>Development in rural and remote areas does not unreasonably diminish or result in the loss of existing communication services due to electrical interference.</p>	<p>DTS/DPF 8.1</p> <p>The building or structure:</p> <ul style="list-style-type: none"> (a) is no greater than 10m in height, measured from existing ground level or (b) is not within a line of sight between a fixed transmitter and fixed receiver (antenna) other than where an alternative service is available 				

Attachment 1



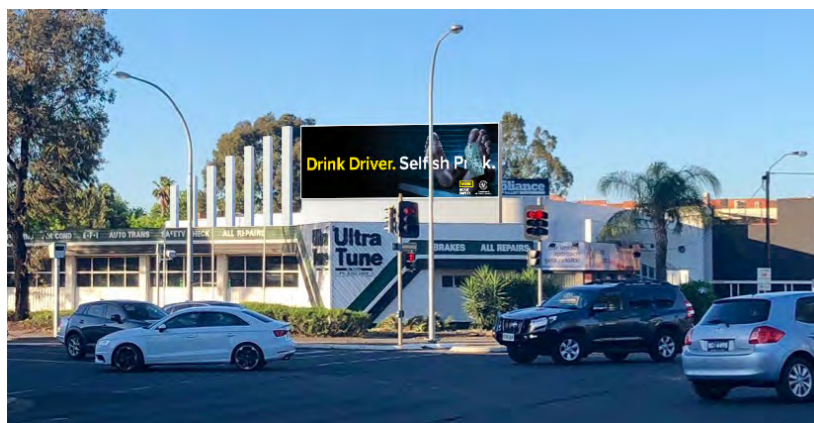
EXISTING OUT BOUND DISTANT VIEW



PROPOSED OUT BOUND DISTANT VIEW



EXISTING OUT BOUND CLOSE VIEW



PROPOSED OUT BOUND CLOSE VIEW



BOUNDARY OF 149 PAYNEHAM ROAD, ST PETERS SA 5069 (LOT 500 OF PLAN 16829)

AERIAL VIEW



NOTE: STRUCTURE INDICATIVE AND SUBJECT TO DETAILED SITE SURVEY AND ALL NECESSARY APPROVALS.

PROPOSED NEW DIGITAL DISPLAY MEASURING WILL BE TO 10.50M X 3.50M AT 149 PAYNEHAM ROAD, ST PETERS SA 5069 (LOT 500 PLAN 16829)

AERIAL VIEW AND MOCK UP

Date	September, 2022	PLAN & ELEVATION			
Draw by	LF	Drawing No.	Date	Rev	Rev
Scale	NTS	230922-1/5	Sep22	Dec22	Apr23
Drawing No.	230922-1/5	Drawn: LF			
Job No.	SA-PET-0922				

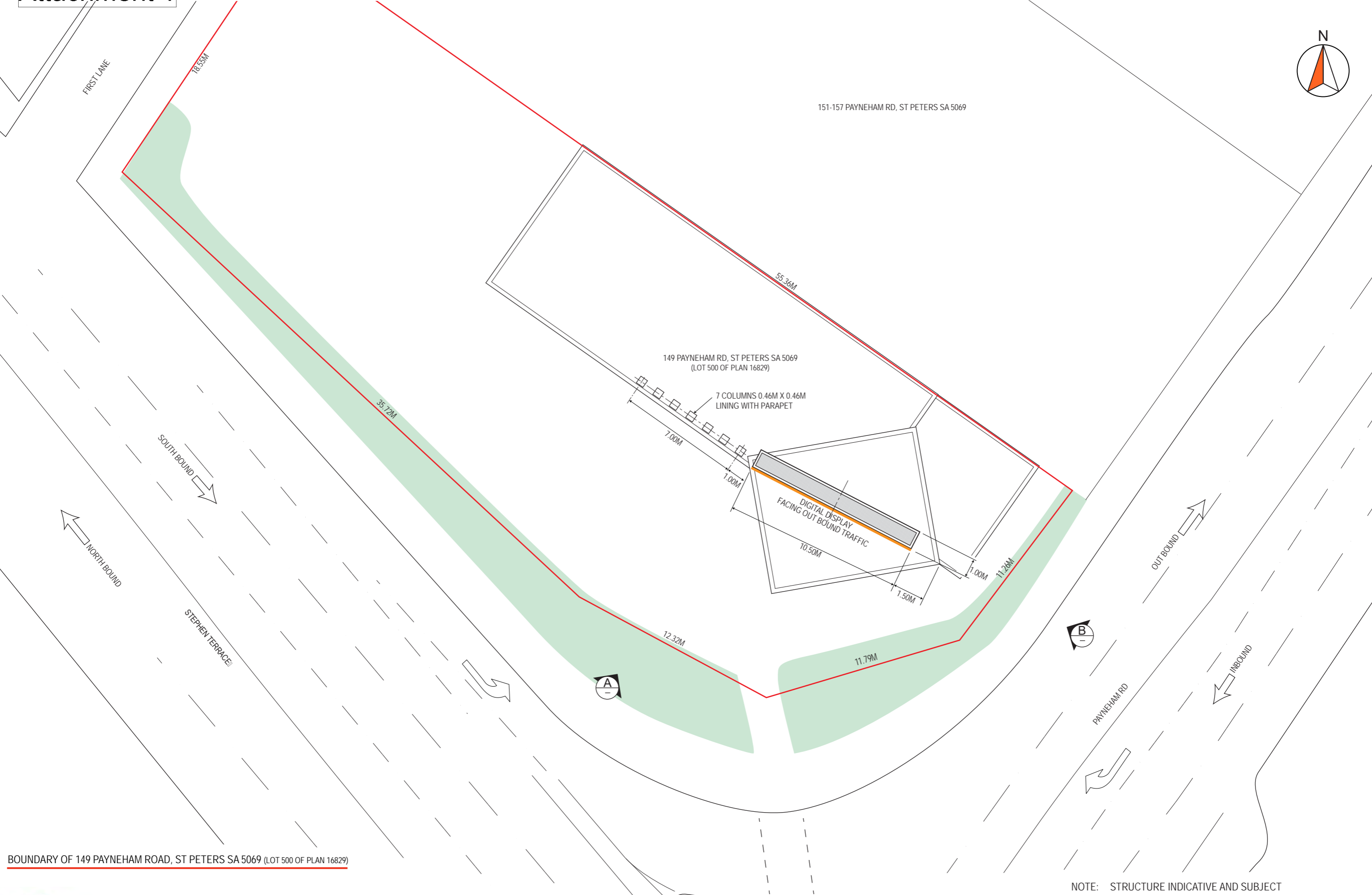


151-157 PAYNEHAM RD, ST PETERS SA 5069

149 PAYNEHAM RD, ST PETERS SA 5069
(LOT 500 OF PLAN 16829)

7 COLUMNS 0.46M X 0.46M
LINING WITH PARAPET

DIGITAL DISPLAY
FACING OUT BOUND TRAFFIC



BOUNDARY OF 149 PAYNEHAM ROAD, ST PETERS SA 5069 (LOT 500 OF PLAN 16829)

NOTE: STRUCTURE INDICATIVE AND SUBJECT TO DETAILED SITE SURVEY AND ALL NECESSARY APPROVALS.

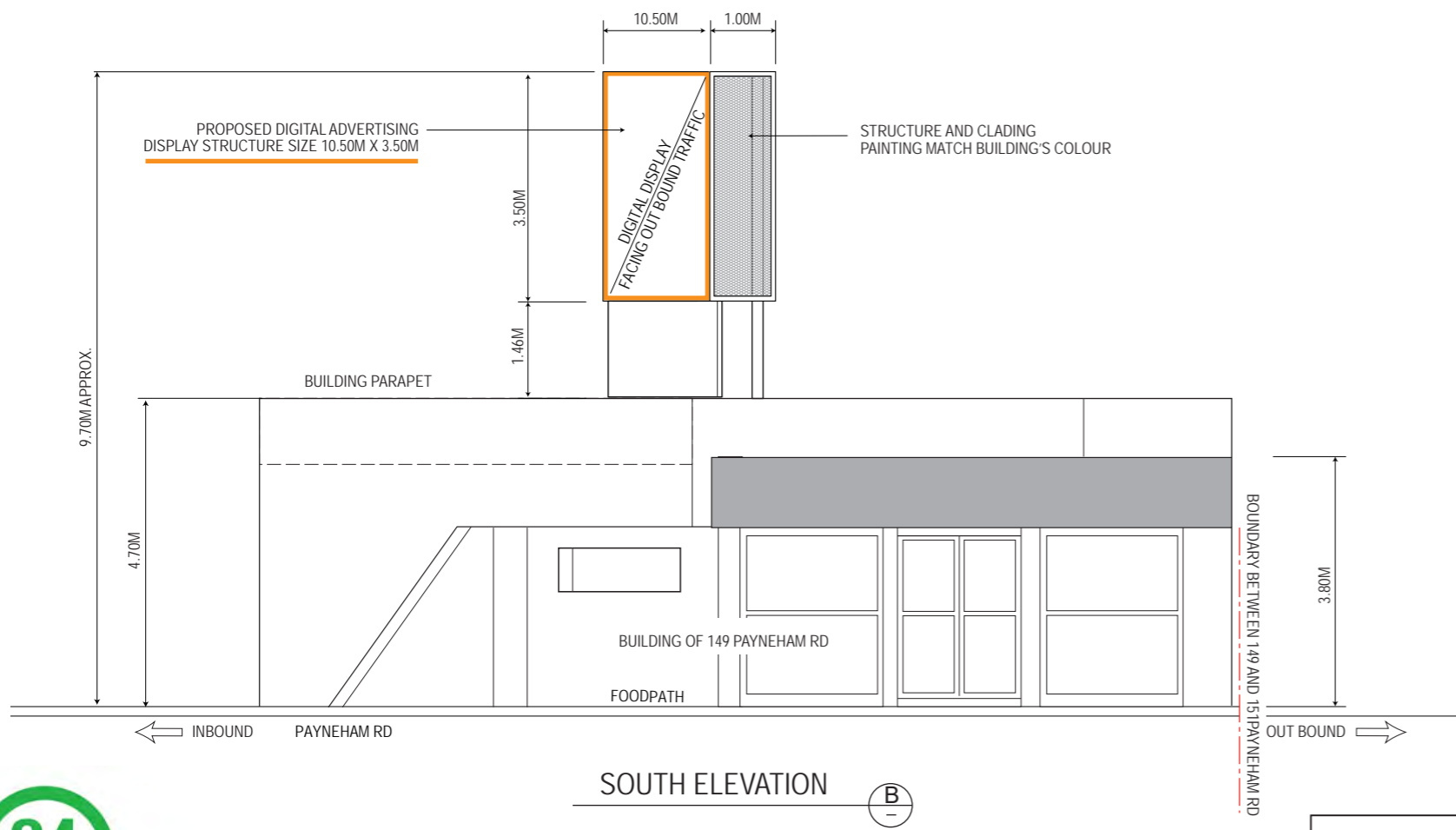
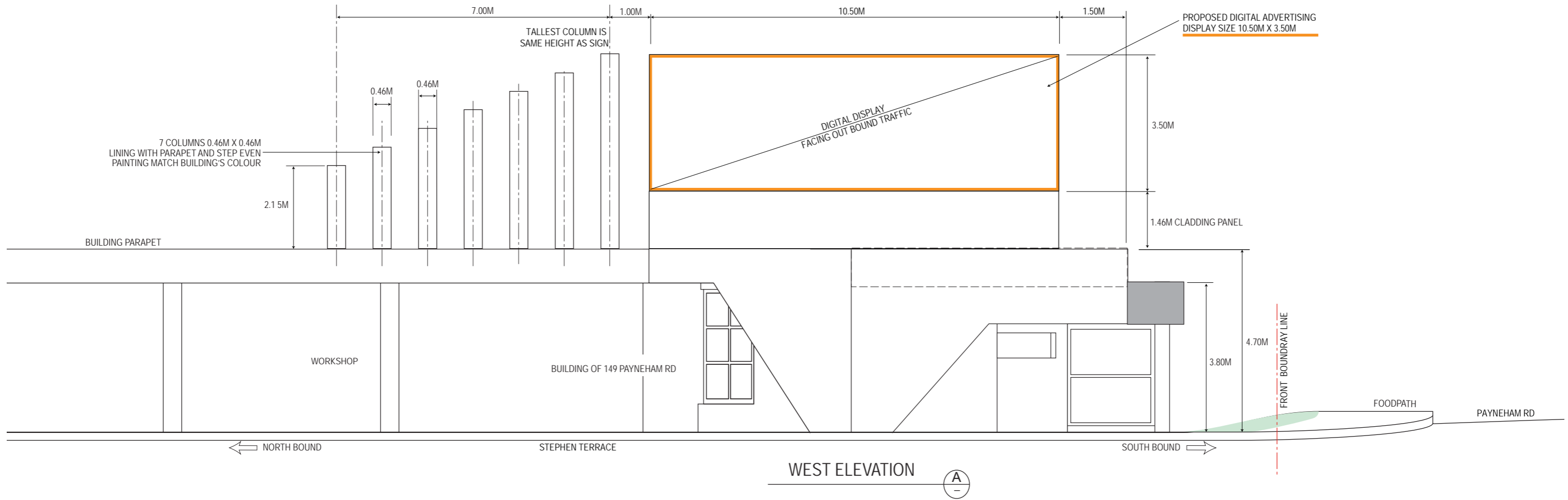


SITE PLAN

PROPOSED NEW DIGITAL DISPLAY MEASURING WILL BE TO 10.50M X 3.50M
AT 149 PAYNEHAM ROAD, ST PETERS SA 5069 (LOT 500 PLAN 16829)

SITE PLAN

Date	September, 2022	PLAN & ELEVATION			
Draw by	LF	Drawing No.	Date	Rev	Rev
Scale	1:200 (print as A3)	230922-2/5	Sep22	Dec22	Apr23
Drawing No.	230922-2/5	Drawn: LF			
Job No.	SA-PET-0922				



NOTE: STRUCTURE INDICATIVE AND SUBJECT TO DETAILED SITE SURVEY AND ALL NECESSARY APPROVALS.



PROPOSED NEW DIGITAL DISPLAY MEASURING WILL BE TO 10.50M X 3.50M AT 149 PAYNEHAM ROAD, ST PETERS SA 5069 (LOT 500 PLAN 16829)

Date	September, 2022	PLAN & ELEVATION			
Draw by	LF	Drawing No.	Date	Rev	Rev
Scale	1:100 (print as A3)	230922-3/5	Sep22	Dec22	Apr23
Drawing No.	230922-3/5	Drawn: LF			
Job No.	SA-PET-0922				



PROPOSED OUT BOUND DISTANT VIEW



EXISTING OUT BOUND DISTANT VIEW

NOTE: STRUCTURE INDICATIVE AND SUBJECT TO DETAILED SITE SURVEY AND ALL NECESSARY APPROVALS.



PROPOSED NEW DIGITAL DISPLAY MEASURING WILL BE TO 10.50M X 3.50M
AT 149 PAYNEHAM ROAD, ST PETERS SA 5069 (LOT 500 PLAN 16829)

PHOTO AND PHOTOMONTAGE

Date	September, 2022	PLAN & ELEVATION			
Draw by	LF	Drawing No.	Date	Rev	Rev
Scale	NTS	230922-4/5	Sep22	Dec22	Apr23
Drawing No.	230922-4/5	Drawn: LF			
Job No.	SA-PET-0922				



PROPOSED OUT BOUND VIEW



EXISTING OUT BOUND VIEW

NOTE: STRUCTURE INDICATIVE AND SUBJECT TO DETAILED SITE SURVEY AND ALL NECESSARY APPROVALS.



PROPOSED NEW DIGITAL DISPLAY MEASURING WILL BE TO 10.50M X 3.50M
AT 149 PAYNEHAM ROAD, ST PETERS SA 5069 (LOT 500 PLAN 16829)

PHOTO AND PHOTOMONTAGE

Date	September, 2022	PLAN & ELEVATION			
Draw by	LF	Drawing No.	Date	Rev	Rev
Scale	NTS	230922-5/5	Sep22	Dec22	Apr23
Drawing No.	230922-5/5	Drawn: LF			
Job No.	SA-PET-0922				



February 16, 2023

Mr Terry Mosel, Presiding Member
Council Assessment Panel for the City of Norwood, Payneham and St Peters
Via PlanSA Portal

Level 1, 74 Pirie Street
Adelaide SA 5000
PH: 08 8221 5511
W: www.futureurban.com.au
E: info@futureurban.com.au
ABN: 76 651 171 630

Dear Mr Mosel,

PLANNING STATEMENT – LED ADVERTISING SIGN (149 PAYNEHAM ROAD, ST PETERS)

We act for Twenty Four Outdoor Australia Pty Ltd ('client').

Our client seeks planning consent to erect an LED advertising display and architectural columns on the roof of the existing building at 149 Payneham Road, St Peters ('site').

The purpose of this planning statement is to describe the site, its surroundings and the proposal, and to assess the proposal against what we consider to be the most pertinent policies of the Planning and Design Code ('the Code').

Proposal

Our client intends to partially change the use of the land by erecting an LED advertising screen which will display third-party content as well as content related to the existing use of the land. The details of the proposal are described in more detail below:

- Billboard dimensions 12.0m (wide) by 3.0m (tall) by 1.0m (depth)
 - » Advertising area measuring 36m²
 - » Overall height measuring 9.2m (top of sign)
- 7 x architectural columns measuring 1.65m – 4.5m in height with a depth and width of 0.46m.

The proposed LED advertising screen and architectural columns will be attached to the roof of the existing building on the site which is currently occupied by Ultra Tune and used as a motor repair station.

Procedural Matters

At the time of preparing this statement, the relevant version of the Planning and Design Code was gazetted and subsequently consolidated on February 2, 2023 (Version 2023.2).

Due to amendments, the version of the Code used to prepare this letter may not be the relevant version at the time of lodgement of the application. To the extent of any inconsistency, the version of the Code at the time of lodgement will be relevant for the processing and assessment of the application.

The subject site is within the Suburban Activity Centre Zone ('the Zone').

Verification

For the purposes of regulation 31(1)(a), (b) and (c) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the following applies:

Table 1 *Verification snapshot*

Verification matter	Comment
Nature of Development	Partial change in use for third party advertising (LED screen) and architectural columns attached to the roof of the existing building
Elements	<ul style="list-style-type: none"> • Advertisement • Other – partial change in use (third party advertising) • Other – architectural columns
Category of Development	Performance assessed
Relevant Authority	Council Assessment Panel or Assessment Manager

Referrals

Pursuant to Section 122(1) of the Act, the proposal will need to be referred to the Commissioner of Highways in accordance with the Procedural Matters for the Advertising Near Signalised Intersections Overlay, given that:

- the advertisement is within 100m of a signalised intersection; and
- the advertisement will be internally illuminated.

Public Notification

Pursuant to section 107(6) of the Act, the Code may exclude specified classes of development from the requirement to undergo public consultation. Accordingly, Table 5 of the Zone provides the following:

Table 1.1 *Table 5 – Procedural Matters (excerpt)*

Class of Development (Column A)	Exceptions (Column B)
<p><i>Any development involving any of the following (or of any combination of any of the following):</i></p> <p>a) <i>advertisement</i></p>	<p><i>Except development that does not satisfy any of the following:</i></p> <ol style="list-style-type: none"> 1. <i>Suburban Activity Centre Zone DTS/DPF 3.1</i> 2. <i>Suburban Activity Centre Zone DTS/DPF 3.2</i>

Having considered the above, we confirm that the proposal does not require public notification for the below reasons:

- The proposal does not exceed a height of 2 levels (Zone DTS/DPF 3.1).
- The site is 'adjacent land' to land within the Established Neighbourhood Zone, however:
 - » The proposal satisfies Zone DTS/DPF 3.2

Relevant Authority

Pursuant to Section 93(1)(a) of the Act, the Council Assessment Panel is the relevant authority for the assessment and determination of the application.

Notwithstanding the above, we note that pursuant to Regulation 22(a)(ii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the Council's Assessment Manager may act as the relevant authority where a development is exempt from the requirements in Section 107(3) of the Act to give notice of the application.

Given that the proposal is exempt from notification, we encourage the Council's Assessment Manager to act as the relevant authority.

Site and Locality

Site

The site is located in the northern quadrant of the intersection between Payneham Road, Stephen Terrace and Nelson Street, is irregular in shape and has a total area of approximately 1,060m².

The site has frontage to Stephen Terrace (48.04 metres), Payneham Road (23.05 metres) and First Land (18.55m), and although the site's postal address references Payneham Road, the existing building on the site is orientated such that Stephen Terrace is considered to be the primary road frontage.

The existing use of the land is comprised of a 'motor repair station' (Ultra-Tune), and a 'consulting room' (Podium Physio). Both uses are contained within the existing building which has a total floor area measuring 335m².

On-site vehicle parking is provided in-front of the existing building along the Stephen Terrace frontage. The perimeter of the site contains landscaping, typically in the form well maintained shrubbery together with three trees including a Eucalyptus which appears to be a significant tree.

Figure 2 *Site – looking east from main intersection*



Figure 3 *Site – view from Stephen Terrace looking east*



Locality

The locality is predominately characterised by a variety of commercial activities in an assortment of built forms that are largely discordant, but nonetheless 'low-rise' in nature.

Local character is heavily influenced by the intersection between Payneham Road, Stephen Terrace and Nelson Street (all 3 are State Maintained roads), the obvious commercial nature of existing land uses including the Avenues Shopping Centre.

The locality is influenced by existing advertisements in a variety of styles including illuminated and non-illuminated signs, both free-standing and attached to buildings as shown in the below figures.

Figure 4 *The Avenues Shopping Centre*



Figure 5 *Mr Dishwasher*

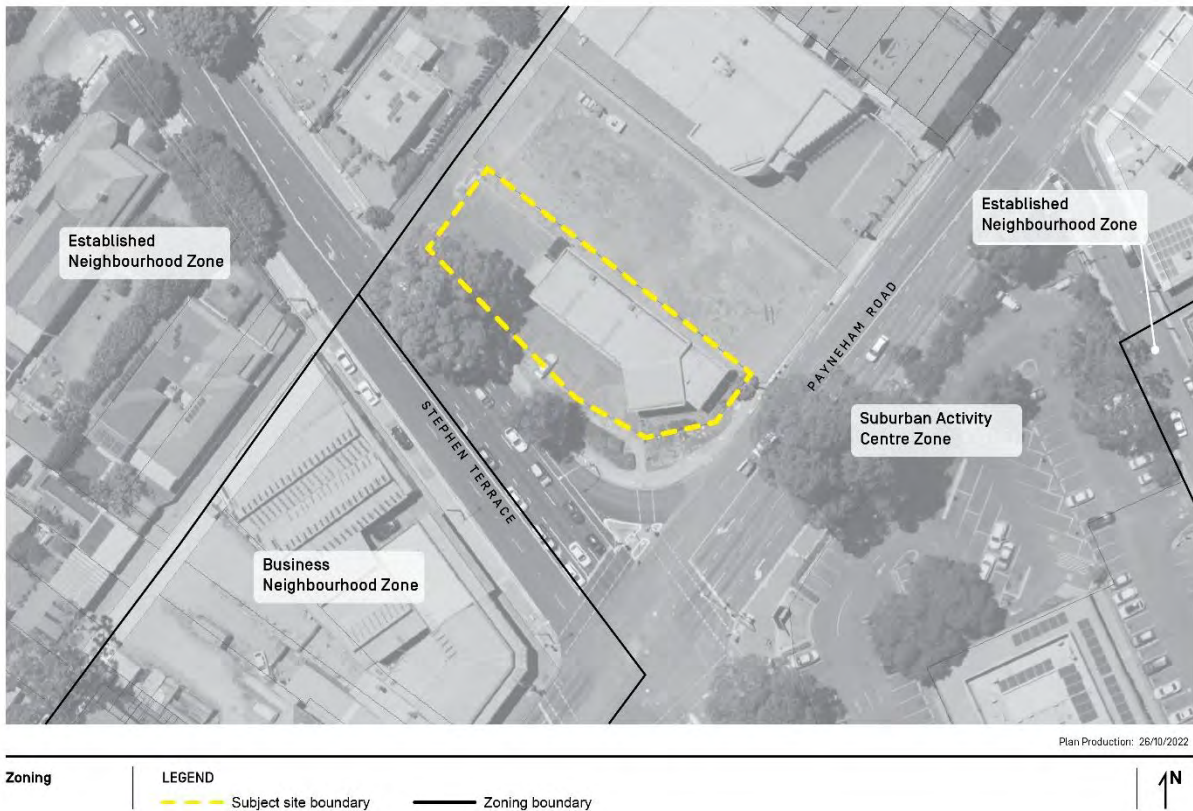


Figure 6 *Luxe Bathware*



Figure 7 *Add Value*



Figure 8 *Site and Locality map*

Assessment against Planning and Design Code

The subject site is situated within the Suburban Activity Centre Zone.

Table 3 of the Zone lists 'advertisement' as a class of development for which the Code automatically assigns policies for performance assessed development. Accordingly, the following overlays apply to a proposal for an 'advertisement' upon the subject site:

- Advertising Near Signalised Intersections Overlay
- Airport Building Heights (Regulated) Overlay
- Future Road Widening Overlay

The following modules in *Part 4 – General Development Policies*, are identified in Table 3 of the Zone as applying to an 'advertisement' upon the subject site:

- Advertisements
- Clearance from Overhead Powerlines
- Infrastructure and Renewable Energy Facilities

Further to the above, I note that the other elements of the proposal (i.e. partial change of use and architectural columns) are not identified in Table 3 of the Zone. As such, they are properly designated as 'All Other Code Assessed Development' and are to be assessed against all relevant policies in the Code.

Having undertaken an assessment of the proposal against the relevant Code policies, we submit the following comments:

Use of Land

The display of third-party advertising constitutes a partial change in use of the land. As such, it is important to acknowledge the primary desired outcome for the Zone, which is described in DO 1 as follows:

DO 1 *An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community.*

Accordingly, we contend that the proposed partial change in use of the land for the display of third-party advertising is a reasonable land use outcome for site for the following reasons:

- The primary intent of the Zone is for ‘an active commercial precinct’. We assert that the display of third-party advertising is, in essence, a commercial activity.
- Although the advertising content will change from time to time, it is intended that the sign will display content such as community messaging (e.g. government health and safety campaigns), as well as other third-party goods and services.
- The proposed advertising supports the continuation of the existing use of the land which includes a ‘motor repair station’ (Ultra-Tune), and a ‘consulting room’ (Podium Physio), nor will it prohibit future changes in use of these tenancies.

We further note that in *Keast v City of Marion [1999] SAERDC 74*, Commissioner Hutchings held that:

“in general, the message is not the issue. A message advertising a product or service available on the land on which a hoarding may be erected can be just as offensive in terms of its visual impact as one advertising a generic product or service. What is at issue is the size, height, shape etc of the hoarding”.

In addition to the above, in *A & A Centofanti Pty Ltd v City of Port Adelaide Enfield [2009] SAERDC 8* at 42), Commissioner Hamnet stated:

“...third party advertisements clearly have a place in the urban environment and one looks to Development Plans to provide guidance on where that place might be.”

In a general sense, the Code seeks to guide advertisements away from those parts of urban areas, such as residential areas, parks and recreation areas and precincts of particular visual qualities, to those zones where trade and commerce take place; ie, where goods and services are promoted and sold. As such, we contend that the Zone is ostensibly one in which the Code envisages advertisements, including those with third-party content.

Appearance and Character

In zones where advertising is generally considered appropriate, the Code seeks to ensure that the size, height and shape of advertising hoardings is of a scale that complements the desired outcomes and built form character of the particular commercial locality.

Having previously established that third-party advertising is a commercial use of land that accords with the outcomes sought by DO 1 of the Zone, we take further guidance from the following Code policies:

Part 4 - Advertisements

DO 1 *Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.*

PO 1.1 *Advertisements are compatible and integrated with the design of the building and/or land they are located on.*

PO 1.2 *Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.*

PO 2.1 *Proliferation of advertisements is minimised to avoid visual clutter and untidiness.*

PO 2.2 *Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.*

PO 2.3 *Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.*

PO 3.1 *Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.*

Having considered the above policies it important to draw attention to POs 1.2 and 2.3 which use the word 'proliferation'. Notably, POs 1.2 and 2.3 say that 'proliferation' should be 'minimised', not that proliferation should be avoided. It seems apparent to our reading of the Code that there is a degree of acknowledgement that, particularly in urban environs, some proliferation of advertisements will occur, and that it is ultimately unavoidable.

Our reading of the locality surrounding the Payneham Road, Stephen Terrace and Nelson Street intersection is that it is stridently commercial and contains a conglomeration of private business and public infrastructure paraphernalia typical of such locales. Advertisements are a given in such areas including some degree of proliferation.

Accordingly, we consider there to be two primary factors that contribute to the reading of advertisements within the local context, with the first of those factors being the size, shape and location of existing advertisements and the second being views from moving vehicles and pedestrians. To that end, existing advertisements within the locality typically fall within the following three categories:

- **Category 1:** window displays.
- **Category 2:** attached to building facades and within the road reserve (i.e. traffic signs and A-frame hoardings)
- **Category 3:** attached to and above parapets and rooflines, and free-standing pylons on private land.

From a moving vehicle, the array of advertisements within Category 1 is such as to make them almost meaningless. Advertisements in Category 2, with their bold lettering and colours, while more obvious, are subject a degree of obstruction due to building shapes, moving and parked vehicles, fences and



traffic/lighting poles. Advertisements within Category 3, typically have precise, simple shapes with messaging that can be clearly seen with little or no obstruction.

The addition of one advertising screen in the form of that proposed is considered to be acceptable in this context, further noting that:

- The proposed vertical feature blades support the integration of the LED screen with the architectural form of the existing building and will contribute to an overall improved built form presentation to the streetscape (PO 1.2).
- The advertisement will be clearly separated from other advertisements in the locality so that its messages can be read clearly and without confusion, whilst avoiding clutter and untidiness (PO 2.1 and PO 2.3)
- The LED screen creates opportunity for co-location of advertisements including goods and services offered from the site, government messaging, and third-party products and services (PO 2.2).
- My reading of PO 3.1 is such that the policy, whilst it has preference for advertisements that relate to the use of the land, does make provision for third-party advertisements (i.e. unrelated content) provided they do not contribute to visual clutter and untidiness. To that end, I note the following:
 - » *Macquarie Australian Dictionary Eighteenth Edition*
 - *Clutter: 1. to fill (a place) in a disorderly fashion with too many objects 6. Confusion; disorder.*
 - *Untidy: 1. Not tidy or neat; slovenly; disordered.*
 - » The proposed advertisement will not clutter the local environment given that:
 - it is integrated with the existing building through the use of architectural features and represents orderly development of the site.
 - it is noticeably separate from other signs on the site, and the surrounding locality, such that there will not be too many objects within localised viewing apertures.
 - it is visually distinctive and will display high resolution images so as to not introduce elements of confusion or disorder.
 - » The proposed advertisement will not make the locality appear untidy given that:
 - it is a high-quality LED screen that will display high resolution imaging that will be clear to read and interpret
 - it will be neatly integrated with the existing building and proposed architectural blades, and generally improve the visual appearance of the site.
 - it will not disorder the site in any way.

Further to the above, when considering the relevant Code policies, we suggest that the distillation of their main thrust and intent can be summarised in the below key points – Advertising should:

- be consistent with the envisaged character of the zone;
- be appropriate to the character of the locality and urban landscape;
- not disfigure the urban environment;
- not detrimentally affect the character of any area;
- not detrimentally affect the amenity of the zone, the area or the locality; and
- not have an adverse impact on the amenity of adjacent land uses.



In consideration of these main themes, we opine as follows:

- The proposal is consistent with the character of the locality which is heavily influenced by the following:
 - » the Avenues Shopping Centre which includes various forms of advertising including a number of illuminated fascia signs and a free-standing pylon sign.
 - » the cluster of commercial tenancies located at the road junctions, noting that these commercial premises contain a variety of advertising displays.
 - » the 'strip' of commercial tenancies along Payneham Road, and to a lesser extent Nelson Street, which includes a variety of advertisements including illuminated advertisements above roof lines (Mr Dishwasher at 155 Payneham Road) and free-standing illuminated signs (OTR at 90-104 Payneham Road).
- Existing advertisements within the vicinity of the site individually and collectively contribute to an urban environment that is overtly commercial in nature, and as such, the proposal is appropriate within this local context, further expressing its commercial nature.
- The proposal is considered to be sufficiently compatible with the surrounding built form and would not disfigure the land upon which it is proposed or the locality, and is of a scale and size that is appropriate.
- The size, shape and general appearance of the proposed sign is not inconsistent with the urban form within the locality, which includes two State Maintained roads in Torrens Road and Hanson Road, and will not proliferate, visually clutter or cause the respective streetscapes to become untidy.

Assessment policies:

Zone DO 1 and PO 1.1.

Part 4 – Advertisements DO 1, PO 1.1, PO 1.2, PO 2.1 PO 2.2, PO 2.3 and PO 3.1.

Safety

Our client engaged expert traffic engineering firm, Cirqa to assist with the design and siting of the proposal and to prepare a Traffic Impact Assessment ('TIA') to demonstrate compliance with the safety requirements of the Commissioner of Highways, and relevant Code policies.

Whilst we largely defer to the technical assessment provided in the TIA prepared by Cirqa, we submit that the proposed advertisement will contribute to a safe environment for drivers and pedestrians on account of the following:

- The placement of the proposed sign (in an elevated position) will not impede, nor restrict any vehicle, pedestrian or cyclist movements within the subject site nor on the adjacent roads.
- The sign will be clear of aligning with any signal lanterns or traffic control devices (relevant to approach movements from the southern side of Payneham Road and from Nelson Street) for 10 of the 11 assessment locations identified in the TIA.
 - » Cirqa advise that the 1 alignment with a signal array is acceptable (40m south of the Payneham Road stop bar 'southern approach') and will have a minimal impact on the conveyance of traffic control information.
- Although a driver's concentration is always on demand, the local traffic conditions are not considered to demand 'high' levels of concentration, noting that the Payneham Road, Stephen Terrace and Nelson Road speed limits are less than 80km/h.



The brightness of the LED Screen is measured in nits or candela per square metre. A nit is a unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter (Cd/m²). Nits are used to describe the brightness of computer displays, such as LCD and CRT monitors.

Whilst the LED sign has the capability to display 7,000 nits (cd/sqm) the software used in the display allows the supplier to set maximum and minimum brightness levels based on the weather conditions – typically a sunny day, cloudy day, dawn & dusk, and night-time brightness levels.

The sign automatically adjusts to climatic conditions and time of day through an auto brightness controller. Two brightness controllers are installed to ensure that if one fails, the other can take over ensuring that the brightness control functionality is not compromised. In the unlikely event that both controllers fail, the software has a time-based failsafe meaning the brightness will revert to pre-set parameters based on time of day (for example, if it is 10pm the screen cannot go above 2% brightness irrespective of the brightness sensor readings). And, finally if all of the above fails, the system is set to automatically dim to 2 percent brightness, so as to minimise any likely or perceived hazard to passing motorists/pedestrians.

Every development approval for a digital advertising board typically contains maximum brightness levels as part of the conditions. Speaking broadly, these would include a maximum daytime brightness of, typically, 6000-6300 nits (cd/m²) and a night-time brightness of, typically 200-300 nits (cd/m²). The supplier of the screen then sets these as the maximum brightness levels *based on a 100% white image*. This means that the screen would only read at that maximum brightness if a 100% white image was displayed - so, a-blue background, for example, would read significantly less than that maximum.

A professional graphics team will generate and control sign content to ensure the screen and advertising content will always appear to be of high graphic standard to give the impression of a poster rather than a pixelated, low-quality screen. The screen will promote static advertising with no motion or video content. Maintaining this high quality is in the best interests of the advertising agencies and advertisers, and will ensure no deleterious impacts on drivers.

Assessment policies:

Advertising Near Signalised Intersections Overlay DO 1 and PO 1.

Part 4 – Advertisements DO 1, PO 5.2, PO 5.3, PO 5.4, PO 5.5 and PO 5.6.

Conclusion

From the assessment undertaken, it is considered the proposed partial change in the use of the land, the LED advertisement and architectural blades, represents an appropriate for of development for the site, and will not create any unreasonable impact upon the character or amenity of the local area.

The proposal is worthy of consent for the following reasons:

- is orderly and economic;
- is well designed and sited in respect to its setting;
- will make a positive contribution to the streetscape and local character;
- is in general accord with the overall intent and purposes of the Suburban Business Zone and the Code as a whole.

Should you have any questions, please do not hesitate to connect our office.



Yours sincerely,

A rectangular box containing a handwritten signature in black ink, which appears to read "Jason Cattonar".

Jason Cattonar
Associate Director

Appendix 1 *Plans and elevations*
Appendix 2 *Traffic Impact Assessment*

Ref: 22525|BNW

17 January 2023

Mr Jason Cattonar
Future Urban Pty Ltd
Level 1, 74 Pirie Street
ADELAIDE SA 5000

Dear Jason,

LED ADVERTISING SIGNAGE 149 PAYNEHAM ROAD, ST PETERS

I refer to the proposal to install a LED advertising sign at 149 Payneham Road, St Peters. As requested, I have undertaken an assessment of the proposal in respect to traffic safety considerations. This letter summarises the assessment undertaken.

1. BACKGROUND

1.1 SUBJECT SITE

The subject site is located at 149 Payneham Road, St Peters. The site currently accommodates single storey commercial building. The Planning and Design Code identifies that the site is located within a Suburban Activity Centre Zone.

1.2 ADJACENT ROADS

The site is located adjacent the northern corner of the intersection of Payneham Road/Stephen Terrace/Nelson Street. All of these roads are arterial roads under the care and control of the Department for Infrastructure and Transport (DIT). Adjacent the site, each of the roads generally comprise two through bound lanes with additional turn lanes provided at their signalised intersection. A 60 km/hr speed limit applies on these adjacent roads. Traffic data recorded by DIT indicates the following daily traffic volumes on the adjacent roads:

- Payneham Road (north of intersection) – 34,500 vehicles per day (vpd);
- Payneham Road (south of the intersection) – 31,500 vpd;
- Stephen Terrace – 21,100 vpd; and
- Nelson Street – 19,600 vpd.

The three roads form a four-way intersection adjacent the site. The intersection is controlled with traffic signals and includes signalised pedestrian crossings on each leg.

2. THE PROPOSAL

The proposal comprises the installation of an electronic LED advertising sign (approximately 3.0 m high by 12.0 m wide) on top of the existing building within the site. The bottom of the sign will be 1.46 m above the top of the existing building (this height has been identified to avoid alignment of the signal with one of the primary signal lanterns facing northbound traffic on Payneham Road).

The sign will be approximately 45 m from the centre of the adjacent signalised intersection. The sign will face south-east (i.e. visible to northbound drivers on Payneham Road and westbound drivers on Nelson Street) and will not display images/advertising to drivers travelling east on Stephens Terrace or south on Payneham Road.

3. ASSESSMENT

The proposed sign has generally been assessed against the requirements of (the then) DPTI's *"Advertising Signs Assessment Guidelines for Road Safety"* (2014). However, during other recent signage applications, DIT has advised that the location/siting requirements identified in the DPTI guidelines do not need to be adhered to. Notably, DIT has generally requested a review be undertaken of the position of such signage in relation to any traffic control devices (such as traffic signal lanterns) from driver view points measured at 40 m and 80 m from the adjacent (relevant) approaches' Stop lines. The assessment for the views at these locations are discussed in Section 3.3 below. The other aspects of the assessment are as per the requirements of the guidelines and also detailed below.

3.1 CRASH RISK

Crash data has been obtained from DIT for the adjacent roads for the most recent available 5-year data set (between 2017 and 2021 inclusive). The data indicates that, in the vicinity of the site, there have been 28 crashes at the intersection of Payneham Road/Stephens Terrace/Nelson Street. Additional mid-block crashes have also been reported on the Payneham Road approaches and the Stephen Terrace approach (with no midblock crashes reported on Nelson Street in the vicinity of the intersection).

In respect to the crashes reported at/within the intersection, the predominant crash types were 'right turn' (43%) and 'rear end' (25%). The majority of crashes resulted in 'property damage only' (66%) with 31% of crashes resulting in injury and one crash (3%) resulting in a serious injury. No fatalities have occurred at the intersection within the noted timeframe.

In respect to the crash statistics for the mid-block approaches, data has been reviewed for the southern leg of Payneham Road (given drivers on this section would be able to view the proposed advertising sign). The other legs have not been considered as the sign

will either not 'present' to drivers on the western and northern approaches and, in the case of Nelson Street, no crashes have been identified in proximity to the intersection.

Within 80 m of the site (the approximate distance for which the sign would be visible to approach drivers on the southern approach of Payneham Road), there have been 11 crashes of which 9 resulted in 'property damage only' and 2 resulted in injury. Six of the crashes were 'rear end' crashes and 4 were 'side swipe' crashes.

3.2 LOCATION, PLACEMENT AND CLEARANCE

As noted above, it is proposed that the advertising sign be installed on the roof of the existing building at 149 Payneham Road (as illustrated on plans provided by the applicant). The new advertising sign is proposed to be 3.0 m high by 12.0 m wide.

In respect to vertical clearance requirements, pedestrians (or vehicles) will not travel directly underneath the sign (as it will be on the building). No vertical clearance requirements are therefore applicable.

3.3 ROAD TRANSPORT INFRASTRUCTURE

The placement of the proposed sign (in an elevated position) will not impede, nor restrict any vehicle, pedestrian or cyclist movements within the subject site nor on the adjacent roads.

As above, DIT typically requests review of a sign's impact against a drivers' view/sight line at specific locations within the approach lanes to the sign. Specifically, DIT requests review of the impacts at points measured 40 m and 80 m from the Stop bar for each approach lane (for which the sign would be visible). Montage images have therefore been prepared for these locations for the southern Payneham Road approach and the Nelson Street approach (refer attached images).

Based on the images for the various assessment locations, the following comments are noted in reference to the DIT criteria:

- **Payneham Road (southern approach)**
 - 40 metres south of the Stop bar – western lane – sign is clear of all signal lanterns or other traffic control devices (and largely blocked by existing buildings);
 - 40 metres south of the Stop bar – central lane – sign is clear of all signal lanterns or other traffic control devices (and largely blocked by existing buildings);
 - 40 metres south of the Stop bar – eastern (right turn) lane – sign aligns with a signal lantern array (refer below for further discussion);
 - 80 metres south of the Stop bar – western lane – sign is clear of all signal lanterns or other traffic control devices (and largely blocked by existing buildings);

- 80 metres south of the Stop bar – eastern lane – sign is clear of all signal lanterns or other traffic control devices (and largely blocked by existing buildings);
- **Nelson Street (eastern approach)**
 - 40 metres east of the Stop bar – southern lane – sign is clear of all signal lanterns or other traffic control devices (facing drivers on this approach);
 - 40 metres east of the Stop bar – central lane – sign is clear of all signal lanterns or other traffic control devices (facing drivers on this approach);
 - 40 metres east of the Stop bar – northern (right turn) lane – sign is clear of all signal lanterns or other traffic control devices (facing drivers on this approach);
 - 80 metres east of the Stop bar – southern lane – sign is clear of all signal lanterns or other traffic control devices (facing drivers on this approach);
 - 80 metres east of the Stop bar – central lane – sign is clear of all signal lanterns or other traffic control devices (facing drivers on this approach);
 - 80 metres east of the Stop bar – northern (right turn) lane – sign is clear of all signal lanterns or other traffic control devices (facing drivers on this approach);

The sign will therefore be clear of aligning with any signal lanterns or traffic control devices (relevant to approach movements from the southern side of Payneham Road and from Nelson Street) for 10 of the 11 assessment locations. Of the assessed locations, there will only be alignment of the proposed sign with a signal lantern array at the 40 m distance in the right turn lane on the southern Payneham Road approach. However, the impact of this 'alignment' is considered minimal as:

- from this point, the sign will be outside of the 10° to 12° primary driver viewing angle (5° to 6° angle from the 'centre line' of the driver's view);
- similarly, the 'aligning' signal array will also be 9.7° from the centre line of a driver's view in this position on Brighton Road. Again, this would be outside the primary field of view for a driver in this position. Therefore, it is much more likely that a driver within the right turn lane (on the southern Payneham Road approach) would focus attention on the other three signal lanterns which have 'tighter' observation angles at this point;
- the 'conflicting' signal lantern does not include lanterns for the right turn movement and therefore drivers in the right turn lane are unlikely to rely on this array. The other lanterns on the north-eastern corner (including the mast arm array) provide the right turn arrow lanterns and these do not conflict with the proposed advertising sign;
- the proposed sign will be approximately 99 m at its closest point to the subject driver position whereas the 'aligning' signal lantern is 45 m from the driver position (and in front of the sign). Assuming adoption of the relevant luminance provisions (and other relevant operating characteristics detailed below), the signal lantern array would be much more conspicuous to drivers than the sign at this point;

- there is a “target board” surrounding the subject signal lanterns. “Target boards” provide black surrounds around the perimeter of signal lanterns enhancing the prominence of the lanterns for road users. I note that expert witness advice has previously been provided by Mr Damien Bitzios (traffic engineer) to the Environment, Resources and Development (ERD) Court including a similar conclusion in respect to the possible provision of a target board on a signal array to minimise the impact of a proposed LED billboard [*Ooh! Media Pty Ltd v Corporation of the City of Adelaide, 2017*].

I therefore consider that the impact of the proposed sign on the conveyance of traffic control information on approach to the intersection would be minimal.

3.4 PHYSICAL CHARACTERISTICS

The DPTI Guide details physical characteristics of the sign related to its size, shape, colour and message type. As noted above, the sign is proposed to be 3 m wide and 12 m high which is within a typical range of sizes associated with such advertising signs.

In relation to content, specific details are not available at this time (and will change over time with individual advertisements). However, to ensure conformance with DPTI’s guide, the following provisions are considered appropriate:

- advertisements shall not contain shapes or primary colours of red, amber (yellow) or green which, in combination, could potentially be mistaken for traffic control devices;
- advertisements displayed shall be highly legible to ensure interpretation as quickly and concisely as possible. This shall be achieved by advertisements being contained within a single, self-contained message that is not spread across multiple images/ photographs; and
- advertisements shall comply with the requirements of all current industry standards and codes of content and shall not contain salacious, illegal or controversial messages.

3.5 ILLUMINATION, REFLECTIVITY AND MOVEMENT

The proposed advertising sign shall be equipped with the following features:

- adaptive dimming to suit changes in ambient light levels (this will prevent the sign from ‘dazzling’ motorists on the adjacent roads);
- error detection system to detect when a system malfunction occurs (this will trigger the display to turn off or display a blank black screen if malfunction occurs); and
- appropriate software security (preventing against hacking or unauthorised modification of messages on the display).

The proposed advertising sign shall be configured to automatically adjust luminance levels in accordance with Table 4 of DPTI's Guide. Similarly, the proposed sign shall not exceed the maximum veiling luminance levels illustrated in Table 5 of DPTI's Guide. Copies of Tables 4 and 5 from DPTI's "Advertising Signs Assessment Guidelines for Road Safety" are attached to this letter.

In regard to movement, the proposed advertising sign is proposed to display static messages/advertisements (i.e. no videos or animations) with dwell times in the order of 45 seconds (as per DPTI's Guide).

The messages shall not contain flashing, revolving, pulsating or intermittent lights/images). Advertisements shall transition instantaneously (within 0.1 seconds of one another) and shall not contain transition effects (i.e. fade, zoom, fly-in etc.). Individual advertisements shall not contain moving, flashing, scrolling or rotating messages, nor shall they be sequential (i.e. an individual message spread across several static images).

4. PLANNING AND DESIGN CODE

The Planning and Design Code identifies that the 'Advertising Near Signalised Intersections' Overlay applies to the subject site. The Deemed-to-Satisfy (DTS) Criteria/Designated Performance Feature seek that:

"Advertising:

(a) is not illuminated

(b) does not incorporate a moving or changing display or message

(c) does not incorporate a flashing light(s)."

The proposal will not wholly meet the DTS/DPF criteria in that it will be illuminated and the display/message will change (albeit it will not be a moving display/message nor will it incorporate a flashing light). In respect to the illumination, this is an important aspect of any advertising sign (regardless of whether it is externally or internally illuminated) to ensure that messages can be quickly viewed and interpreted by road users in low light conditions (to do otherwise could present a greater safety risk). In respect to the changing display or message, adherence to the above recommended provisions (particularly the dwell times) will effectively result in the sign presenting as a static image to passing road users.

Of particular relevance, the associated Performance Outcome seeks that:

"Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages."

Given the assessment detailed above and assuming adherence to the recommended provisions, the above Performance Outcome of the Code would be met by the proposal.

5. SUMMARY

The proposal is to install an LED advertising sign on the existing building at 149 Payneham Road, St Peters.

The proposed advertising sign has been generally assessed against the DPTI *“Advertising Signs Assessment Guidelines for Road Safety”* in order to determine the suitability of the proposal in regard to road safety. The proposed LED technology (i.e. luminance) and the way in which advertisements change, will satisfy the requirements stated in the guideline. Based on the review, it is considered that the operation of the proposed sign should ensure that all advertisements displayed do not feature predominant colours or shapes which could be mistaken for traffic control devices. Furthermore, all advertisements must contain constant static images (which are legible and concise), have dwell times of at least 45 seconds and must change instantaneously (within 0.1 seconds) without transition effects.

As required by DIT, the proposed location of the sign has been assessed based on an assessment of a driver’s view from various points on approach to the adjacent signalised intersection and the sign itself. The sign is entirely clear of aligning with adjacent signal lanterns (and other traffic control devices) for 10 of the 11 locations. While the proposed sign will align with one set of signal lanterns at the remaining assessment position (with the right turn lane on Payneham Road’s southern approach), this would occur outside a driver’s primary field of vision. Importantly, the lanterns which would align with the proposed sign do not include right turn arrow lanterns and therefore have little relevance to right turning drivers (noting that there is no conflict for straight through movements in the other lanes).

Assuming adherence to the relevant provisions detailed above, it is considered that the proposal should not have a significant or unacceptable risk of distraction to road users (particularly, given the existing presence of advertising signage in this location) and that it aligns with the relevant Performance Outcome of the Planning and Design Code.

Please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,



BEN WILSON

Director | CIRQA Pty Ltd

ATTACHMENT 1

PHOTO MONTAGES FROM DRIVER POSITION/EYE HEIGHT

Payneham Road (southern approach)

- 40 metres south of the stop bar – western lane



- 40 metres south of the stop bar – central lane



- 40 metres south of the stop bar – eastern (right turn) lane



- 80 metres south of the stop bar – western lane



- 80 metres south of the stop bar – eastern lane



Nelson Street (eastern approach)

- 40 metres east of the stop bar – southern lane



- 40 metres east of the stop bar – central lane



- 40 metres east of the stop bar – northern (right turn) lane



- 80 metres east of the stop bar – southern lane



- 80 metres east of the stop bar – central lane



- 80 metres east of the stop bar – northern (right turn) lane



ATTACHMENT 2

Extracts from DPTI's "Advertising Signs Assessment Guidelines for Road Safety" (August 2014):

Table 4 – Luminance levels for internally illuminated signs

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	All Colours	
		Sign Luminance (Cd/m ²) Max	Sign Luminance (Cd/m ²) Min
Sunny Day	40000	6300	2800
Cloudy Day	4000	1100	500
Twilight	400	300	200
Dusk	40	200	100
Night	<4	Site Specific Veiling Luminance or 200, whichever is the lower (refer veiling luminance calculation)	

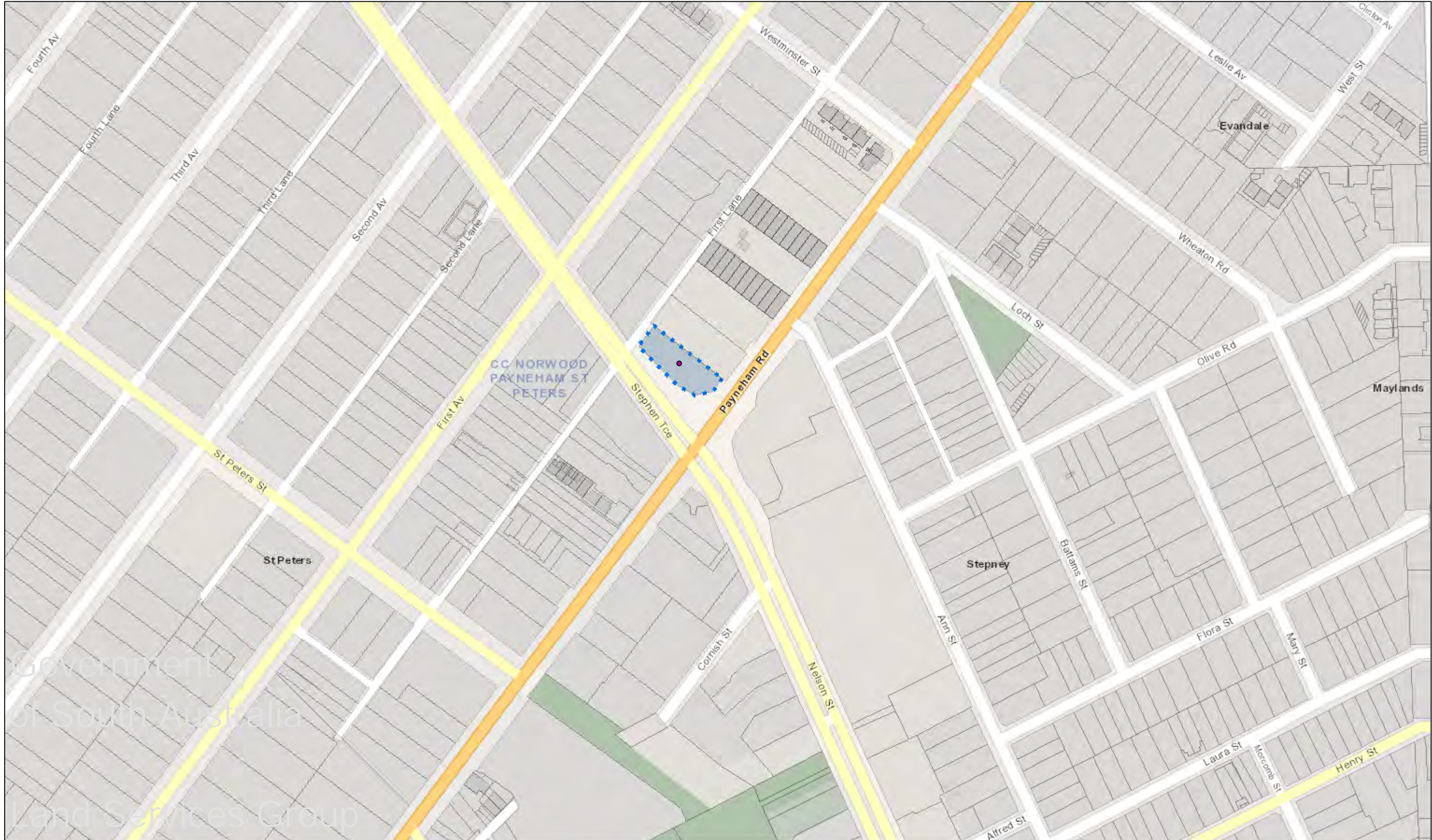
Table 5 – Maximum Veiling Luminance

Ambient Road Lighting Environment (refer AS 1158)	Average Carriageway Luminance (Cd/m ²)	Maximum Veiling Luminance (Cd/m ²)
V1	1.5	0.40
V3	0.75	0.25
V5	0.35	0.13
Unlit	0.25	0.10

SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

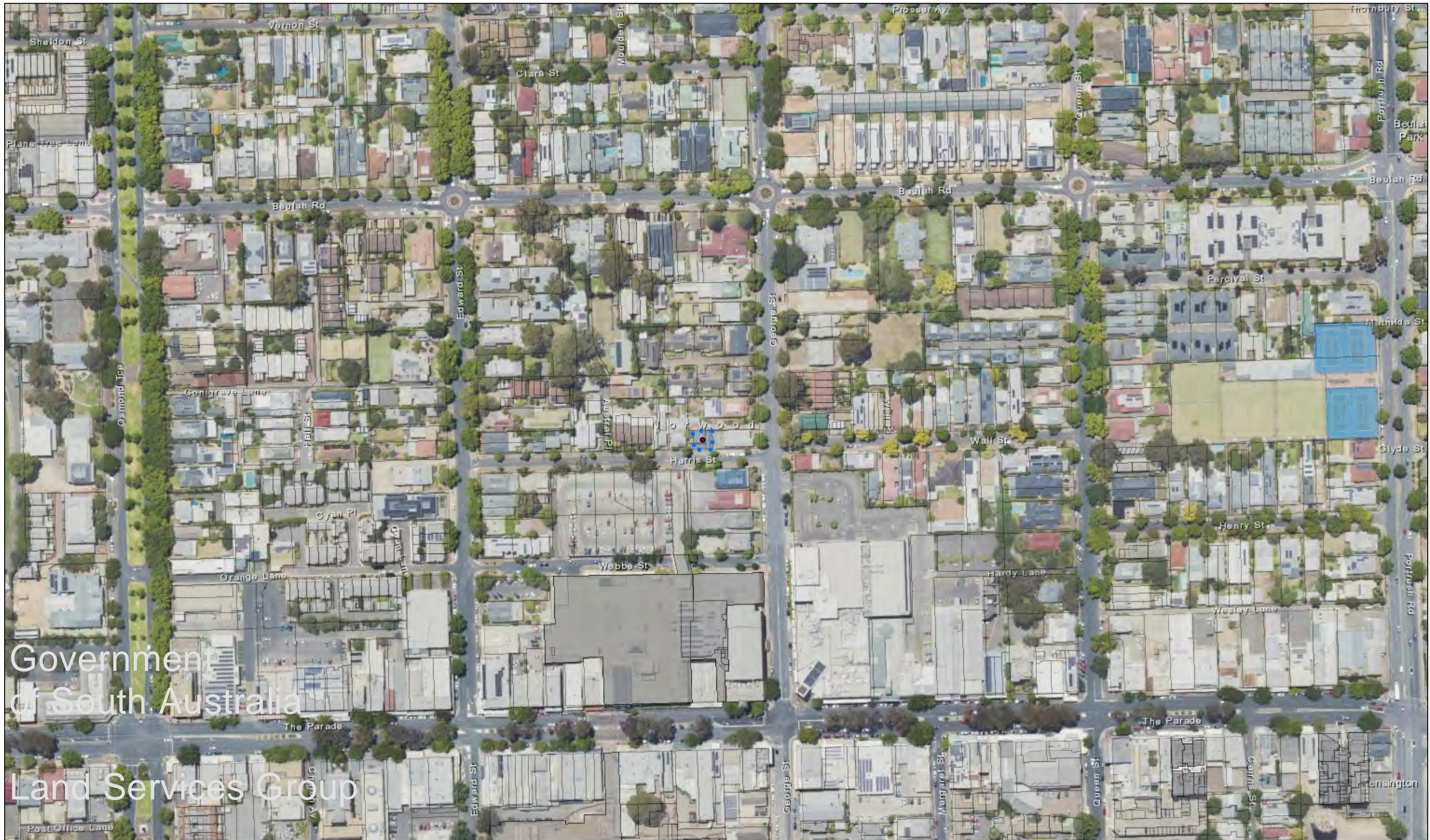
Subject Land Map



SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

Locality Map



SAPPA Report

Attachment 3

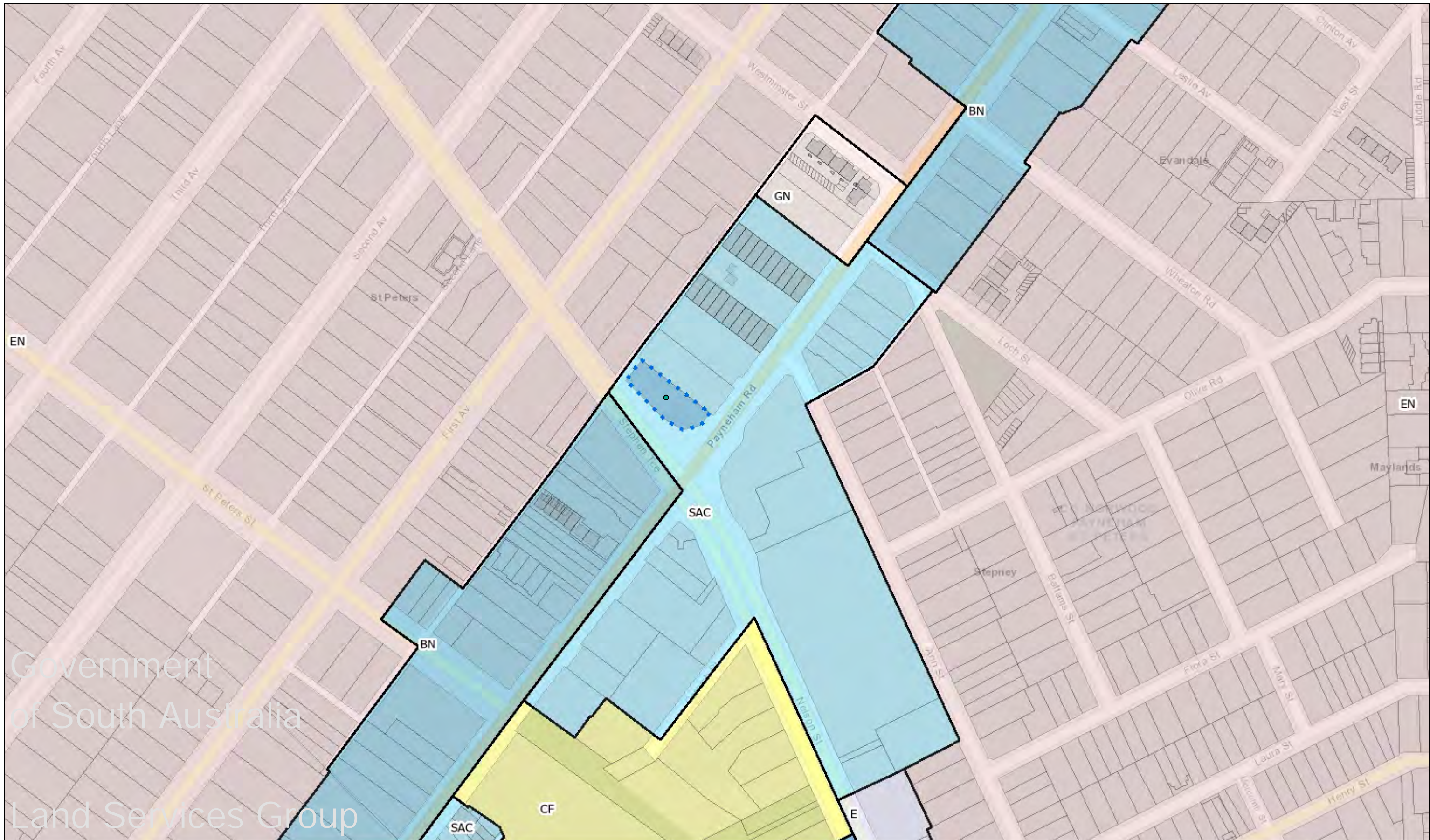
LEGEND:

- SAC Suburban Activity Centre
- EN Established Neighbourhood
- BN Business Neighbourhood
- GN General Neighbourhood
- CF Community Facilities

Date created:
June 22, 2023

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

Zoning Map



Government
of South Australia

Land Services Group

SAPPA Report

Attachment 4

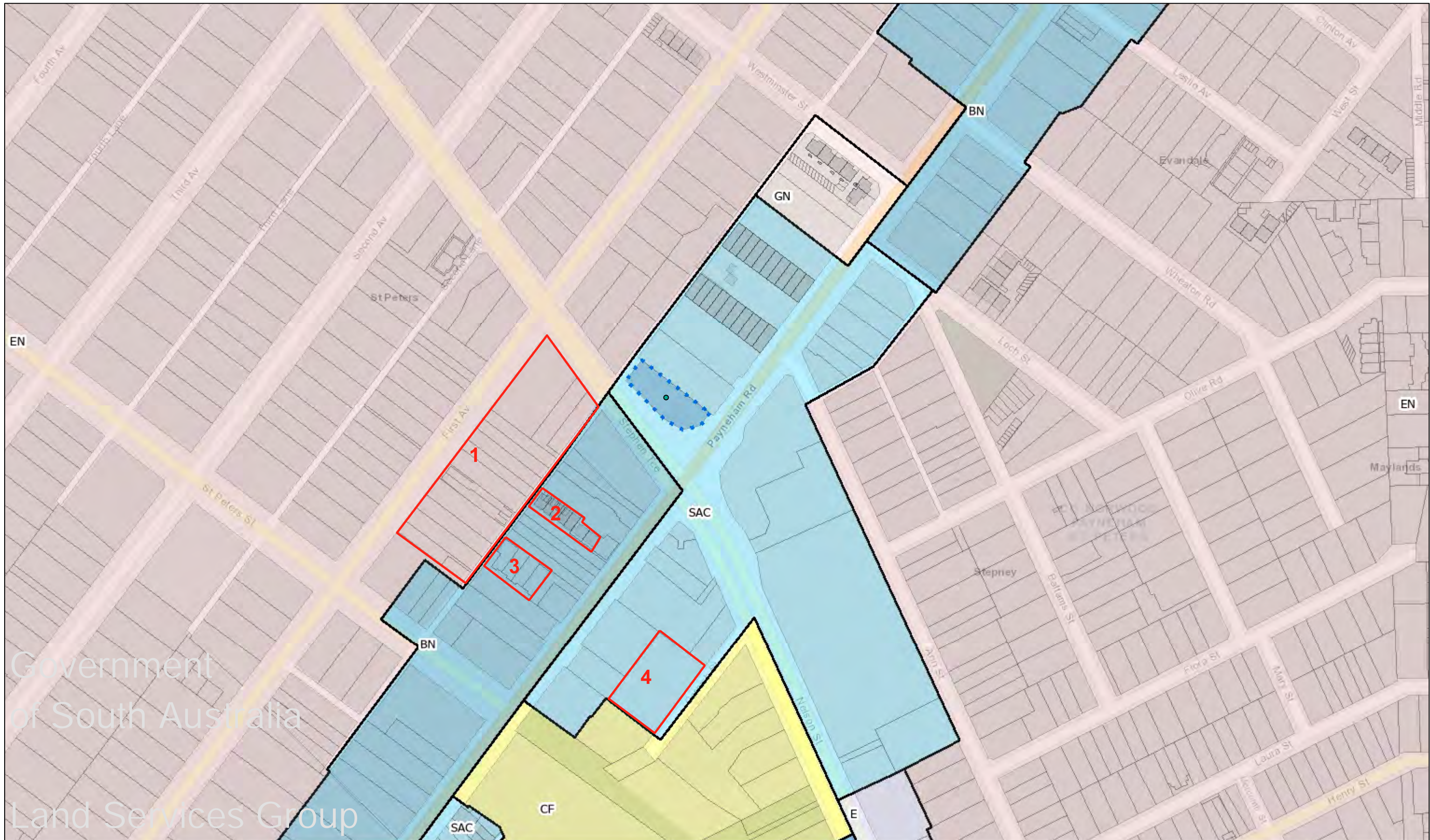
LEGEND:

- SAC Suburban Activity Centre
- EN Established Neighbourhood
- BN Business Neighbourhood
- GN General Neighbourhood
- CF Community Facilities

Date created:
June 22, 2023

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

Sensitive Receiver Map



SAPPA Report

Attachment 5

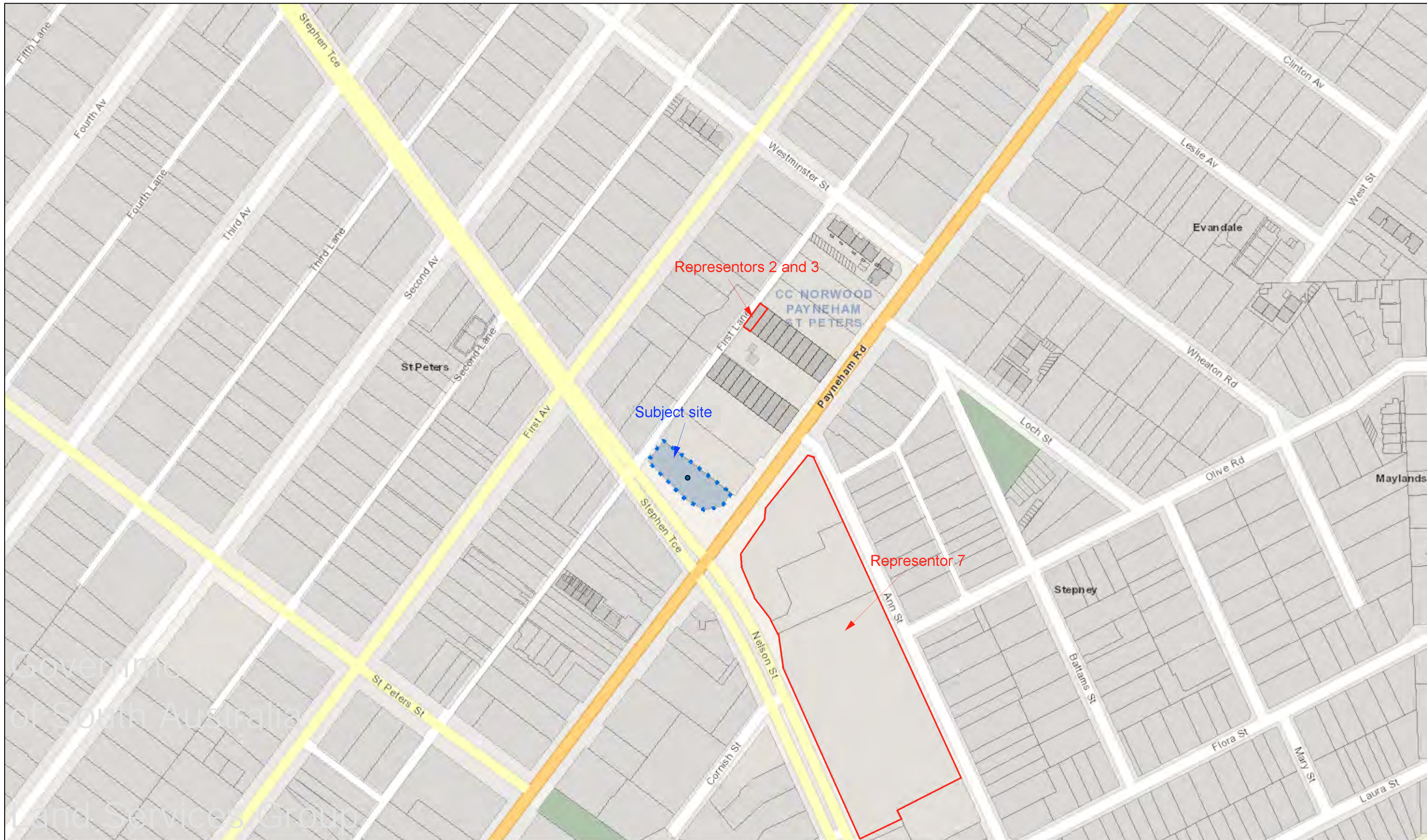
Outside of map area:

- Representor 1 - PO Box 2758 KENT TOWN
- Representor 4 - c/- 12 St Peters Street ST PETERS
- Representor 5 - 68 Third Avenue FORESTVILLE
- Representor 6 - 61 Glynburn Road GLYNDE

Date created:
November 2, 2023

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

Representations Map



Details of Representations

Application Summary

Application ID	23004466
Proposal	Partial change in use from motor repair station and consulting room to motor repair station, consulting room and third-party advertising, and construction of an LED screen and architectural columns atop the existing building
Location	149 PAYNEHAM RD ST PETERS SA 5069

Representations

Representor 1 - Thomas Mackinnon

Name	Thomas Mackinnon
Address	20 / 167-169 Payneham ST PETERS SA, 5069 Australia
Submission Date	12/06/2023 01:46 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	
General light pollution	

Attached Documents

Representations**Representor 2** - Candice Dullona

Name	Candice Dullona
Address	20/167-169 Payneham road ST PETERS SA, 5069 Australia
Submission Date	12/06/2023 02:07 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

The LED light will cause increased light pollution in the area for both drivers and residents. From what I have seen at Main North Road, the paneling can be excessively bright to the point that it will distract oncoming traffic. The proposed location of the sign is too close to the traffic lights, and speed cameras. The area where they are proposing to install the billboard is a cross road and it is a very busy road, the bright sign can distract drivers and cause more accidents in the area. Finally, the light from the sign will also bleed into the residential area, houses near the proposed led sign.

Attached Documents

Representations**Representor 3 - GG SCOTT**

Name	GG SCOTT
Address	PO BOX 2758 KENT TOWN SA, 5071 Australia
Submission Date	22/06/2023 01:02 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns
Reasons Changing signs anywhere are a distraction to motorists. This sign proposal is at an intersection of busy roads, which makes distraction more dangerous.	

Attached Documents

Representations**Representor 4** - The St Peters Residents Association Inc

Name	The St Peters Residents Association Inc
Address	c/- 12 St Peters Street ST PETERS SA, 5069 Australia
Submission Date	28/06/2023 11:28 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	
see attached document	

Attached Documents

LED-ADVERTISING-SIGN-APPLICATION-ID-23004466-1240399.pdf



ST PETERS RESIDENTS ASSOCIATION INC.

E-mail : info@stpeters.asn.au

ABN 86 794 177 385

Representing the Residents of St Peters, College Park, Hackney, Stepney, Maylands, Evandale & Joslin.

The St Peters Residents Association makes this submission in relation to the following Development Application.

Applicant:	Twenty Four Outdoor Pty Ltd C/- Future Urban Pty Ltd
Application ID:	23004466
Notified Elements:	Advertisement, Change of use & Other - Commercial/Industrial
Address:	149 PAYNEHAM RD ST PETERS SA 5069

Assessment against the Planning and Development Code (PDC).

The site lies within the Suburban Activity Centre Zone and abuts the Established Neighbourhood Zone (Historic Area Overlay NPSP20).

The site is also almost adjacent to the “Jam Factory” Local Heritage Place.

Table 3 lists ‘Advertisement’ as a class of development to which various policies apply for a Code Assessed - Performance Assessed Development.

These policies are discussed below.

Suburban Activity Centre Zone.

DO 1

An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community.

Buildings and pedestrian areas create a high quality activated public realm that is integrated with pedestrian and cycle networks and establish well-defined connections to available public transport services.”

The development will not be consistent with neighbourhood-scale activities . This large, illuminated advertising hoarding will ride roughshod over the “suburban” and “neighbourhood” focus of the Suburban Activity Centre Zone, as it targets its advertisements at large flows of vehicular commuter traffic passing through this intersection.

It will not contribute positively to a high quality activated public realm as outlined by DO 1, as it will demean the public realm, adding a tawdry over-arching commercial, visually dominating billboard to this intersection. Large obtrusive billboards, with impersonal changing displays, detract from a high-quality public realm and detract from the quality of pedestrian networks within that public realm. Pedestrians are made to feel like ants next to large obtrusive billboards which direct their advertising to mass flows of oncoming motor vehicles.

Land Use and Intensity

PO 1.1

Shops, office, - - - and other businesses that provide a range of goods and services to the surrounding neighbourhood and district.

The advertisements displayed will predominantly be of a third-party nature aimed at the broader community and not the surrounding neighbourhood and district.

Advertising of the businesses on which the hoarding will be erected will be minimal as the focus will be on third-party advertising directed at passing motorists.

Built Form & Character

PO 2.1

Development complements adjacent development within the zone, and mitigates interface impacts on adjoining residential uses in neighbourhood type zones through appropriate building siting, scale and design.

This development fails to complement adjacent development, adding to the visual clutter of the intersection and will certainly have impacts upon adjoining residential uses. The site of the development abuts the Established Residential Zone (which also has an Historic Overlay) on Stephen Terrace and First Lane.

It should also be noted that approval has been recently given by SCAP for a residential development at 151-157 Payneham Road on the adjoining vacant land and the existing “Mr Appliance” showroom, which is to be demolished.

While the illuminated face of the hoarding will not face the side windows of this new development, the backside will certainly be seen and obstruct possible views from the apartments.

Building Heights and Setbacks.

PO 3.1

Building height is consistent with the form expressed in any relevant Maximum Building Height (Levels) Technical and Numeric Variation layer and Maximum Building Height (Metres) Technical and Numeric Variation layers or is generally low rise to complement the established streetscape and local character.

The height to the top of the hoarding will be 9.7 metres above ground level. While this PO does not specify a height in metres it appears to require a maximum building height of 2 levels. If a level is assumed to be 3.5 metres, then the height of the sign is 2.2 metres more than the desired maximum.

The local character and streetscape of the locality is generally low-rise and single story. The proposed hoarding presents as two-story or greater.

PO 3.2

Buildings mitigate visual impacts of buildings on residential development within a neighbourhood zone.

From the applicant's documents it is not clear if the development will need to comply given the proximity to the abutting Established Neighbourhood Zone. We ask that the Council Planning staff check and advise on this.

Advertisements.**PO 4.1**

Advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages.

This advertising hoarding does not achieve overall consistency of appearance along any of the Stephen Tce, Payneham Road or Nelson Street frontages.

Most other signage in the vicinity is placed on shop fronts, verandas or parapets. There is a free-standing sign opposite for the Avenues Shopping Centre, however this is about 6-7 metres in height, and the current "Mr Appliances" pylon sign will shortly be removed when the site is redeveloped.

There is no other advertising signage of the proposed size or height in the vicinity.

Advertising near Signalised Intersections Overlay.**DO 1**

Provision of a safe road environment by reducing driver distraction at key points of conflict on the road

PO 1.1

Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.

The proposed advertising hoarding will present an additional distraction to road users, especially those waiting for the traffic lights to change when this intersection is congested. This is a major intersection which is often heavily congested at peak am and pm times on working weekdays. Motorists already face distractions at busy intersections, and an additional one is undesirable, particularly the distraction of a large internally illuminated billboard with changing advertisements. Even if the timing of changing advertisements is adjusted to minimize impacts on motorists, they will still be looking at it and waiting for the advertisement to change. How could they do otherwise? Billboards at intersections facing vehicular traffic are designed to attract the eyes of drivers.

There are no green right-hand turn arrows on Payneham Road for vehicles leaving the City and seeking to turn right into Nelson Street during the morning peak. The proposed advertising hoarding may distract drivers seeking to turn right from Payneham Road into Nelson Street and so turning motorists must be even more vigilant. We submit that at peak traffic periods this intersection is a key point of conflict on the road, and the proposed elevated advertising sign will be a significant distraction for motorists.

Advertisements.

DO 1

Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter and do not create a hazard.

We submit that this large internally illuminated billboard with changing advertisements directed at motorists will not be appropriate to context in which it will be situated and will appear as a visual blight on the landscape.

It will be situated on land which is adjacent to an Established Neighbourhood Zone (Historic Overlay Area), and one site removed from the Local Heritage Jam Factory on Payneham Road.

It will be adjacent to a site on Payneham Road recently approved for residential apartments and ground floor commercial tenancies, with the existing “Mr. Appliances” building at 155-157 Payneham Road to be demolished.

PO 1.1

Advertisements are compatible with and integrated with the design of the building and/or land they are located on.

This billboard is not compatible with, nor integrated with, the design of the existing building, being erected on top of a motor repair shop.

A few “architectural columns” as proposed will not disguise the motor repair shop’s very basic design, nor the sign itself. They are obviously proposed to mitigate the large, illuminated hoarding. They are akin to “lipstick on a pig!”

We submit that the proposed billboard is also not compatible nor integrated with the land on which it is to be located, situated as it is at a busy traffic intersection in a zone which is meant to cater for suburban shopping and other suburban “neighbourhood scale” facilities. This land also nestles between an Established Neighbourhood Zone (Historic Overlay Area) and a medium-rise apartment building. The proposed billboard will be grossly incongruent in this location.

PO 1.5

Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.

It is ironic that Future Urban, acting for the applicant, describes this major intersection as “stridently commercial and contains a conglomeration of private business and public infrastructure paraphernalia typical of such locales”.

It would seem that Twenty Four Outdoor Australia Pty Ltd, the applicant, desires to make this intersection even more stridently commercial by erecting a huge billboard to tower over it. While major traffic intersections are not generally known for their aesthetic qualities,

authorities should strive to ensure that they do not become even more ugly, garish and dangerous than they need be.

We submit that this billboard is likely to have negative interface impacts on the adjoining apartments recently approved by the State Commission Assessment.

It is useful to compare the proposed LED hoarding with other similar ones in the City of Norwood Payneham & St Peters.

Near the Glynde Corner, about 2km further north-east on Payneham Road, is a prominent LED sign which measures about 5.0m by 1.5m.



The proposed sign measures 12.0m by 3.0m according to Future Planning's letter (6/2/2023, page 1), however this is inconsistent with the 24 Outdoor plans which show it to be 10.5m by 3.5m.

Whatever the true size, it remains a massive hoarding which is out of character with the locality. The following photo shows the proposed sign's approximate size, outlined in red, compared to that at Glynde.



Most people will be aware of the very large LED sign that sits above the Britannia Hotel. There have been advertising signs above this hotel in various forms for over 80 years, with the current one being the latest iteration. Council planning staff have advised that the Britannia hoarding is about 9m by 3m, meaning that the proposed sign is even larger than that on the Britannia Hotel.

If approved, this development will create an unacceptable precedent for similar hoardings at our other intersections.

Will the Maid & Magpie Hotel be next, despite past refusals by the former St Peters Council?

PO 3.1

Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.

This advertising hoarding will display predominantly third party and government advertising. Most of the content will be unrelated to the lawful use of the land by the existing businesses on the site.

Visual clutter and untidiness will be increased by the proposed large advertising hoarding at this important intersection.

Cluttering is a multi-step process and each advertising sign or hoarding, particularly those showing third party advertisements, adds, step by step, to the end result, which is clutter.

We submit that this large advertising sign, which is larger than others in the locality, and which will be erected to sit well above the building, will dominate the intersection, and add to visual clutter, contrary to PO3.1.

The St Peters Residents Association submits that approval for the proposed Advertising Hoarding should be refused by the Council Assessment Panel (CAP) as it fails to satisfy the important criteria in the Planning & Design Code.

The Association wishes to be heard by the CAP in relation to this application.

David Cree
President
St Peters Residents Association Inc
27 June 2023

Representations**Representor 5** - Brenton Burman

Name	Brenton Burman
Address	68 Third Avenue FORESTVILLE SA, 5035 Australia
Submission Date	28/06/2023 02:12 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	See attached letter of objection from Brenton Burman, Planning Consultant

Attached Documents

Representation-Brenton-Burman-Application-23004466-1240562.pdf
Application-23004466-Representation-from-Brenton-Burman-on-behalf-of-ICSA-Project-Pty-Ltd-1240563.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Twenty Four Outdoor Australia Pty Ltd
Development Number:	23004466
Nature of Development:	Partial change in use from motor repair station and consulting room to motor repair station, consulting room and third-party advertising, and construction of an LED screen and architectural columns atop the existing building.
Zone/Sub-zone/Overlay:	Suburban Activity Centre Zone
Subject Land:	149 Payneham Road, St Peters 5069 CT 5483/504 F16829AL500
Contact Officer:	Assessment Manager, City of Norwood Payneham & St Peters
Phone Number:	Click here to enter text. [authority phone]
Close Date:	28 June 2023

My name*: Brenton Burman On behalf of ICSA Projects Pty Ltd	My phone number: [REDACTED]
My postal address*: 68 Third Avenue, Forestville SA 5035	My email: [REDACTED]

* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
-----------------	--



Government of South Australia

Department for Trade
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

See attached Letter of Objection from Brenton Burman, Planning Consultant

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal.

I:	<input checked="" type="checkbox"/> wish to be heard in support of my submission*
	<input type="checkbox"/> do not wish to be heard in support of my submission
By:	<input checked="" type="checkbox"/> appearing personally
	<input checked="" type="checkbox"/> being represented by the following person: Kathryn Walker, Piper Alderman

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature: 

Date: 28 June 2023

Return Address:

Email: developmentassessment@npsp.sa.gov.au

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Brenton Burman
Planning Consultant
68 Third Avenue
FORESTVILLE SA 5035

28 June 2023

City of Norwood Payneham & St Peters
175 The Parade
NORWOOD SA 5067

Email: developmentassessment@npsp.sa.gov.au

Attention: Geoff Parsons, Manager Development Assessment

Dear Geoff

RE: REPRESENTATION – 149 PAYNEHAM ROAD, ST PETERS (Application 23004466)

I act on for the owners of 151-155 Payneham Road, St Peters, ICSA Projects Pty Ltd, the adjacent owners to the land the subject of this development application.

Notification has been received that Twenty Four Outdoor Australia Pty Ltd (the applicant) proposes to undertake development on the adjacent site on the corner of Payneham Road and Stephen Terrace – 149 Payneham Road, St Peters.

The Nature of Development is described as the following:

Partial change in use from motor repair station and consulting room to motor repair station, consulting room and third-party advertising, and construction of an LED screen and architectural columns atop the existing building.

The application is accompanied with a Planning Statement prepared by Future Urban, along with a Traffic Impact Assessment prepared by CIRQA.

Please accept the following as a representation on behalf of ICSA Project Pty Ltd against the current development application.

1. Background

ICSA Projects Pty Ltd owns the two adjacent properties to the north-east of the subject land fronting Payneham Road – 151-157 Payneham Road, St Peters. Development Plan Consent was granted to development application 155/M032/21 by the State Planning Commission on 14 December 2022 for:

Demolition of existing structures and construction of a multi-storey, mixed-use building comprising residential and commercial uses, construction of five (5) two-storey townhouses (row dwellings) and associated basement car parking and landscaping.

It is important to note that ICSA Project Pty Ltd intends to act upon this Consent. Building Rules Consent is currently being finalised prior to construction commencing.

This representation considers the impacts of the proposed development on the approved multi-storey mixed-use development at 151-157 Payneham Road, St Peters. To understand such impacts, Tectvs have accurately included the details of the proposed LED screen and architectural columns onto the set of approved application plans for the proposed development at 151-157 Payneham Road, St Peters (see Attachment A). This will be referenced further in this representation.

2. Procedural Matters

The Planning Statement prepared by Future Urban includes a section titled ‘Procedural Matters’ which includes a verification snapshot which identifies that the proposed nature of development and the following elements are under consideration:

- Advertisement
- Other – partial change in use (third party advertising)
- Other – architectural columns

I agree that the verification snapshot, including the elements under consideration, is correct.

However, I consider that the position prescribed by Future Urban in relation to public notification and relevant authority for the assessment of this application to be incorrect.

Table 5 of the Suburban Activity Centre Zone within the Planning & Design Code (P&D Code) details the procedural matters relating to public notification. The maximum height of the proposed LED screen is 9.7 metres above natural ground level – the equivalent of a three-level building. This exceeds DTS/DPF 3.1 which prescribes a maximum height two (2) levels. Further, the proposed change of use of the land to include third party advertising is also not excluded from public notification.

Council, in the processing of this application, has determined that public notification is required and, given I am lodging this representation on behalf of ICSA Projects Pty Ltd against the proposed development and wishing to be heard in support of the representation, the relevant authority for the assessment of this application is the Council Assessment Panel.

In relation to the referral of the application to the Commissioner of Highways, the Planning Statement by Future Urban does not reference the future road widening that may be required to the subject land. This site is subject to a 4.5 metre road widening requirement along the Payneham Road and Stephen Terrace frontages to the site (see Figure 1 – extract from P&D Code).

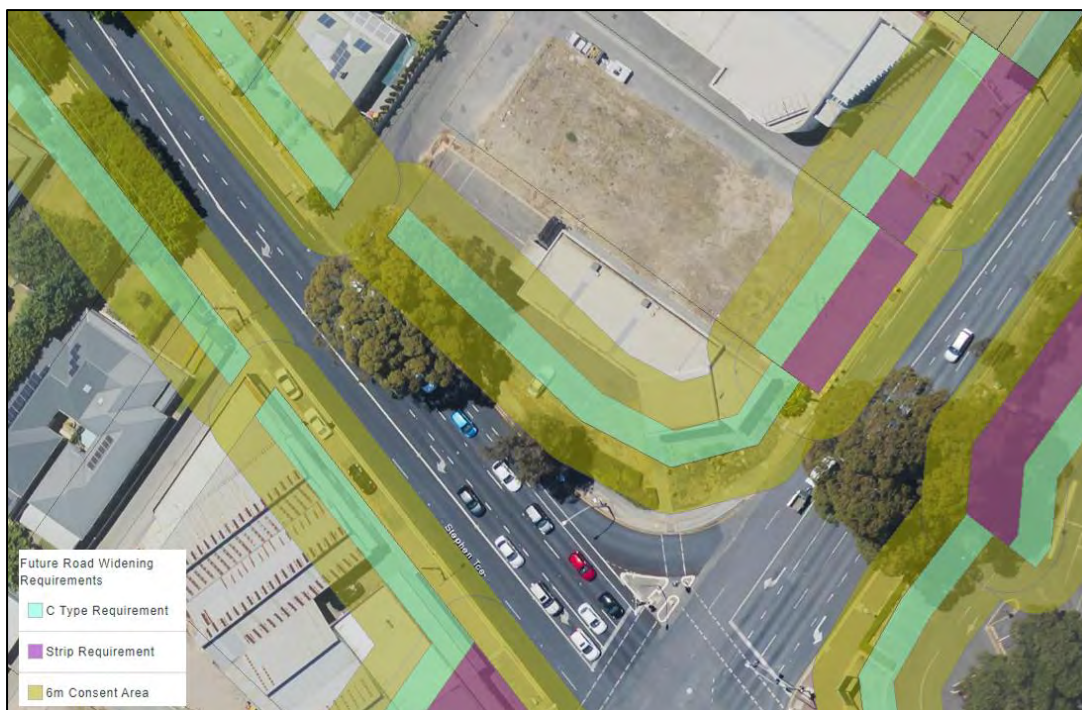


Figure 1: Future Road Widening Requirements

Source: *Planning & Design Code (Planning Reference)*

3. Site and Locality

Whilst the subject land is currently 1,060 square metres in area, the extent of road widening for this site prescribed by the Commissioner of Highways in the Metropolitan Adelaide Road Widening Plan (and included in the P&D Code) will result in a reduction of the site by over 30% in area, to approximately 724 square metres in area.

Within the 'Locality' section of the Planning Statement, Future Urban states:

"The locality is influenced by existing advertisements in variety of styles including illuminated and non-illuminated signs, both free-standing and attached to buildings ..."

It is important to note that the scale of existing advertisements within the locality relate to the buildings and sites which they service and are not for third party advertising purposes. The only roof-mounted advertisement (155 Payneham Road – relating to the Adelaide Appliance Centre) is proposed to be removed as part of the redevelopment of the site to the north-east of the subject land.

4. Assessment against the Planning & Design Code

The following is a brief assessment of the proposed development against the relevant provisions of the P&D Code.

It is noted that the subject site is located within the Suburban Activity Centre Zone of the P&D Code, and that the following Overlays apply and are specifically relevant to the assessment of the planning merits of the proposed advertisement:

- Advertising Near Signalised Intersections Overlay
- Airport Building Heights (Regulated) Overlay
- Future Road Widening Overlay

In relation to the 'Advertisement' element of the proposed development, the following General Development Policies apply:

- Advertisements
- Clearance from Overhead Powerlines
- Infrastructure and Renewable Energy Facilities

For the other elements of the proposed development, those being the 'partial change in use (third party advertising)' and the 'architectural columns', as they are designated as 'All Other Code Assessed Development', they are assessed against all relevant policies in the Code. Therefore, consideration has also been given to the following additional General Development Policies:

- Advertisements
- Design in Urban Areas
- Interface between Land Uses

Current Zoning

The Desired Outcome for the Activity Centre Zone states *"An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities ... Buildings and pedestrian areas create a high quality, activated public realm ..."*.

The scale and location of the LED screen is not considered to be 'neighbourhood-scale' or creating 'high quality, activated public realm'.

Land Use and Intensity

Whilst 'Advertisement' is listed in DTS/DPF 1.1 for the Activity Centre Zone, this does not directly support that the advertisement is for third party advertising, a change of the use of the land. Advertisement is generally considered a supporting use/activity to the existing use of land. In this instance, the use of land is being changed to include 'third party advertising'.

Further, PO 1.5 and PO 1.6 seek development which is sited and designed to achieve or maintain a vibrant and interesting streetscape, with changes in the use of land encouraging the efficient reuse of commercial premises to maintain and enhance vibrancy.

The proposed third party advertising structure (LED screen) is of a scale and design which will dominate the intersection and surrounding sites, add distraction to drivers, cyclists and pedestrians around this busy intersection, and does not relate to the current use of the land.

Built Form and Character

PO 2.1 seeks development which "... complements adjacent development within the zone, and mitigates interface impacts on adjoining residential uses ... through appropriate building siting, scale and design."

As shown on the architectural plans prepared by Tectvs (see Attachment A), the proposed LED screen and architectural columns will have a significant adverse impact on the approved development at 151-157 Payneham Road, St Peters.

The LED screen structure is proposed to be less than 7.0 metres from the boundary of the site at 151-157 Payneham Road – immediately abutting the approved residential apartment building (see Figures 2 and 3, below).

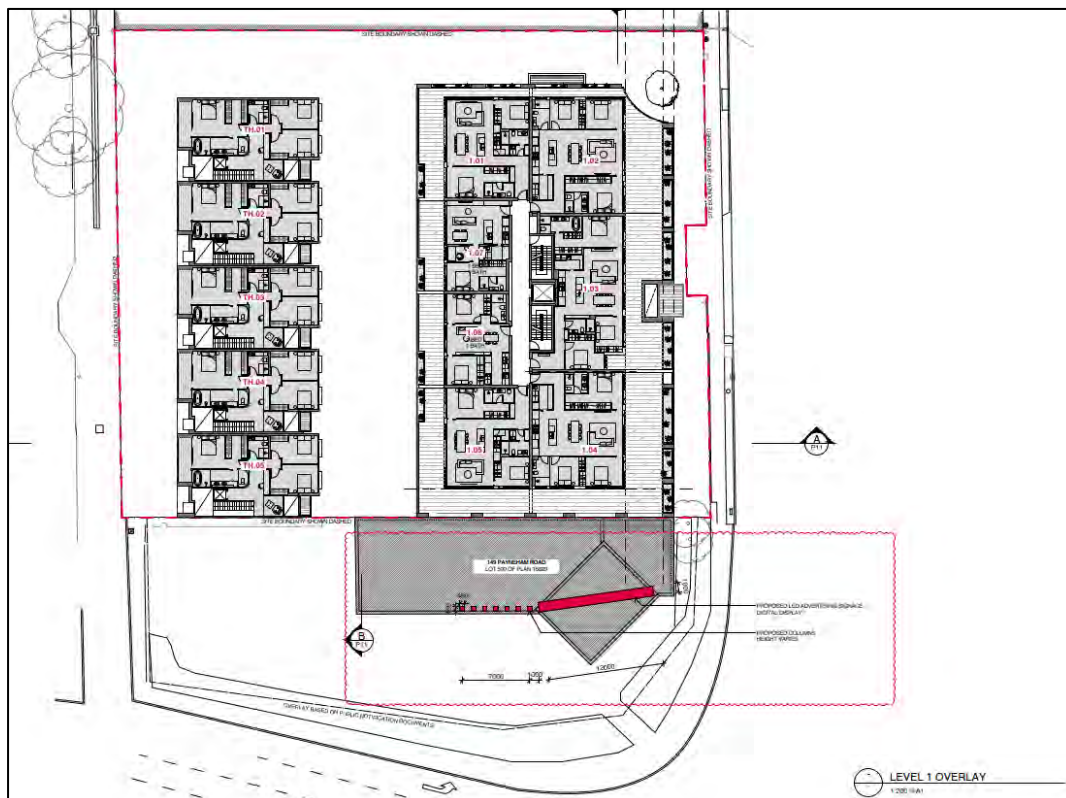


Figure 2: Approved Development 151-157 Payneham Road – Level 1 (showing LED screen location)

Source: Tectvs (overlying development application on approved plans)

Being 9.7 metres above natural ground level, the LED screen will visually dominate and adversely impact on the amenity of the approved residential apartments on south-western side of the apartment building (Levels 1, 2 and 3).

The architectural columns atop the existing building will also have some adverse impact on the amenity of the approved residential apartments on south-western side of the apartment building.

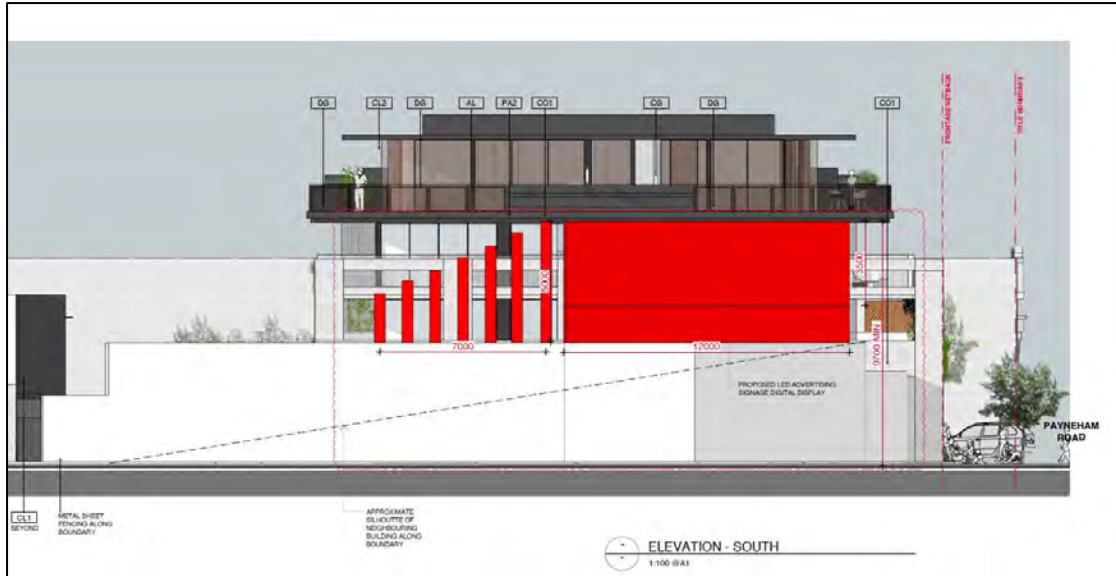


Figure 3: Approved Development 151-157 Payneham Road – South Elevation (showing LED screen)

Source: Tectvs (overlying development application on approved plans)

Building Height and Setbacks

The height of the proposed LED screen, being 9.7 metres above natural ground level, is the equivalent height of a three-level building. This is in excess of the maximum building height prescribed in DTS/DPF 3.1.

Advertisements

PO 4.1 and PO 4.2 relate to Advertisements in the Activity Centre Zone.

PO 4.1 states that “Advertisements are sited and designed to achieve an overall consistency of appearance along individual street frontages”.

The proposed advertising structure is elevated above the roof of the existing building on the subject land with a 1.46 metre high cladding panel, resulting in an overall height of the structure of 9.7 metres. The LED screen is 10.5 metres in length by 3.5 metres in width, with an overall advertising area of 36.75 square metres. This is in addition to the existing advertising on the façade and parapet of the motor repair station and consulting room on the subject site (see Figure 4 and 5, below).



Figure 4: Existing Advertisements – 149 Payneham Road

Source: Google Street View

By my calculations, existing parapet advertising on the existing building (advertising the two existing tenancies) has a total advertising area of approximately 33.0 square metres. This excludes the Ultratune telephone number and services advertising attached to the wall of the existing building.

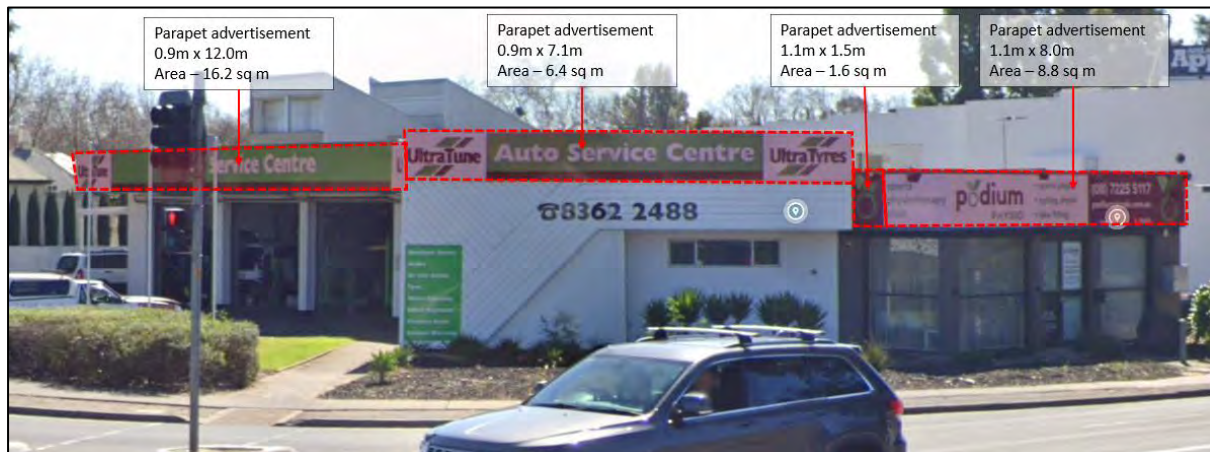


Figure 5: Existing Advertisements – 149 Payneham Road (with existing advertising area highlighted)

Source: Google Street View & my area calculations

With the inclusion of the LED screen and the existing parapet advertising on the building, the proposed development will result in almost 70 square metres of advertising area on the subject land. This is considered totally inappropriate for this site and for the wider locality.

Overlays

Advertising Near Signalised Intersections Overlay

Desired Outcome DO 1 of the 'Advertising Near Signalised Intersections Overlay' seeks the provision of a safe road environment by reducing driver distraction at key point of conflict on the road.

PO 1.1 states:

"Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages."

DTS/DPF 1.1, in providing guidance to achieve this Performance Outcome, requires that advertisements:

- Are not illuminated
- Do not incorporate a moving or changing display or message
- Does not include a flashing light(s)

The proposed LED screen is illuminated and does include a changing display or message.

Future Road Widening Overlay

As shown in Figure 1, this site is subject to a 4.5 metre road widening requirement along the Payneham Road and Stephen Terrace frontages to the site (see Figure 1 – extract from P&D Code).

DTS/DPF 1.1 states that *"Development does not involve building work, or building work is located wholly outside the land subject to the 6m Consent Area, the C Type Requirement or the Strip Requirement of the Metropolitan Adelaide Road Widening Plan."*

Whilst the proposed LED screen is outside of the 'C Type Requirement' of the Metropolitan Adelaide Road Widening Plan, any road widening will impinge on the use and operations of the existing motor repair station and consulting room on the subject site (potential changes to access, loss of on-site car parking, etc.).

General Development Policies

Advertisements

The 'Advertisements' General Development Policies are relevant in the assessment of the application elements 'advertisement' and 'partial change in use (third party advertising)'.

Desired Outcome DO 1 of the 'Advertisements' General Development Policies seeks advertisements and advertising hoardings that are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.

PO 1.1 states:

"Advertisements are compatible and integrated with the design of the building and/or land they are located on."

DTS/DPF 1.1, in providing guidance to achieve this Performance Outcome, requires advertisements attached to a building to satisfy all of the following (relevant to this application):

- If located above canopy level:
 - do not have any part rising above parapet height
 - are not attached to the roof of the building

The proposed development is for an advertising structure which is not only mounted on top of the existing single-storey building but is elevated a further 1.46 metre above the roof, giving an overall height of 9.7 metres above natural ground level.

PO 1.2 states:

"Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality."

Whilst the structure of the advertising hoarding is concealed by cladding, the cladding adds to the overall bulk and appearance of the structure in both height and depth. The appearance of the structure will have an adverse visual impact on the character of the surrounding locality and a significant detrimental impact on the future adjacent residents to the north-east.

PO 1.5 states:

"Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality."

The proposed LED screen, with an advertising area of 36.75 square metres, is totally out of scale and size with other advertising structures within the locality.

PO 2.1, PO 2.2 and PO 2.3 relate to 'Proliferation of Advertisements'.

With the addition of the LED screen, along with the existing advertising on the façade and parapet of the motor repair station and consulting room, the proposed development will result in an unacceptable level of visual clutter.

PO 3.1 and the associated DTS/DPF 3.1 relates to advertisements relating to the lawful use of the land on which it is located. The proposed LED screen is for third party advertising, not related to the current use of the land as a motor repair station and consulting room. The proposed development is therefore at odds with such provisions.

PO 5.2 to PO 5.4 and PO 5.6 relate to safety and the potential to distract drivers. Due to the size, location, illumination and variable messaging of the LED screen, it is considered that this will result in unreasonable

distraction to road users within close proximity to a busy signalised intersection. To confirm such concerns, ICSA Projects Pty Ltd has engaged Stantec, qualified and experienced traffic engineers to review the safety aspects of this project.

In assessing the potential driver distraction and safety aspects of this project, Stantec have reviewed the DPTI *Advertising Signs Assessment Guidelines for Road Safety*, 2014, the Traffic Impact Assessment prepared by CIRQA and assessed the proposed development against the relevant provisions of the Planning & Design Code.

Stantec have concluded that the proposed LED screen on top of the building at 149 Payneham Road is inappropriate for this location and will be a road safety risk for the following reasons:

- Element of surprise for the north-east bound drivers in Payneham Road with the digital billboard [LED screen] with unknown colours appearing from behind the Luxe bathrooms showroom on the immediate approach to the traffic signal intersection. This is especially an issue for drivers who normally do not travel north-east along Payneham Road or north-west from Nelson Street and are unfamiliar with the local area
- Timing of the traffic signal phase changes are not likely to synchronise with the change of the 45 second refresh rate of the digital billboard
- Distraction to pedestrians crossing Stephen Terrace and Payneham Road towards the billboard sign
- Digital billboards distract drivers both visually and cognitively. The bright lights, movement, and dynamic images easily draw drivers' attention and gaze, even when they do not mean to take their eyes off the road.

A copy of the letter from Stantec is included in Attachment B.

Design in Urban Areas

The 'Design in Urban Areas' General Development Policies are relevant in the assessment of the application elements 'partial change in use (third party advertising)' and the 'architectural columns'.

Desired Outcome DO 1 of the 'Design in Urban Areas' General Development Policies seeks development that is contextual, durable, inclusive and sustainable.

Specifically, PO 1.1, PO 1.3 and PO 1.4 relating to 'External Appearance' are particularly relevant to the assessment of this development.

PO 1.1 seeks buildings to reinforce corners, considering massing (including height, width and bulk). The proposed LED screen and associated cladding is of a height, width and bulk which is excess and out of character with the existing single storey building on which it is proposed to be constructed. The architectural columns atop the existing building seek to provide a 'transition' of height and scale of the advertising structure, but are considered more 'window dressing'.

PO 1.3 seeks building elevations facing the primary street to be designed and detailed to convey purpose, identify main access points and complement the streetscape. The proposed LED screen has no relationship with the existing authorised uses undertaken on the site and, due to its location and scale, does not complement the streetscape.

PO 1.4 relates to plant, exhausts, etc. and minimising visibility from the public realm and negative impacts on residential amenity. LED screens of this size generate noise and heat while in operation. Such signage will operate 24/7, and will be less than 7.0 metres from the boundary of the site at 151-157 Payneham Road – immediately abutting the approved residential apartment building. The operational impacts of the LED screen have not been adequately considered in relation to the future residents of this development.

Interface between Land Uses

The 'Interface between Land Uses' General Development Policies are relevant in the assessment of the application elements 'partial change in use (third party advertising)' and the 'architectural columns'.

DO 1 of the 'Interface between Land Uses' General Development Policies seeks to ensure that development that is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

Specifically, PO 1.2 states:

Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

As described in Section 1, the site immediately to the east of the subject land fronting Payneham Road – 151-157 Payneham Road, St Peters, is for a lawfully approved multi-storey, mixed-use building comprising residential and commercial uses, along with five (5) two-storey townhouses (row dwellings) adjacent First Lane. This development includes sensitive receivers (residential apartments) that will be adversely impacted by the proposed development.

Specifically, due to the location, scale and operational arrangements of the proposed LED screen, residential apartments on the south-western section of the approved multi-storey mixed-use building will face overshadowing, visual clutter/visual intrusion and noise impacts from the 24/7 operation of the LED screen.

Other Performance Outcomes under the 'Interface between Land Uses' General Development Policies, including PO 2.1 (Hours of Operation), PO 3.1 (Overshadowing) and PO 4.1 (Activities Generating Noise or Vibration), PO 6.1 (Light Spill) are all relevant in the assessment of this application, minimising the impacts of the proposed LED screen on the future adjacent residents (sensitive receivers).

Such adverse impacts are considered unacceptable.

5. Conclusion

The current proposed development for the partial change in use of 149 Payneham Road including the construction of an LED screen for third-party advertising, is considered to be at odds with the relevant provisions of the P&D Code.

Specifically:

- The proposed development has not taken into consideration the lawfully approved multi-storey, mixed-use building comprising residential and commercial uses on the site immediately to the north-east of the subject land (151-157 Payneham Road, St Peters)
- The proposed development will have a significant adverse impact on the residential amenity of the future residents of the adjacent residential apartments, primarily due to the proximity of the LED screen structure, its location on top of the existing building, the overall size of the structure, and potential operational impacts (noise, light spill, overshadowing)
- The proposed third party advertising structure (LED screen) is of a scale and design which will dominate the intersection and surrounding sites and add distraction to drivers, cyclists and pedestrians around this busy intersection
- The proposed third-party advertising structure (LED screen) does not relate to the current use of the land, adding to the visual clutter of the site and locality

Both myself and Kathryn Walker (Legal Advisor) from Piper Alderman will be representing ICSA Projects Pty Ltd and request the opportunity to be heard by the Council Assessment Panel in relation to this representation.

Yours faithfully,



Brenton Burman

Planning Consultant

Fellow PIA

BA Planning

Grad. Dip. Environmental Planning

Grad. Dip. Local Government Management

Attachment A: Plans prepared by Tectvs

Proposed LED screen for 149 Payneham Road, St Peters overlaid on the approved plans for the proposed development at 151-157 Payneham Road

Attachment B: Traffic Assessment Report prepared by Stantec

Attachment A

Plans prepared by Tectvs

Proposed LED screen for 149 Payneham Road, St Peters overlayed on the approved plans for the proposed development at 151-157 Payneham Road



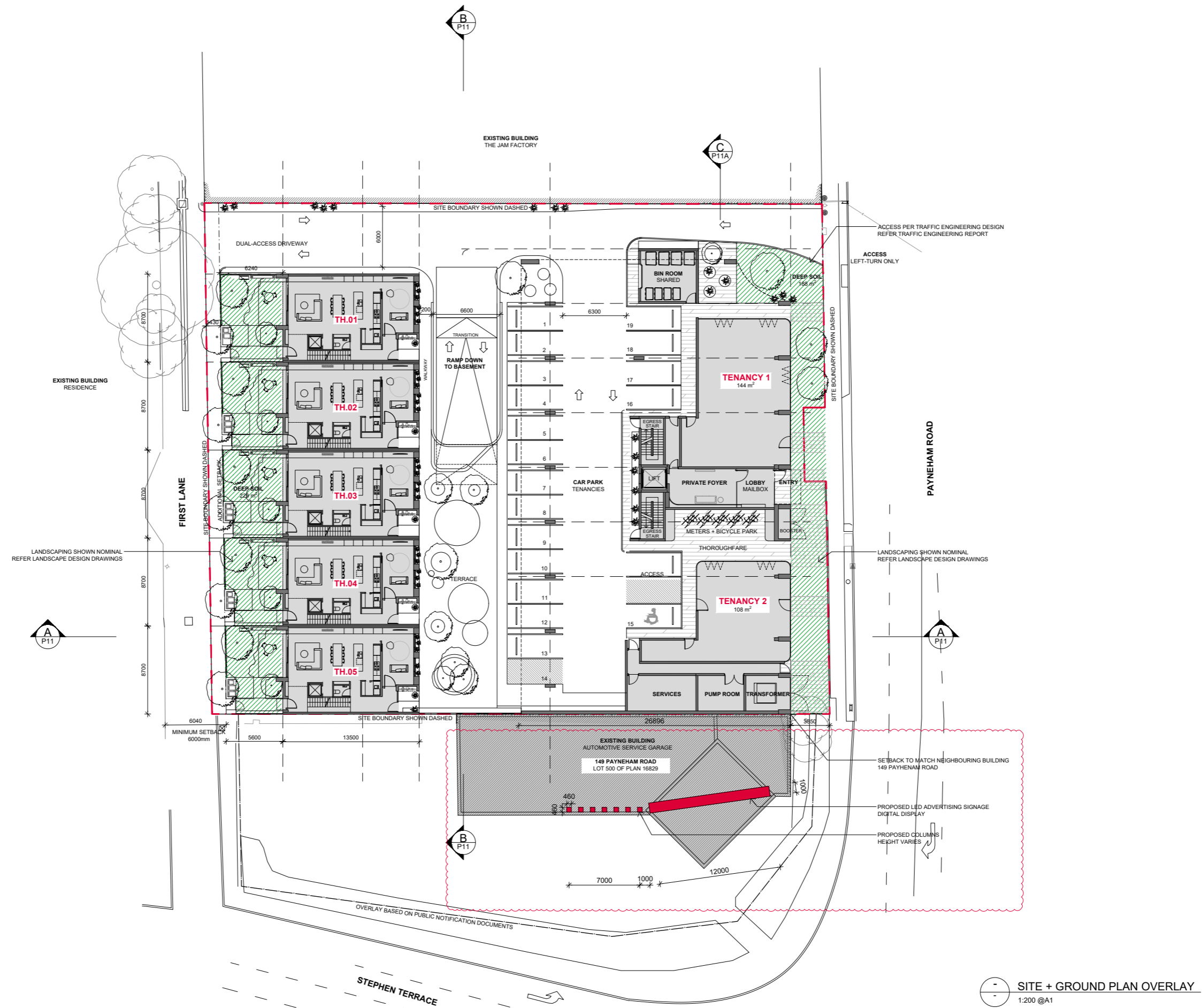
LOCALITY PLAN
1:2500 @A1 + 1:5000 @A3



RESPONDENT SITE
SITE BOUNDARY SHOWN DASHED

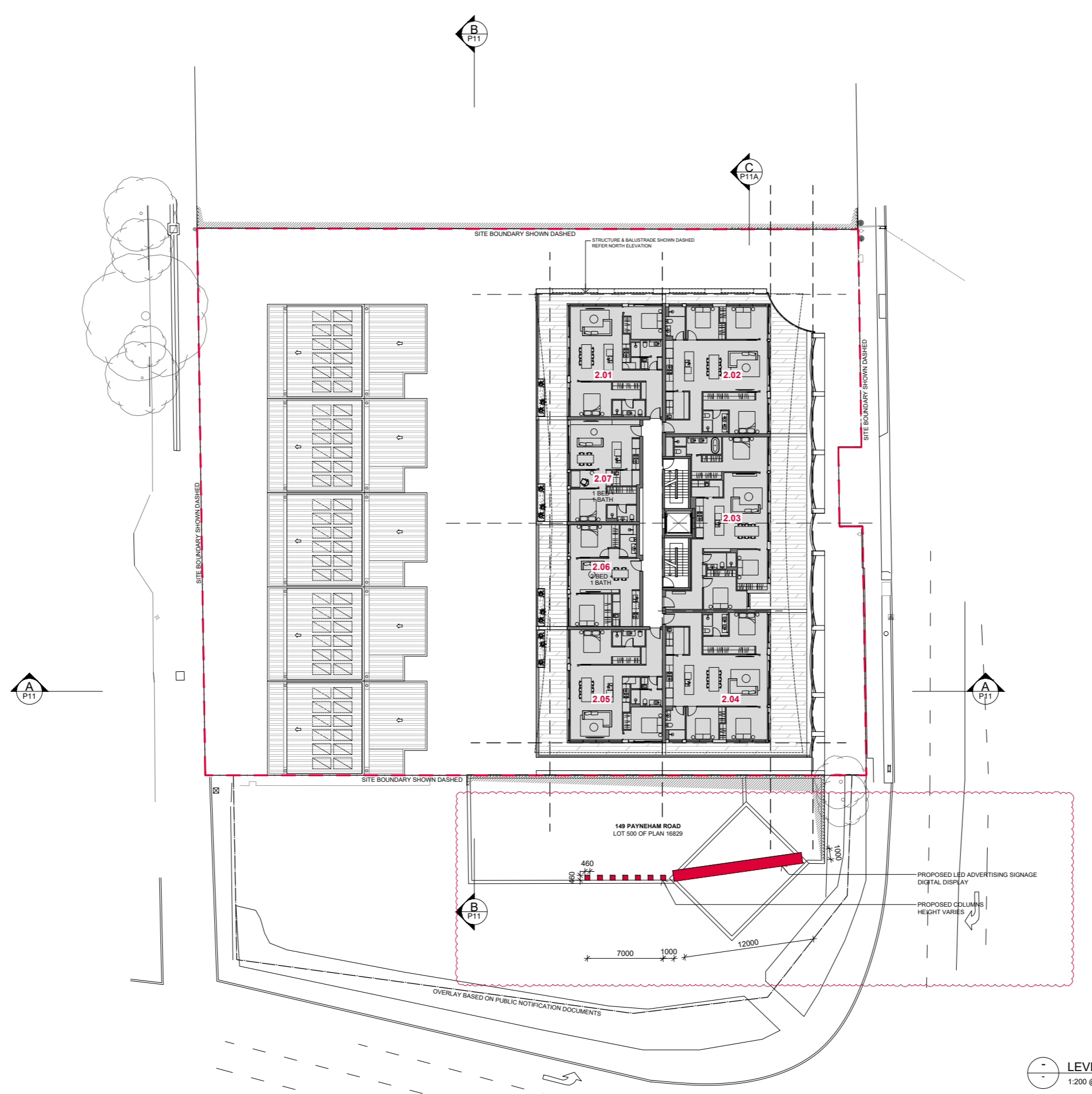
APPLICANT SITE
PROPOSED LED ADVERTISING
DIGITAL DISPLAY SIGNAGE

 **SITE CONTEXT PLAN**
-1:500 @A1 + 1:1000 @A3





LEVEL 1 OVERLAY
1:200 @A1



LEVEL 2 OVERLAY
1:200 @A1

REV	DATE	DESCRIPTION
1.0	13.08.2023	SKETCH ISSUE

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NOT FOR CONSTRUCTION**

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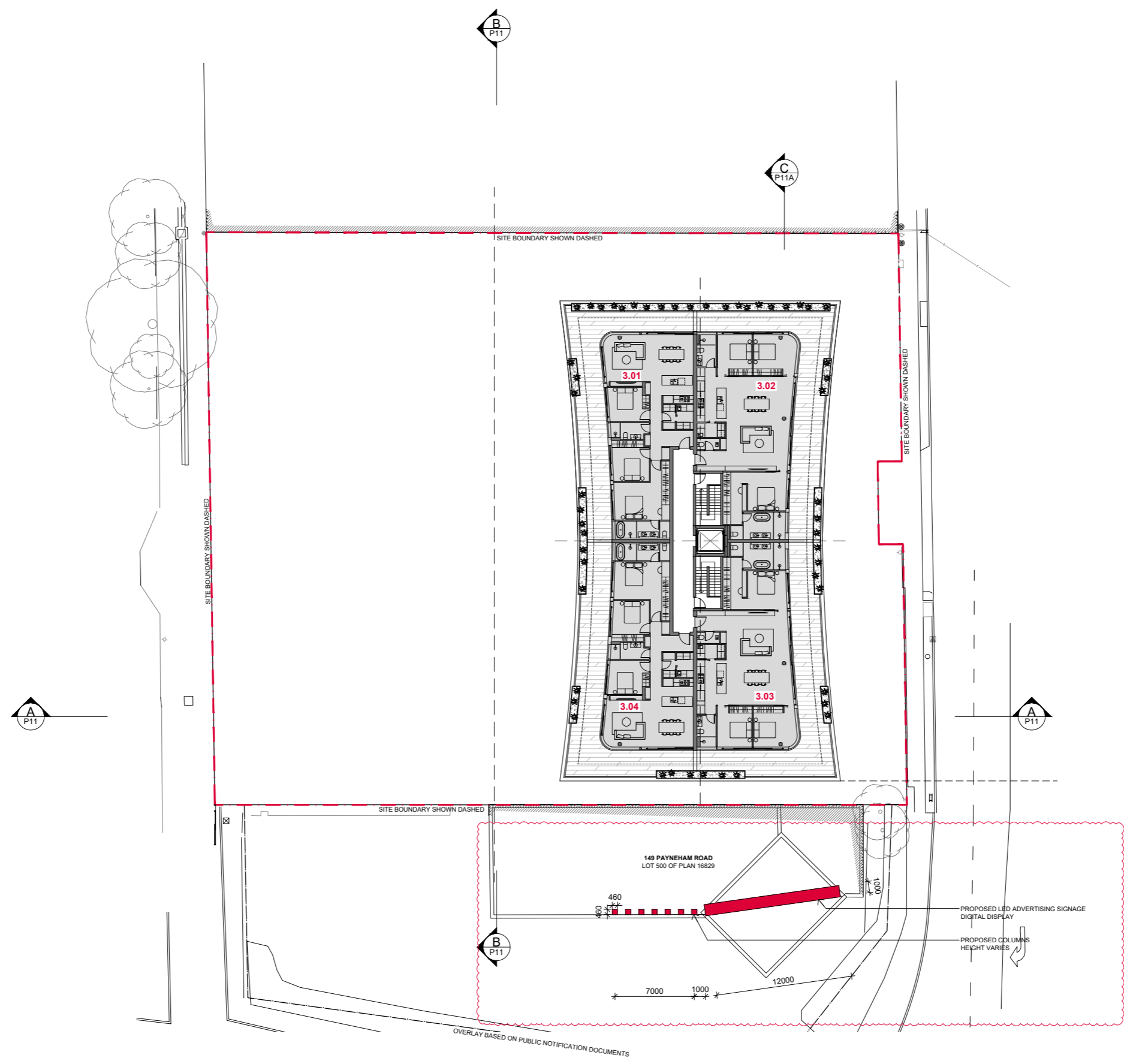
PROJECT
ST PETERS
151-155 PAYNEHAM ROAD
ST PETERS SA 5069
CLIENT
ICSA

DRAWING
LEVEL 2
FLOOR PLAN
OVERLAY
SCALE
AS SHOWN

NORTH
DATE
04.2022

PROJECT NO
24063

DRAWING NO
P05A
REVISION | CHECKED | DRAWN
1.0 | FB | DY



LEVEL 3 OVERLAY
1:200 @A1

LEGEND

CO1	CONCRETE OFF-FORM
ST1	FEATURE TEXTURED WALL FINISH
CG	CLEAR GLAZING
DG	DARK TINTED GLAZING
FG	OBSCURE GLAZING FLUTED
AL	DARK ANODISED ALUMINIUM
RF1	ROOF & SHEET METAL LIGHT
CL1	METAL CLADDING DARK MATT FINISH
MT1	FEATURE METAL OXIDISED
PA1	PAINT FINISH OFF-WHITE
PA2	PAINT FINISH DARK CHARCOAL
TM1	TIMBER EFFECT

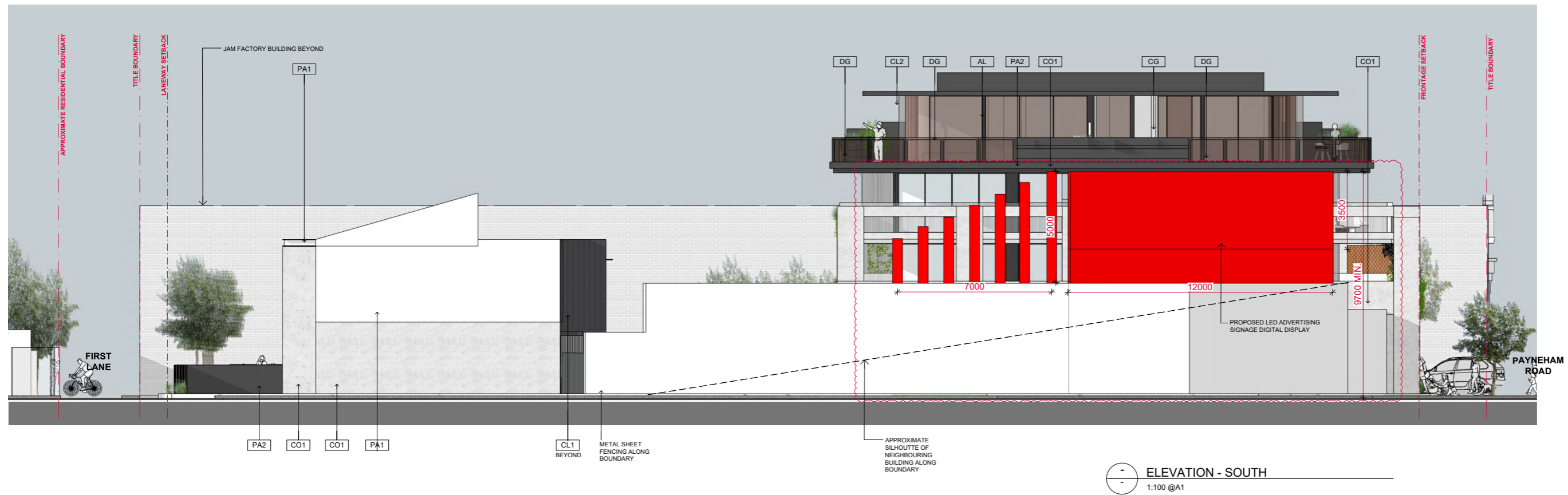


LEGEND

- CO1** CONCRETE OFF-FORM
- ST1** FEATURE TEXTURED WALL FINISH
- CG** CLEAR GLAZING
- DG** DARK TINTED GLAZING
- FG** OBSCURE GLAZING FLUTED
- AL** DARK ANODISED ALUMINIUM
- RF1** ROOF & SHEET METAL LIGHT
- CL1** METAL CLADDING DARK MATT FINISH
- MT1** FEATURE METAL OXIDISED
- PA1** PAINT FINISH OFF-WHITE
- PA2** PAINT FINISH DARK CHARCOAL
- TM1** TIMBER EFFECT



ELEVATION - NORTH
1:100 @A1



ELEVATION - SOUTH
1:100 @A1



PAYNEHAM ROAD / STEPHEN TERRACE JUNCTION
INTERSECTION



PAYNEHAM ROAD



STEPHEN TERRACE

Attachment B

**Traffic Assessment Report prepared by
Stantec**

Stantec Australia Pty Ltd

Level 5, 75 Hindmarsh Square

Adelaide SA 5000

Tel: +61 8 8201 9400

ABN 17 007 820 322 www.stantec.com/au



28 June 2023

Enquiries: John Devney
Project No: 300306981

ICSA Projects Pty Ltd
61 Glynburn Road
GLYNDE, SA 5070

Attention: Mr Rob Vozzo

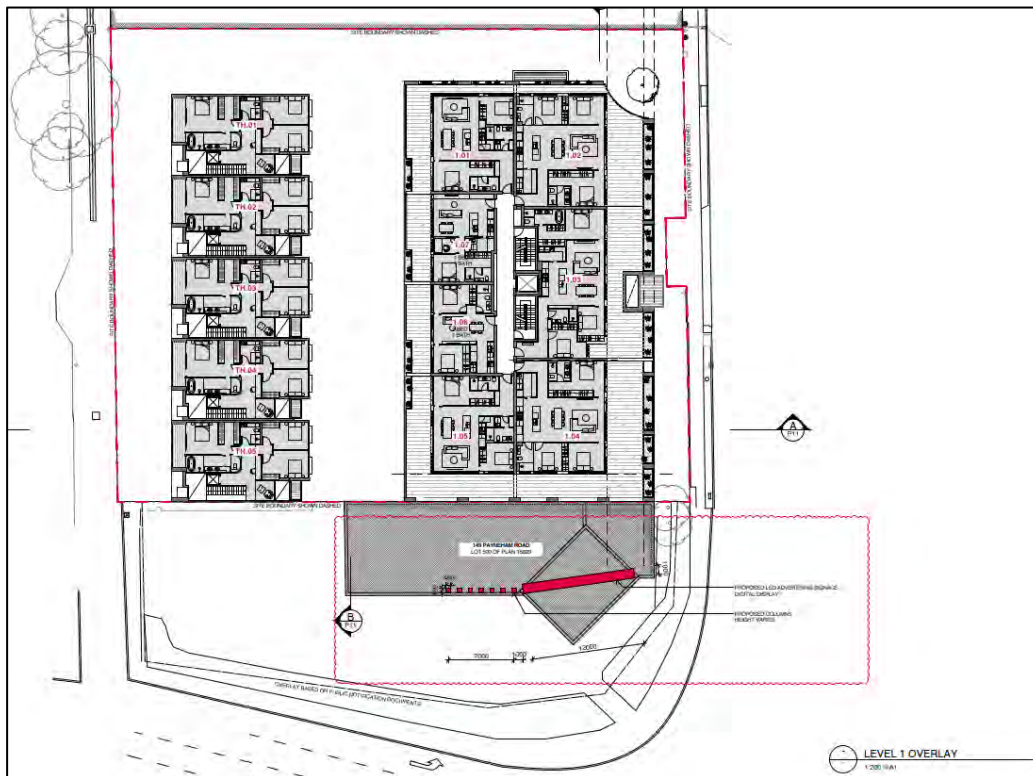
Dear Rob,

RE: Digital Billboard Review at 149 Payneham Road, St Peters

This letter report is prepared for ICSA Projects Pty Ltd to respond to the planning application for a proposed digital billboard on the top of the development at 149 Payneham Road, St Peters. The purpose of this advice is to assess the road safety risks and requirements for the installation of large digital billboards in close proximity to the State controlled roads.

1. Background and Scope for this Report

The proposed LED screen and structure is proposed to be less than 7.0 m from the boundary of the site at 151-157 Payneham Road and is immediately abutting the approved residential apartment building as shown in Figure 1.1.

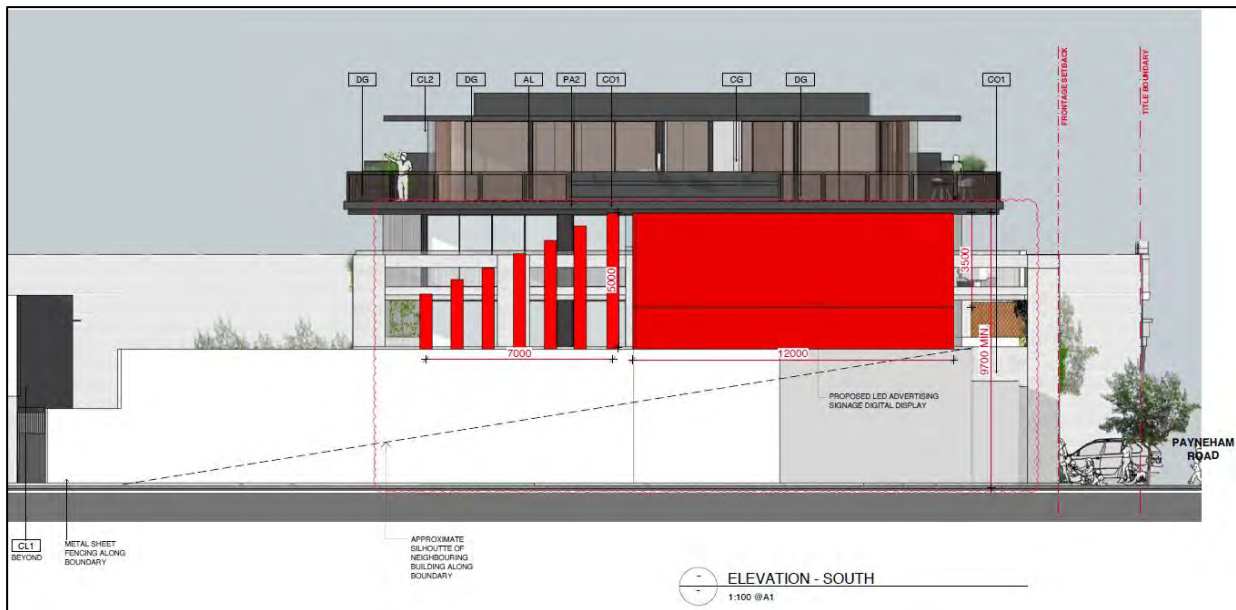


Source: Tectvs (overlying development application on approved plans)

Figure 1.1: Approved Development 151-157 Payneham Road – Level 1 (showing LED screen location)

Design with community in mind

With the proposed digital billboard sign 9.7 m above natural ground level, the LED screen will visually dominate and adversely impact on the amenity of the approved residential apartments on south-western side of the apartment building (Levels 1, 2 and 3). This is demonstrated in Figure 1.2 where the architectural columns atop the existing building will also have some adverse impact on the amenity of the approved residential apartments on south-western side of the apartment building. The proposed digital billboard is 12m wide, 3m high and 1m deep.



Source: Tectvs (overlying development application on approved plans)

Figure 1.2: Existing Intersection at Payneham Road and Stephen Terrace

The existing building at 149 Payneham Road is shown in Figure 1.3. This location has high visibility for drivers in Nelson Street heading north and turning right and from Payneham Road drivers heading north east from the City.



Existing building from Stephen Terrace looking east

Existing building from the footpath in Payneham Road

Figure 1.3: Existing Building at 149 Payneham Road

2. Review of the DIT Signage Guidelines

The Commissioner of Highways has been consulted as the proposed digital billboard is an advertising display on an existing arterial road and within 100 m of a signalised intersection or a pedestrian actuated crossing where the display:

- will be internally illuminated and incorporate red, yellow, green or blue lighting; or
- will incorporate a moving display or message; or
- will incorporate a flashing light.

A review of the road safety requirements for the installation of digital advertising billboards was conducted with reference to the latest guidelines from the Department for Infrastructure and Transport, namely:

Advertising Signs Assessment Guidelines for Road Safety: A guide for the Department of Planning, Transport and Infrastructure, August 2014. These Guidelines are to be applied to advertisements that constitutes development, which is classed as any “advertisement or sign that is visible from a street, road or public place or by passengers carried on any form of public transport”.

An ‘electronic sign’ is any sign or advertising device that can be updated or changed electronically. This includes screens broadcasting still or moving images (e.g. videos or animations), LED/LCD screens/technology, ‘scintillating’ light displays (such as fibre optic or neon lights), scrolling billboard/poster displays (e.g. a device with a number of advertising panels connected to form a strip that may be wound to sequentially display the advertising panels), tri-vision billboards, variable message signs (VMS) and any other similar devices. It does not include static illuminated light box signs, or flashing illuminated signs that cannot otherwise be changed (such as flashing bulbs).

Since the principal aim of advertising is to attract attention, large electronic billboards can present a safety issue when advertising distracts road users from the task of operating a vehicle in a safe manner. As explained in the DPTI Signage Guidelines (August 2014), the presence of roadside advertising can:

- Distract drivers from the driving task;
- Compete with traffic control devices for the road user’s attention;
- Result in visual clutter to the extent that traffic control devices cannot be easily seen and recognised by road users;
- Obscure or interfere with a road user’s view of other vehicles and pedestrians;
- Pose a hazard to errant vehicles;
- Where illuminated or reflective, ‘dazzle’ or cause discomfort to approaching road users;
- Encourage stopping, slowing down or turning movements in inappropriate locations (this includes instances where drivers may be required to slow down/stop to view an advertisement due to illegibility);
- Desensitise road users to the presence of signage, thereby undermining the impact and credibility of traffic control devices.

The checklist from the DPTI Signage Guideline (2014) was applied as shown in Table 2-1.

Table 2-1: Information Requirements Checklist – All Advertising Signs

Item	Description	Relevance to 149 Payneham Road
1.	Scaled site plans include <ul style="list-style-type: none"> - Outline of existing buildings and other relevant structures on site - The location of the proposed advertisement(s) on the property and/or buildings - The location of any existing advertisement(s) on the site to be retained and/or removed 	yes, provided by the proponent. However, the plans do not show the extent of existing advertisements to be retained.

Item	Description	Relevance to 149 Payneham Road
	<ul style="list-style-type: none"> - The allotment boundaries - The location of access points to the site 	
2.	Coloured elevation plans of the proposed advertisement(s) including supporting structures/buildings, showing: <ul style="list-style-type: none"> - Any existing advertisement to be retained - Dimensions of the proposed advertisement, its height above ground level and extent of projection - The height, width and depth of the total proposed sign structure and any associated structures 	yes, provided by the proponent. However, the plans do not show the extent of existing advertisements to be retained.
3.	Where the sign is within the Commissioner's land, road reserve or attached to infrastructure on, over or adjacent such land, detailed dimensional plans with sign size, mounting height, position and installation detail	Yes, provided by the proponent. But no details of future road widening requirements for site are provided by applicant as part of the application details.
4.	Details of the colour, lettering style, proposed symbols to be used and materials of the proposed sign (particularly regarding retro-reflective sheeting class)	yes, provided by the proponent
5.	The position of traffic control devices within 100 metres of the proposed sign as well as service authority poles, and fences within the immediate vicinity of the site	yes, provided by the proponent
6.	Details of any form of illumination including details of baffles, the times at which the sign would be illuminated and the proposed luminance levels	yes, provided by the proponent
7.	Details of the proposed message type and content (acknowledging this could be 'various' in the case of signs that are regularly changed/updated with different advertisements/messages)	yes
8.	Details of any movable elements or rotating displays	none
9.	Details of the proposed dwell time for any non-static images	yes, provided by the proponent
10.	Details of any electronic LED or Matrix display system including intensity control limits and methods (including light sensor) and error detection	yes, provided by the proponent
11.	Details of the location of any other scrolling, electronic or animated signs within 200 metres of the site	none
12.	Photomontages of the sign and its relationship to the adjacent road environment, particularly traffic control devices or areas such as junctions/intersections and curves or crests.	yes, provided by the proponent

The road safety risks for the digital billboard at 149 Payneham Road were assessed as provided in Table 2-2.

Table 2-2: Assessment of Road Safety for the Digital Billboard at 149 Payneham Road, St Peters

Item	Road Safety Checklist	Guideline Appendix	Relevance to 149 Payneham Road
1.	Is the advertisement located in an area that has a low crash rate?	1	This is documented in the CIRQA traffic report of 17 January 2023 with 28 crashes over a 5-year period. This is considered a moderate crash history.

Item	Road Safety Checklist	Guideline Appendix	Relevance to 149 Payneham Road
2.	Is the advertisement located such that it does not create a confusing or dominating background, foreground or surrounding which might reduce the clarity or effectiveness of a traffic control device? Inspection of the site should be undertaken from a driver's perspective to assist in this assessment	2	An inspection of the site was conducted on Saturday 24 June 2023 to determine if the location of the digital signage would potentially be a distraction to drivers waiting or passing through the intersection.
3.	Is the advertisement located such that it does not obstruct a road user's line of sight of a traffic control device or at an intersection, curve or point of egress from an adjacent property? Inspection of the site should be undertaken from a driver's perspective to assist in this assessment	2	Sight distances could be less with the building environment (with shops and frontages) closer to the roadway along the footpath so that the traffic control device is not blocked with the advertising from the driver's view.
4.	Does the advertisement meet relevant clearances?	2	this only applies to speed environments under 50 km/h
5.	Is the advertisement located outside of a 'Device Restriction Area'?	2	The digital billboard will be on top of the building within 80m of the intersection which is the desirable distance for roads with a 60 km/h speed environment.
6.	If the advertisement is attached on a bridge (rail, road, pedestrian) or other transport-related infrastructure, is the advertisement located and attached such that it does not interfere with the integrity and function of the bridge or other infrastructure?	3	not applicable
7.	Is the advertisement designed such that it cannot be mistaken for a traffic control device or it gives instructions to road users?	4	the digital billboard sign could conflict with the traffic signal display
8.	Is the advertisement designed such that it does not 'dazzle' or distract the driver due to its size, design or colouring, or it being illuminated, reflective, animated, changing, moving or flashing?	4 and 5	The digital billboard will be on top of the building within 80m of the intersection which is the desirable distance for roads with a 60 km/h speed environment. Due to its location and size, the digital billboard has the potential to 'dazzle' or 'distract' drivers entering the intersection.
9.	Is the advertisement designed such that lighting effects do not increase road safety risk?	5	The position of the sign at 9.3 m from the ground on the top of a one-level building is considered a safety issue.
10.	Does the advertisement contain an error detection system?	5	The billboard will have an error detection system.
11.	Is the advertisement designed such that it does not contain movement or any special effects that create the illusion of movement?	5	The billboard display will not contain movement.
12.	Do the messages change at frequency intervals appropriate for the location?	5	The proposed digital billboard will have an appropriate refresh rate of 45 seconds, with a 0.1 second change time.

3. Review of the CIRQA Traffic Report

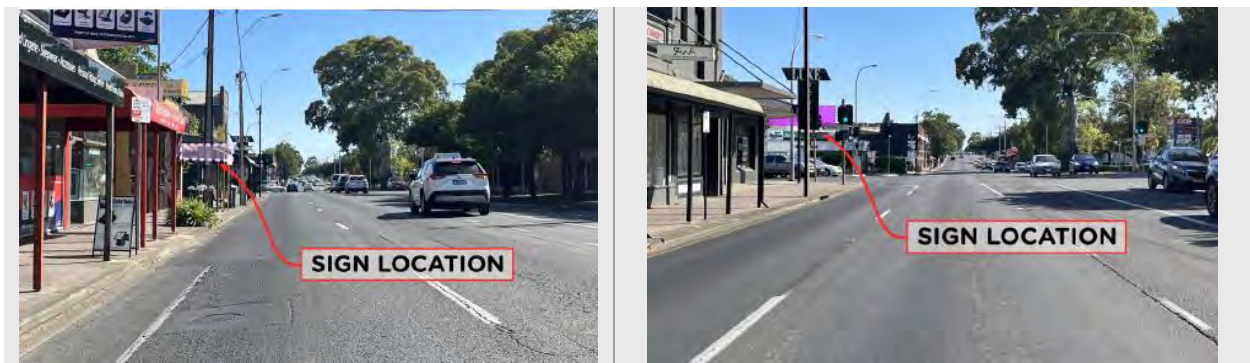
The CIRQA traffic report included in the public application for the development approval applied the *DPTI Advertising Signs Assessment Guidelines (2014)*. However, the assessment was not comprehensive in the following areas:

- Section 3 – “The proposed sign has **generally** been assessed against the requirements ...”. This implies that a comprehensive assessment was not completed. The photo montages only considered typical sunny daytime conditions. Further analysis in the assessment is required to satisfy the Guidelines.
- Section 3.1 – The crash statistics with 28 crashes over five years (2017-2021) is considered moderately high for an intersection of this nature. The intersection of Magill Road at Nelson Street had 20 crashes over the same five-year period. The proposed LED billboard sign will further exacerbate the risk of driver distraction and would potentially increase crash risk. This was not considered in the CIRQA report.
- Section 3.3 – LED screen is not clear of all signal lanterns or traffic control devices impacting the right turn lane on the north east bound Payneham Road approach. This creates a road safety risk that is not mitigated with any proposed measure in the CIRQA report.
- An error was found in the CIRQA report where a reference to ‘Brighton Road’ is in the second dot point form the bottom of Page 4.

Road safety issues that were not addressed in the CIRQA traffic report are:

- Consideration that drivers travelling northeast on Payneham Road may be surprised to suddenly see the large digital billboard when only 40 m from the intersection and this could distract their attention when they need to focus on the intersection traffic, pedestrians and potential traffic signal changes.
- The difference in the timing of the change of the digital billboard signage and the traffic signal phases would not likely coincide and this may distract the drivers travelling northeast in Payneham Road and northwest from Nelson Street to Stephen Terrace or turning right into Payneham Road.

In the CIRQA traffic report, the traffic signal on the northwest corner of Payneham Road at Stephen Terrace is shown in front of the billboard sign in Figure 3.1. This is considered a potential distraction for drivers when the digital billboard sign on a 45 second refresh cycle may change at a different time to the phasing of the traffic signal. This is considered a high safety risk.



80 m south of the stop line in the kerbside lane

40 m south of the stop line in the middle lane

Figure 3.1: Photo Montages in CIRQA Traffic Report at Payneham Road heading northeast

The visibility of the signs during different light conditions in the billboard signage location montages was not investigated. Dusk, wet weather and night conditions may show the billboard differently. This can be affected by the glare from the sun in the background or the cloud cover on an overcast day. The risk of driver distraction would likely be much higher at night when the billboard illumination would create more contrast to a dark sky. Conversely, the pedestrian activity is less obvious on the footpaths due to the darkness and poorer visibility to a distracted driver.

4. Road Safety Assessment of the Proposed Digital Billboard at 149 Payneham Road, St Peters

A road safety assessment of the location of the proposed digital electronic billboard at 149 Payneham Road was conducted using the DIT Signage Guidelines.

Payneham Road is classified as an arterial road whereas Stephen Terrace and Nelson Street are sub-arterial roads. Both roads have a posted speed limit of 60 km/h. The intersection approaches that have the potential for driver distraction are from Payneham Road heading northeast and Nelson Street heading north as shown in Figure 4.1. The other approaches from the northwest in Stephen Street and from the northeast in Payneham Road are not affected.



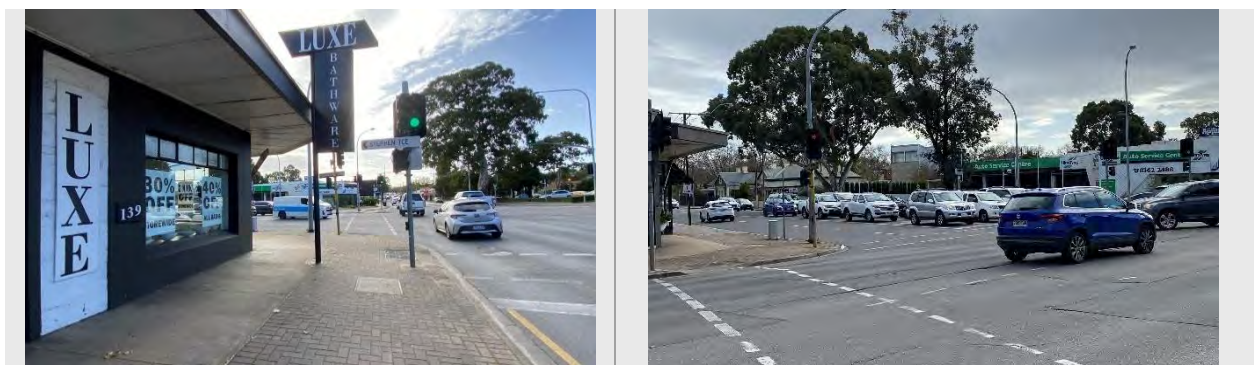
Figure 4.1: Intersection at Payneham Road and Stephen Terrace/Nelson Street

The 80 m setback on the northeast corner of the intersection of Payneham Road and Stephen Terrace/Nelson Street shown in Figure 4.2 demonstrates that the entire site is within the device restriction area for 60 km/h roads.



Figure 4.2: 80 m setback from the Intersection at Payneham Road and Stephen Terrace

The intersection at Payneham Road at Stephen Terrace is shown in Figure 4.3. The proposed digital billboard sign will be visible from the kerb lane in Payneham Road for traffic heading northeast. The sign will also be seen clearly from Nelson Street for the northbound and right turning traffic into Payneham Road.



Looking northeast along Payneham Road towards the site at 149 Payneham Road

Looking north towards the site on the northeast corner and along Stephen Terrace from Nelson Street

Figure 4.3: Existing Intersection at Payneham Road and Stephen Terrace

Examples of Digital Billboard Signs on Comparable 60 km/h Arterial Roads

The following examples are provided to show the location of large digital billboard signs on arterial roads in Adelaide with a posted speed of 60 km/h.

The digital billboards on South Road at midblock sections are easy for drivers to see in advance and do not conflict with traffic signals as shown in Figure 4.4. These signs were approved by DIT because they do not create any confusion with other traffic control devices, such as traffic signals.



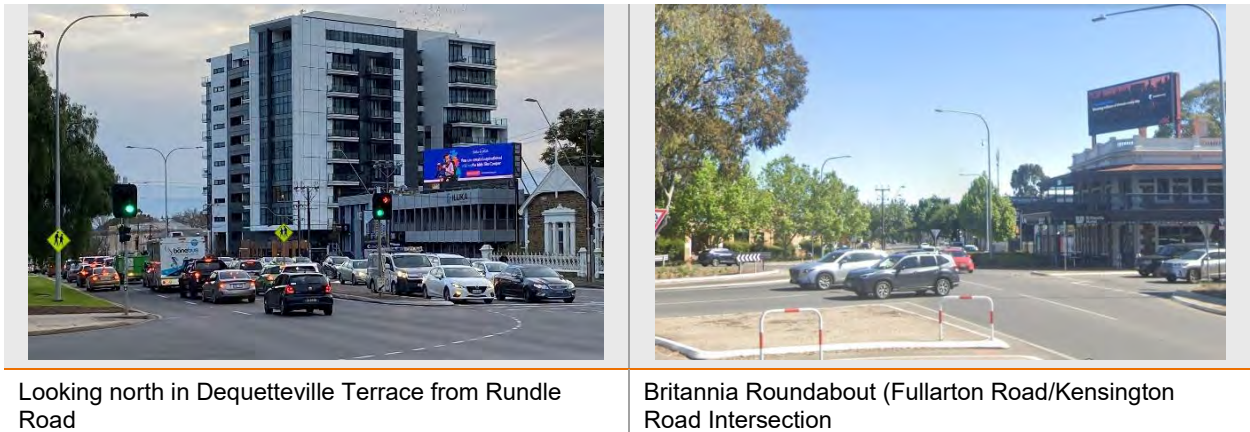
Figure 4.4: Digital Billboards on Mid-block Arterial Roads

The existing digital billboard at the arterial road intersections shown in Figure 4.5 are either discretely embedded into the building or are highly visible from a distance and placed on top of a building. None of these digital billboards are near residential buildings and are away from the line of sight for drivers who need to watch for the traffic signal changes and the traffic in the intersection.



Figure 4.5: Digital Billboards at Arterial Road Intersections

The existing digital billboards in Dequetteville Terrace at Rundle Road and at the Britannia roundabout are shown in Figure 4.6. With both examples, the signs are placed on top of two storey buildings and are positioned to be set back from the view of drivers with no overlay of the traffic signals in any direction. These billboards are not considered to create any road safety risks as they are not adjoining a driver's line of sight to a traffic signal and are not therefore likely to create a distraction to drivers.



Looking north in Dequetteville Terrace from Rundle Road

Britannia Roundabout (Fullarton Road/Kensington Road Intersection)

Figure 4.6: Digital Billboards on the Adelaide Ring Road

Not related to road safety, these billboards along the Ring Road do not impact the local amenity in Kent Town and Norwood, because they have a clear separation from the residential buildings and do not face the resident balconies or block their views of the City skyline. They also do not create issues with light spill at night. Noise from the digital signs is not considered an issue with the high traffic volumes on the Ring Road.

All of these examples on 60 km/h Arterial roads are showing digital billboards that:

- Are clearly visible so that drivers approaching from a distance are not surprised or distracted when the billboard comes into view. This is a key issue for the proposed billboard at 149 Payneham Road with the Payneham Road outbound traffic from the City. The billboard will only come into view after the Payneham Road northeast drivers are close to the intersection at Stephen Terrace. This will create an element of surprise when the sign suddenly comes into view. A slightly hidden large billboard is considered more dangerous for road safety as it may confuse and distract drivers within 40 m of the traffic signal or in crossing the intersection. The billboard would likely capture their attention when they need to concentrate most on the intersection movements, crossing pedestrians and traffic and changes to the traffic lights. Furthermore, the changing of the 45 second interval image on the digital billboard would not likely coincide with the timing for the changes of the green/yellow/red lights on the traffic signals for the northbound traffic from Nelson Street and the northeast traffic along Payneham Road.
- None of the examples provided have billboards that are behind the traffic signal lanterns that could create confusion with the colours between green, yellow and red on the traffic signal and the billboard display message.
- All of the roads in the examples are wider and either at mid-block locations or set back further at intersections when compared to Payneham Road. The billboards are set back further from the traffic lanes from where the drivers would view them (such as on the other side of the road) or they are discretely embedded into the building as in the example at Marion Road or on top of a building away from the traffic signal lanterns.

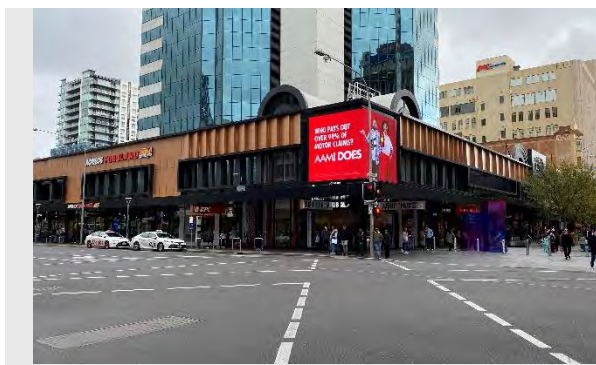
Examples of Digital Billboard Sign Positions on Buildings

The following examples are included to show that the position and height of the sign on the building are critical to reducing the potential safety risk for driver distraction.

Signage in areas such as in Rundle Mall and Hindley Street, that are retail and entertainment precincts, are less of a distraction for drivers as they are expected in these types of areas and are not as likely to surprise drivers who are not familiar with these intersections. These signs are also in street environments with lower speeds.

Furthermore, the digital signs on the top of the buildings in Rundle Mall at King William Street or in Hindley Street at Morphett Street are positioned so that drivers do not see them behind a traffic signal.

The existing digital billboards in Rundle Mall are shown in Figure 4.7. Pulteney Street, Rundle Street and King William Street have a posted speed of 50 km/h and Rundle Mall is an exclusive pedestrian street with these signs positioned to attract the eyes from pedestrians waiting at the crossings and walking into the retail shopping mall. Both of these locations are not impacting on adjacent residential properties, such as the situation at 149 Payneham Road. Furthermore, the position of these large digital billboards is not a distraction to drivers at these intersections.



Corner digital billboard at the scramble pedestrian crossing in Rundle Mall at Pulteney Street



Looking southeast at the digital billboard on top of the building at Rundle Mall and King William Street

Figure 4.7: Existing Digital Billboards in Rundle Mall

The existing digital billboard in Hindley Street with two views are shown in Figure 4.8. Hindley Street has a posted speed of 30 km/h and Morphett Street has a posted speed of 50 km/h. Hindley Street is in the entertainment precinct of the west end of Adelaide where large digital billboards do not impact on the local amenity or create issues with noise or light spill with residents.



Looking west from Hindley Street at Morphett Street



Looking south from Morphett Street to Hindley Street

Figure 4.8: Digital Billboards in Hindley Street at Morphett Street

5. Assessment against the Planning and Design Code

Our traffic impact assessment of the proposed development of the LED screen at 149 Payneham Road against the relevant provisions of the Planning and Design Code has focused on the following traffic and safety provisions associated with Advertisements:

- Advertising Near Signalised Intersections Overlay
- General Development Policies – Advertisements

Our responses to these assessment criteria for the desired and performance outcomes are summarised as follows:

- in Table 5-1 and Table 5-2 for the advertising near signalised intersections overlay, and
- in Table 5-3 and Table 5-4 for general development policies regarding advertisements.

Advertising Near Signalised Intersections Overlay

Table 5-1: Assessment of Desired Outcome for Advertising Near Signalised Intersections Overlay

Desired Outcome	Commentary
DO 1 Provision of a safe road environment by reducing driver distraction at key points of conflict on the road.	Unacceptable The digital billboard will distract drivers attention at and approaching the intersection of Payneham Road with Nelson Street/Stephen Terrace. The key locations where driver distraction is likely to occur are shown in Figure 4.1.

Table 5-2: Assessment of Performance Outcomes for Advertising Near Signalised Intersections

Performance Outcome	Deemed-to-Satisfy Criteria/ Designated Performance Feature	Commentary
PO 1.1 Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.	DTS/DPF 1.1 Advertising: <ul style="list-style-type: none"> • Is not illuminated • Does not incorporate a moving or changing display or message • Does not incorporate a flashing light(s) 	Unacceptable The digital billboard is illuminated and will incorporate changing messages.

General Development Policies – Advertisements

Table 5-3: Assessment of Desired Outcome for General Development Policies – Advertisements

Desired Outcome	Commentary
DO 1 Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.	Unacceptable The digital billboard is of a scale and location which will distract driver's attention at and approaching the intersection of Payneham Road with Nelson Street/Stephen Terrace and add to the visual clutter of the intersection.

Table 5-4: Assessment of Performance Outcomes for General Development Policies – Advertisements

Performance Outcome	Deemed-to-Satisfy Criteria/ Designated Performance Feature	Commentary
<p>PO 5.2 Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination.</p>	<p>DTS/DPF 5.2 No advertisement illumination is proposed.</p>	<p>Unacceptable The digital billboard is illuminated and will incorporate changing messages.</p>
<p>PO 5.3 Advertisements and/or advertising hoardings do not create a hazard to drivers by:</p> <ul style="list-style-type: none"> a) being liable to interpretation by drivers as an official traffic sign or signal b) obscuring or impairing drivers' view of official traffic signs or signals c) obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings. 	<p>DTS/DPF 5.3 Advertisements satisfy all of the following:</p> <ul style="list-style-type: none"> a) are not located in a public road or rail reserve b) are located wholly outside the land shown as 'Corner Cut-Off Area' 	<p>Unacceptable</p> <ul style="list-style-type: none"> • The location of digital billboard may be a surprise to drivers entering the intersection, especially for drivers who are not familiar with Payneham Road and the local area. • The difference in the timing of the messaging may coincide or be confused with the signal changes. • The location and size of the digital billboard is, in at least one location, directly aligned with the traffic control device which would cause driver distraction and uncertainty.
<p>PO 5.4 Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.</p>	<p>DTS/DPF 5.4 Advertisements and/or advertising hoardings are not located along or adjacent to a road having a speed limit of 80km/h or more.</p>	<p>Unacceptable As described above, the location and size of the digital billboard is, in at least one location, directly aligned with the traffic control device, and consequently causing driver distraction and uncertainty.</p>
<p>PO 5.6 Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.</p>	<p>DTS/DPF 5.6 Advertising:</p> <ul style="list-style-type: none"> • Is not illuminated • Does not incorporate a moving or changing display or message • Does not incorporate a flashing light(s) 	<p>Unacceptable The digital billboard is illuminated and will incorporate changing messages.</p>

6. Conclusions and recommendations

The key road safety risks with the proposed digital billboard on top of the building at 149 Payneham Road are:

- Element of surprise for the north-east bound drivers in Payneham Road with the digital billboard with unknown colours appearing from behind the Luxe bathrooms showroom on the immediate approach to the traffic signal intersection. This is especially an issue for drivers who normally do not travel northeast along Payneham Road or northwest from Nelson Street and are unfamiliar with the local area.
- Timing of the traffic signal phase changes are not likely to synchronise with the change of the 45 second refresh rate of the digital billboard.
- Distraction to pedestrians crossing Stephen Terrace and Payneham Road towards the billboard sign.
- Digital billboards distract drivers both visually and cognitively. The bright lights, movement, and dynamic images easily draw drivers' attention and gaze, even when they do not mean to take their eyes off the road.

Other factors to consider related to residential amenity are:

- The billboard will be an eyesore and does not improve the amenity with the appropriateness of a bright sign at this suburban intersection with some character buildings in the St Peters area.
- Noise from the digital signage that is powered through the night.
- Size of the signage is not typical for the type of advertising signage in the local area.
- Noise for residents in the surrounding residential areas in First Lane and the future residents in the apartments in Payneham Road.
- Light spill from the large digital billboard affecting for the residents in the planned apartment building to the north at night.
- Size and blocking resident views from the apartment building at 151-157 Payneham Road, St Peters.
- Relevance for the area that is not a high pedestrian area or entertainment precinct.
- Proposed digital billboard size at 12 m by 3 m is excessively large/oversized for the intersection in an inner suburban area.

Therefore, it is not recommended that the proposed digital billboard be approved on the grounds of the position and location of sign on the building and that it would create a safety risk and distraction to drivers in Payneham Road heading northeast and Nelson Street heading north. It is also considered a distraction for pedestrian who need to look both ways when crossing the legs of the intersection. Furthermore, the proposed development does not meet the safety requirements of the Planning and Design Code in relation to 'advertisements'.

Please contact me if you have any queries.

Yours sincerely

Stantec Australia Pty Ltd



John Devney
Senior Principal Transportation Planner

cc Paul Froggatt
Principal Transportation Planner

Attention: Brenton Burman
Planning Consultant

Brenton Burman
Planning Consultant
68 Third Avenue
FORESTVILLE SA 5035

25 November 2023

City of Norwood Payneham & St Peters
175 The Parade
NORWOOD SA 5067

Email: developmentassessment@npsp.sa.gov.au

Attention: Geoff Parsons, Manager Development Assessment

Dear Geoff

**RE: REPRESENTATION UPDATE – 149 PAYNEHAM ROAD, ST PETERS
(Application 23004466)**

I am writing further to the representation lodged on 28 June 2023 on behalf of ICOSA Projects Pty Ltd (the owners of 151-155 Payneham Road, St Peters) in relation to the development application from Twenty Four Outdoor Australia Pty Ltd (the applicant) to undertake development on the adjacent site on the corner of Payneham Road and Stephen Terrace – 149 Payneham Road, St Peters.

It has now been nearly five months since this application was subject to public notification and our objection was lodged. The uncertainty of a decision on this application has caused significant delay to our client's progress of developing their site (151-157 Payneham Road, St Peters) for an approved multi-storey, mixed-use development (Application 155/M032/21).

The proposed development, involving the erection of a large LED screen (third party advertising) and associated architectural columns, will have a significant adverse impact on the approved development at 151-157 Payneham Road, St Peters, and on the surrounding locality.

As detailed in our representation dated 28 June 2023, the proposed development is significantly at odds with the Zone, Overlay and General provisions of the Planning & Design Code to warrant refusal. Specifically:

- The proposed development has not taken into consideration the lawfully approved multi-storey, mixed-use building comprising residential and commercial uses on the site immediately to the north-east of the subject land (151-157 Payneham Road, St Peters)
- The proposed development will have a significant adverse impact on the residential amenity of the future residents of the adjacent residential apartments, primarily due to the proximity of the LED screen structure, its location on top of the existing building, the overall size of the structure, and potential operational impacts (noise, light spill, overshadowing)
- The proposed third party advertising structure (LED screen) is of a scale and design which will dominate the intersection and surrounding sites and add distraction to drivers, cyclists and pedestrians around this busy intersection
- The proposed third-party advertising structure (LED screen) does not relate to the current use of the land, adding to the visual clutter of the site and locality

Since submitting our representation, a Supreme Court determination has been handed down, which is of particular relevance to this application. The matter is *Brisbane City Council v Leahy & Ors [2023] QCA 133*. A copy of the determination is attached for your reference.

The determination states:

“The Council may only approve the exhibition of an advertisement if the dimensions of the advertisement bear a reasonable relationship to the dimensions of surrounding buildings and allotment in such a way that the advertisement’s presence is not unduly dominating or oppressive and does not unreasonably obstruct existing views.

... Advertisements should respect the amenity of other property owners and not obscure, dominate or overcrowd the view of existing or prospective development on neighbouring properties.

... the Council must have regard to whether the relevant advertisement obscures, dominates or overcrowds the views of existing or prospective development on neighbouring properties.”

The proposed advertising structure, elevated above the roof of the existing building on the subject land resulting in an overall height of the structure of 9.7 metres, with an LED screen of 10.5 metres in length by 3.5 metres in width (overall advertising area of 36.75 square metres), has no reasonable relationship to the surrounding locality.

The proposed advertising structure does not respect the amenity of other property owners and will, by its nature, obstruct, dominate and overcrowd the view of the prospective lawfully approved development immediately to the north-east of the subject land (as shown in Figures 2 and 3 of our original representation).

It is evident from the drawings in our original submission that the proposed advertising structure will obscure the views from the southern apartments of the lawfully approved development and will dominate the entire area, diminishing and in some instances obscuring entirely the views from the apartments which will be located immediately adjacent to the structure.

In addition, the negative impact of light-emitting diode screens on neighbours is well researched and documented, resulting in light pollution from the three wavelength groupings of the light spectrum in LED displays (being UV, V and IR light create frequent flicker, repetition, luminance changes and glare). These impacts have been recognised in both planning regulation and case law in other Australian jurisdictions. For example, Chapter 3 of the NSW State Environmental Planning Policy states that signage must be compatible with the future character of an area and at both Commonwealth and State level environmental laws.

I request that the Council Assessment Panel be provided this additional information in support of our representation.

I advise that both myself and Kathryn Walker (Legal Advisor) from Piper Alderman will be attending the Council Assessment Panel scheduled for Monday 18 December 2023 to represent ICSA Projects Pty Ltd in support of our representation.

Yours faithfully,



Brenton Burman

Planning Consultant

Fellow PIA

BA Planning

Grad. Dip. Environmental Planning

Grad. Dip. Local Government Management

Attachment A: Supreme Court of Queensland determination
Brisbane City Council v Leahy & Ors [2023] QCA 133

Attachment A

Supreme Court of Queensland determination

Brisbane City Council v Leahy & Ors [2023] QCA 133

SUPREME COURT OF QUEENSLAND

CITATION: *Brisbane City Council v Leahy & Ors* [2023] QCA 133

PARTIES: **BRISBANE CITY COUNCIL**
(appellant)
v
RICHARD JOHN LEAHY
(first respondent)
REINET INVESTMENTS PTY LTD
ACN 641 633 267
(second respondent)
KEYSER ISLAND PTY LTD
ACN 606 498 917
(third respondent)

FILE NO/S: Appeal No 12665 of 2022
SC No 13261 of 2021

DIVISION: Court of Appeal

PROCEEDING: General Civil Appeal

ORIGINATING COURT: Supreme Court at Brisbane – [2022] QSC 200 (Davis J)

DELIVERED ON: 20 June 2023

DELIVERED AT: Brisbane

HEARING DATE: 16 May 2023

JUDGES: Flanagan and Boddice JJA and Ryan J

ORDERS: **1. The appeal be dismissed.**
2. The appellant pay the first respondent’s costs of and incidental to the appeal.

CATCHWORDS: ADMINISTRATIVE LAW – JUDICIAL REVIEW – GROUNDS OF REVIEW – PROCEDURAL FAIRNESS – EXISTENCE OF OBLIGATION – RIGHTS AND INTERESTS AFFECTED BY THE DECISION – where the appellant Council approved the exhibition of an electronic advertising structure (“the sign”) – where the sign was erected on land adjacent to the boundary of the first respondent’s property – where the Council did not afford the first respondent procedural fairness prior to approving the exhibition of the sign – where the relevant legislative framework expressly recognises different classes of persons being affected in different ways and in respect of different interests – where the first respondent was a member of a distinct class which could be identified, namely the neighbouring properties whose views might be obscured, dominated or overcrowded by the proposed sign – where the

Council appeals, relevantly, on the ground that the primary judge erred in determining that the principles of natural justice were not excluded – whether the principles of natural justice had been excluded

Advertisements Local Law 2013, s 9, s 10

Advertisements Subordinate Local Law 2005, s 2, s 8, item 1 sch 5

City of Brisbane Act 2010 (Qld), s 29

Judicial Review Act 1991 (Qld), s 4, s 7, s 20

Annetts v McCann (1990) 170 CLR 596; [1990] HCA 57, followed

Castle v Director-General State Emergency Service [2008] NSWCA 231, considered

Gardner v Dairy Industry Authority of New South Wales [1977] 1 NSWLR 505, distinguished

Greyhound Racing NSW v Cessnock & District Agricultural Association [2006] NSWCA 333, considered

Leahy v Brisbane City Council & Ors [2022] QSC 200, related

Kioa v West (1985) 159 CLR 550; [1985] HCA 81, cited

Medway v Minister for Planning (1993) 30 NSWLR 646, distinguished

Minister for Local Government v South Sydney City Council (2002) 55 NSWLR 381; [2002] NSWCA 288, considered

Re Refugee Review Tribunal; Ex parte Aala (2000)

204 CLR 82; [2000] HCA 57, cited

Saeed v Minister for Immigration and Citizenship (2010)

241 CLR 252; [2010] HCA 23, considered

The Queen v Marks; Ex parte Australian Building

Construction Employees and Builders Labourers' Federation (1981) 147 CLR 471; [1981] HCA 33, cited

Vanmeld Pty Ltd v Fairfield City Council (1999)

46 NSWLR 78; [1999] NSWCA 6, applied

Waga v Technical & Further Education Commission [2009]

NSWCA 213, cited

COUNSEL: G D Beacham KC, with D A Quayle, for the appellant
M T Brady KC, with D C Fahl, for the first respondent
No appearance for the second respondent
No appearance for the third respondent

SOLICITORS: City Legal for the appellant
Cochrane Leahy Legal for the first respondent
No appearance for the second respondent
No appearance for the third respondent

[1] **FLANAGAN JA:** On 18 December 2018, a delegate of the appellant (“the Council”) approved the exhibition of an electronic advertising structure (“the sign”) on 43 Musgrave Road, Red Hill, Brisbane. The sign is owned by the second respondent and the property upon which it is situated is owned by the third respondent.

- [2] On 8 November 2022, Mullins P made orders excusing the second and third respondents from any appearance or otherwise participating in the appeal.
- [3] The Council’s decision to approve the application for the proposed exhibition of the sign was made pursuant to the *Advertisements Local Law 2013* (“*Local Law*”) and the *Advertisements Subordinate Local Law 2005* (“*Subordinate Local Law*”).¹
- [4] By its decision, the Council approved the construction of a sign with a maximum electronic display area of 48 square metres which was to be no higher than 12 metres above ground level.
- [5] The first respondent, Mr Leahy, is the registered owner of residential premises at 51 Musgrave Road. These premises adjoin, and are immediately to the west of, 43 Musgrave Road.
- [6] In approximately May and June of 2020, the sign was constructed on the 43 Musgrave Road premises. Prior to the construction, Mr Leahy was unaware that any application had been made for approval of the exhibition of the sign, nor was he aware that the Council had decided to approve any such application.
- [7] Mr Leahy was given no opportunity to make objection to, or submissions in relation to, the application prior to it being considered and approved by the Council.
- [8] By an amended application for a statutory order of review, Mr Leahy sought an order to have the decision set aside and remitted to the Council for further consideration. The application identified six grounds of review. These included a failure on the part of the Council to afford Mr Leahy procedural fairness, a failure to take into account relevant considerations, taking into account irrelevant considerations, there being no evidence or other material to justify the making of the decision, unreasonableness and the decision being otherwise contrary to law.
- [9] On 20 September 2022, the learned primary judge made an order setting aside the Council’s decision and ordered the Council to further consider the application to approve the exhibition of the sign.² The primary judge determined that the Council was required to afford Mr Leahy procedural fairness and had failed to do so, and that in making the decision it had failed to take into account a relevant consideration, namely whether the views of neighbouring properties might be obscured, dominated or overcrowded by the sign. His Honour determined that it was unnecessary to consider the other grounds of review.³
- [10] By appeal grounds 1 to 3, the Council seeks to challenge the primary judge’s finding that it was required to afford procedural fairness to Mr Leahy. Together, those grounds allege that the primary judge erred:⁴
- (a) in finding that a subclass of those affected by the decision – namely the owners of neighbouring properties whose views might be obscured, dominated or overcrowded – were entitled to procedural fairness when other classes of persons whose views might be affected were not so entitled; and

¹ Section 29 of the *City of Brisbane Act 2010* (Qld) empowers the Council to make local laws and subordinate local laws.

² *Leahy v Brisbane City Council & Ors* [2022] QSC 200 (**Reasons**).

³ **Reasons**, [120].

⁴ Amended outline of submissions on behalf of the appellant, paragraph 6.

(b) in finding that the identified subclass was limited and identifiable.

[11] By a notice of contention, Mr Leahy seeks to support the orders made by the primary judge on the grounds of review which his Honour determined were unnecessary to consider.

[12] For the reasons which follow, the appeal should be dismissed. The primary judge's orders were properly founded on the failure of the appellant to afford procedural fairness to Mr Leahy. Accordingly, it is unnecessary to consider appeal grounds 4 to 7 which challenge his Honour's finding that the Council failed to take into account a relevant consideration. It is also unnecessary to consider the notice of contention.

The legislative framework

[13] An application for approval of a proposed exhibition of an advertisement is made pursuant to s 9 of the *Local Law*.

[14] Section 10 of the *Local Law*, which identifies the criteria that guide the Council's discretion, provides:

“10 Criteria to guide Council's discretion

(1) In deciding whether to approve the exhibition of an advertisement, the Council must have regard to—

- (a) any relevant advice it sees fit to obtain from suitably qualified experts; and
- (b) the public interest; and
- (c) relevant Commonwealth, State or Council plans, proposals or agreements affecting the part of the area in which the advertisement is to be situated; and
- (d) criteria and conditions prescribed by a subordinate local law.

(2) The Council may only approve the exhibition of an advertisement if—

- (a) the advertisement is structurally sound; and
- (b) the advertisement causes no significant obstruction of, or distraction to, vehicular or pedestrian traffic; and
- (c) the dimensions of the advertisement bear a reasonable relationship to the dimensions of surrounding buildings and allotments so that—
 - (i) its presence is not unduly dominating or oppressive; and
 - (ii) it does not unreasonably obstruct existing views; and
- (d) the advertisement complements, or at least does not unreasonably detract from desirable characteristics of

the natural and built environment in which the advertisement is exhibited; and

- (e) the approval is consistent with the subordinate local law.
- (3) The Council may, by subordinate local law—
- (a) prescribe criteria for the grant or refusal of approvals for the exhibition of advertisements; or
 - (b) prohibit specified classes of advertisements, or prohibit the exhibition of advertisements in circumstances of a specified class; or
 - (c) classify advertisements as requiring approval or generally inappropriate in certain city environments and conditions on which such advertisements may be approved.”

[15] Relevantly, s 10(1)(d) requires that, in deciding whether to approve the exhibition of an advertisement, the Council “must” have regard to criteria and conditions prescribed by a subordinate local law. Section 10(2)(e) further provides that the Council may “only” approve the exhibition of an advertisement if it is consistent with the *Subordinate Local Law*.

[16] Section 2 of the *Subordinate Local Law* identifies the object of the *Subordinate Local Law* as being to assist the implementation of the *Local Law*.

[17] Section 8 of the *Subordinate Local Law* governs the criteria for approval and provides:

“8 Criteria for advertisements permitted with approval

In considering an application for approval, Council will have regard to—

- (1) whether the advertisement is acceptable in the City Environment in which it is to be exhibited; and
- (2) whether approval would satisfy the objectives of the local law; and
- (3) the conditions in Schedule 4; and
- (4) the criteria in Schedule 5; and
- (5) the conditions of a related development approval.”

[18] Item 1 of Schedule 5 of the *Subordinate Local Law* provides:

“1 Views, vistas and visual amenity

- (1) Advertisements are not to block or compromise a view or vista of high scenic amenity.
- (2) Advertisements should respect the amenity of other property owners and not obscure, dominate or overcrowd the views of

existing or prospective development on neighbouring properties.

- (3) *high scenic amenity* in subsection (1) means views which would be regarded by the majority of people as of high quality which may be characterised by elements of landscape or townscape or both.”

[19] The legislative framework outlined above does not provide a process by which persons affected by a decision to approve an advertisement are afforded procedural fairness. That is, the legislation is silent as to the “content” of any obligation to afford procedural fairness.

The primary judge’s reasoning – procedural fairness

[20] There was no dispute before the primary judge that for the purposes of ss 4, 7 and 20 of the *Judicial Review Act 1991* (Qld), the decision to approve the exhibition of the sign was a decision of an administrative character made under an enactment. Nor was there any dispute that Mr Leahy was a person who was aggrieved by the decision.

[21] The amended application for a statutory order of review particularised how the applicant was aggrieved by the decision, including the assertion that the approval and subsequent erection and use of the sign has had adverse impacts upon the amenity and value of 51 Musgrave Road. In this respect, the primary judge made the following factual findings:⁵

“The sign is a large one. It is 42.4 square metres in area and stands 11.3 metres high. It is situated immediately adjacent to the eastern boundary of 51 Musgrave Road. There can be no doubt that 51 Musgrave Road is a ‘neighbouring property’ to the sign erected on 43 Musgrave Road. There can also be no doubt that, as a matter of fact, the sign interrupts the line of sight from 51 Musgrave Road. ... Given the size of the sign, that line of sight is interrupted significantly.”

[22] There was also no dispute before the primary judge that if the Council was required to afford procedural fairness to Mr Leahy, it had failed to do so. The central issue before his Honour was whether the *Local Law* and the *Subordinate Local Law*, by plain words of necessary intendment, excluded the obligation to afford procedural fairness.

[23] His Honour recognised, generally, that the principles of natural justice may not apply where the rights of great numbers of persons are likely to be affected by a single decision. In such a situation, the principles of natural justice may be impliedly excluded because the decision affects so many people as to make it manifestly impracticable for them all to be given an opportunity to be heard.⁶

⁵ Reasons, [112].

⁶ Reasons, [66] referring to *Gardner v Dairy Industry Authority of New South Wales* [1977] 1 NSWLR 505, 519 per Hutley JA.

- [24] The primary judge considered that both the *Local Law* and the *Subordinate Local Law* recognise the interests of individual landowners. His Honour observed:⁷

“Persons who own ‘neighbouring properties’ who have views which will be affected by the erection of a sign have a clear interest in the decision whether or not to allow it to be erected. Subject to other considerations, the duty would arise in the absence of clear words to the contrary. There are none.”

- [25] His Honour continued:⁸

“It is unnecessary to consider here whether, where there is a large unidentifiable class affected by the decision but specific members can be identified, the duty arises in relation to those identifiable members. Here, the local law and the subordinate local law recognise different interests and different classes of persons affected ... and the members of at least one of those classes is readily identifiable.

Item 1 of Schedule 5 of the subordinate local law deals with two types of “views”. First is the “view ... of high scenic amenity”. The term, “high scenic amenity” is defined by reference to concepts of “landscape or townscape” and many citizens may have some general interest in the maintenance of these views. They could though not be described as being directly affected and could not be described as being relevantly identifiable.

Secondly, Item 1 of Schedule 5 concerns views from “neighbouring properties” to the proposed sign. Here, the class is very limited. It is restricted to owners of “neighbouring properties” to the site of the proposed sign. That class is further restricted to those whose views might be obscured, dominated or overcrowded by the proposed sign.

The local law and the subordinate local law therefore recognise different classes of persons being affected in different ways and in respect of different interests. A duty may not arise in favour of those citizens who may be affected by traffic issues or the effect of the sign upon the general landscape. The owners of ‘neighbouring properties’ are recognised in the subordinate local law as having a particular interest, namely the reasonable maintenance of their views. That interest is directly affected by the erection of the sign and, provided they are a class which can be reasonably and practically identified, the local law and the subordinate local law would not be read so as to exclude the obligations of procedural fairness to them unless the words were clear, which they are not.”

No appealable error has been established

- [26] The Council submits that the primary judge, in determining that the principles of natural justice were not excluded, erred by finding that the *Local Law* and the *Subordinate Local Law* recognise different classes of persons with different interests and that the members of at least one of those classes was readily

⁷ Reasons, [73].

⁸ Reasons, [82]–[85].

identifiable. The Council submits that his Honour’s conclusion was effectively that some people whose views were affected were entitled to procedural fairness, but others, whose views were also affected, were not.⁹

- [27] The Council further submits that the primary judge erred in considering that the class of persons affected in item 1 of Schedule 5, namely “neighbouring properties”, was “very limited”.¹⁰ The primary judge considered that this class could be identified in a reasonable and practical sense.¹¹
- [28] The Council submits that a “neighbouring property” is not merely a property with a contiguous boundary with the property on which the advertisement is to be placed. A “neighbour” is “someone who lives near another”.¹² Further, the subclass is comprised of neighbours whose views are potentially “obscured, dominated or overcrowded”. According to the Council, identification of this subclass necessarily involves a subjective determination which would be difficult in advance of the decision-making process. This is further complicated, the Council submits, by the fact that it requires an assessment of the potential impacts on the views enjoyed from existing or prospective development on neighbouring properties.
- [29] The Council therefore submits that no sufficient basis was identified by the primary judge for concluding that the legislature intended to give the neighbouring property owners a right to natural justice, but not others whose views might be affected.¹³
- [30] These submissions should not be accepted.
- [31] The *Local Law* and the *Subordinate Local Law* confer a power on the Council to approve the exhibition of a sign. It must be accepted that the exercise of this power may prejudice the interests of persons, including the owners of neighbouring properties. In such circumstances, the principles of natural justice regulate the exercise of the power. As observed by the plurality in *Saeed v Minister for Immigration and Citizenship*:¹⁴

“In *Annetts v McCann* it was said that it could now be taken as settled that when a statute confers power to destroy or prejudice a person’s rights or interests, principles of natural justice regulate the exercise of that power. Brennan J in *Kioa v West* explained that all statutes are construed against a background of common law notions of justice and fairness. His Honour said:

‘[W]hen the statute does not expressly require that the principles of natural justice be observed, the court construes the statute on the footing that ‘the justice of the common law will supply the omission of the legislature’. The true intention of the legislation is thus ascertained.’

The implication of the principles of natural justice in a statute is therefore arrived at by a process of construction. It proceeds upon the assumption that the legislature, being aware of the common law

⁹ Amended outline of submissions on behalf of the appellant, paragraph 14.

¹⁰ Reasons, [84].

¹¹ Reasons, [86].

¹² Amended outline of submissions on behalf of the appellant, paragraph 21, citing the Macquarie Dictionary.

¹³ Amended outline of submissions on behalf of the appellant, paragraph 27.

¹⁴ (2010) 241 CLR 252, [11]–[13].

principles, would have intended that they apply to the exercise of a power of the kind referred to in *Annetts v McCann*.

Observance of the principles of natural justice is a condition attached to such a statutory power and governs its exercise, as Brennan J further explained in *Kioa v West*. A failure to fulfil that condition means that the exercise of the power is inefficacious. A decision arrived at without fulfilling the condition cannot be said to be authorised by the statute and for that reason is invalid.” (citations omitted)

- [32] The principles of natural justice may only be excluded by plain words of necessary intentment.¹⁵ This was further explained by the plurality in *Saeed*:¹⁶

“The presumption that it is highly improbable that Parliament would overthrow fundamental principles or depart from the general system of law, without expressing its intention with irresistible clearness, derives from the principle of legality which, as Gleeson CJ observed in *Electrolux Home Products Pty Ltd v Australia Workers’ Union*, ‘governs the relations between Parliament, the executive and the courts’.” (citations omitted)

- [33] Where the decision in question is one for which provision is made by statute, the application and content of the doctrine of natural justice or obligation of procedural fairness depends to a large extent on the construction of the statute.¹⁷ Neither the *Local Law* nor the *Subordinate Local Law* expressly excludes the principles of natural justice. Those principles therefore may only be excluded by necessary intentment, noting that the intention must be expressed “with irresistible clearness”. On a proper construction of both the *Local Law* and the *Subordinate Local Law*, the fact that a decision to approve the exhibition of a sign may affect the interests of various classes of persons in different ways does not, of itself, evince an intention to exclude the principles of natural justice.

- [34] The authors of *Judicial Review of Administrative Action and Government Liability* (7th ed, LawBook Co, 2022), by reference to *Minister for Local Government v South Sydney City Council* (“*South Sydney City Council*”)¹⁸ and *Vanmeld Pty Ltd v Fairfield City Council* (“*Vanmeld*”),¹⁹ state at [8.110]:

“If the affected people cannot be identified, fairness may not apply. But where it is difficult rather than impossible to identify those people, fairness may apply with diminished content.” (citations omitted)

- [35] In circumstances where the legislative framework recognises that different classes of persons may be affected in different ways, and at least one of those classes is identifiable, the primary judge correctly held that the proper consideration is not whether the *Local Law* and *Subordinate Local Law*, by necessary implication, excludes the principles of natural justice, but rather, what the content of the duty to

¹⁵ *Annetts v McCann* (1990) 170 CLR 596, 598.

¹⁶ *Saeed v Minister for Immigration and Citizenship* (2010) 241 CLR 252, [15].

¹⁷ *Kioa v West* (1985) 159 CLR 550, 584.

¹⁸ (2002) 55 NSWLR 381.

¹⁹ (1999) 46 NSWLR 78.

afford procedural fairness ought to be. As was explained by Mason J in *Kioa v West*:²⁰

“The critical question in most cases is not whether the principles of natural justice apply. It is: what does the duty to act fairly require in the particular circumstances of the particular case? ... A resolution of that question calls for an examination of the statutory provisions and the interests [which may be affected].”

- [36] In this regard, the primary judge observed that in *Vanmeld*, Spigelman CJ, who was in dissent on other issues, “explained that a primary consideration is the content of the duty in the specific context being considered”.²¹ The primary judge analysed *Vanmeld* as follows:²²

“In *Vanmeld*, the Fairfield Local Government Plan 1994 was amended by the Fairfield City Council pursuant to the *Environmental Planning and Assessment Act 1979*. That plan, as amended, forbade the filling of floodways. That affected the way in which land could be developed. While the plan had broad application, there were a limited number of identifiable land owners who could be affected. His Honour thought that class was owed duties of procedural fairness. The majority in *Vanmeld* did not disagree with this logic. They held that specific statutory obligations of the Council to undertake public consultation excluded the requirement to accord procedural fairness to any identifiable class.”

- [37] In *Vanmeld*, Spigelman CJ made the following observation:²³

“It is relevant to note that the power may be exercised, and in the ordinary course is usually exercised, by promulgating a provision in terms of general language which often, perhaps usually, applies to a significant number of landowners. However, there is nothing in the nature of the power which requires it to be exercised in this way. An amendment under s 68(3) may apply to only a single landowner. This suggests that the issue is not whether an obligation to afford procedural fairness exists at all, but what is the content of such an obligation in a specific context.”

- [38] The Chief Justice continued:²⁴

“The fact that the exercise of a particular statutory power has effect on a wide range of persons, *even in circumstances where the identity of all such persons is difficult to establish*, will often impinge, not on the obligation to accord procedural fairness, but on the content of that obligation.” (emphasis added)

- [39] The appellant submits that *Vanmeld* does not support the approach taken by the primary judge. This is because, although the power in question in *Vanmeld* was one

²⁰ *Kioa v West* (1985) 159 CLR 550, 585.

²¹ Reasons, [80].

²² Reasons, [81].

²³ *Vanmeld Pty Ltd v Fairfield City Council* (1999) 46 NSWLR 78, [62].

²⁴ *Vanmeld Pty Ltd v Fairfield City Council* (1999) 46 NSWLR 78, [74].

of general application, the way in which it was exercised in the particular case affected only several identifiable persons. The appellant submits:²⁵

“The present case is significantly different. There is a broad class of people whose views might be affected, and even the asserted subclass – owners of neighbouring properties – does not comprise specific identified people.”

[40] The present case, however, is not one which involves a decision that affects a large, single, unidentifiable class where some specific members can be identified. Rather, it is a case where the legislative framework expressly recognises that the interests of distinct classes of persons will be affected differently. The members of at least one of those distinct classes can be identified. To conflate the interests of those distinct classes, so as to treat them as forming a single class, would be to misconstrue the express language of the *Local Law* and the *Subordinate Local Law*. This Court is therefore not required to determine whether an obligation to afford procedural fairness can arise only in respect of some identifiable members of a predominantly unidentifiable class. Instead, the relevant inquiry is what the content of that obligation ought to be as it applies to the particular identifiable class of which Mr Leahy is a member, namely the neighbouring properties whose views might be obscured, dominated or overcrowded. It should be noted that, like the nature of the decision to be taken, a matter which informs the content of any obligation to accord procedural fairness is the possible range of affected interests.²⁶ In this case, that was not a constant factor, with the possible result being that the content of the obligation as it may apply to distinct classes of affected persons may itself not be constant.²⁷ Once the present case is understood in this way, the observations made by Spigelman CJ in *Vanmeld* become particularly apposite.

[41] In seeking to distinguish *Vanmeld*, the appellant refers to Meagher and Powell JJA having concluded in that case “that the public notice regime in the statute impliedly excluded the common law right to natural justice”.²⁸ This submission misunderstands the judgments of Meagher and Powell JJA. The relevant statute in *Vanmeld*, the *Environmental Planning and Assessment Act 1979* (NSW), provided specific steps for the preparation of a local environment plan, which included a requirement for the contents of the plan to undergo a consultation process involving public notice, public exhibition and receipt of submissions. It was only after this process had been concluded that the contents of the local environment plan were amended to prohibit the placement of fill in a floodway in a particular zone. It was this amendment which affected a limited number of identifiable landowners. Meagher JA did not agree with Spigelman CJ that the Fairfield City Council “was guilty of any breach of the common law rules of procedural fairness”.²⁹ This was not because the rules of procedural fairness had been excluded by necessary implication but rather because the consultation process requiring public notification

²⁵ Amended outline of submissions on behalf of the appellant, paragraph 17.

²⁶ *Greyhound Racing NSW v Cessnock & District Agricultural Association* [2006] NSWCA 333, [71].

²⁷ *Greyhound Racing NSW v Cessnock & District Agricultural Association* [2006] NSWCA 333, [71] citing *The Queen v Marks; Ex parte Australian Building Construction Employees and Builders Labourers' Federation* (1981) 147 CLR 471, 500-501 and *Re Refugee Review Tribunal; Ex parte Aala* (2000) 204 CLR 82, [62].

²⁸ Amended outline of submissions on behalf of the appellant, paragraph 17.

²⁹ *Vanmeld Pty Ltd v Fairfield City Council* (1999) 46 NSWLR 78, [179].

had been followed and, thus, affected persons had been afforded the measure of fairness which the statute mandated. As observed by Meagher JA:³⁰

“In these circumstances, I think the Act specifies exactly to what extent procedural fairness must be accorded to a ratepayer.”

[42] As was observed at [19] above, unlike the *Environmental Planning and Assessment Act* considered in *Vanmeld* which provided the content of procedural fairness where the local environment plan applied to a significant number of landowners, the *Local Law* and the *Subordinate Local Law* make no such provision. In circumstances where the legislative framework does not specify the extent to which procedural fairness must be afforded to affected persons, the content of that obligation falls to be determined by having regard to, *inter alia*, the size and nature of the distinct classes to which the duty is owed, as well as the possible range of interests which may be affected.

[43] Like *Vanmeld*, *South Sydney City Council* concerned a decision made in accordance with a legislative framework that specified, at least to some extent, the content of the obligation to afford procedural fairness. In that case, the relevant Minister had received a proposal for the alteration of boundaries of local government areas. The Minister was required to refer the issue to the Boundaries Commission for examination and report. The South Sydney City Council alleged that it had not been afforded the opportunity to make any submissions to the Boundaries Commission with respect to any proposal affecting part of its area lying between a particular boundary. Mason P observed:³¹

“The present case involves examination of a proposal which (even in its unamended form) was capable of affecting a very broad number of persons and institutions in what may broadly be termed a matter of town planning overlaid with political issues. Such tasks do not usually attract the principles of procedural fairness at all, *although they may do so as regards particular interests of particularly affected and identifiable persons.*” (emphasis added)

[44] Mason P referred with approval to the statement of Spigelman CJ in *Vanmeld* outlined at [38] above and continued:³²

“The subject-matter of the statutory duty was the examination of the Minister’s proposal. The range of potentially affected persons and interests is illustrated by the factors to which particular attention is drawn by s 263(3). *Obviously they include consideration of the impact of the proposal on affected councils, but additional interest groups are also specifically identified. Why is the interest of a council relevantly different from that of landowners or employees? If it is not, presumably the content of any duty of procedural fairness must accommodate all three potentially affected groups.*” (emphasis added)

³⁰ *Vanmeld Pty Ltd v Fairfield City Council* (1999) 46 NSWLR 78, [182].

³¹ *Minister for Local Government v South Sydney City Council* (2002) 55 NSWLR 381, [263].

³² *Minister for Local Government v South Sydney City Council* (2002) 55 NSWLR 381, [264].

- [45] Mason P, like Spigelman CJ in *Vanmeld*, viewed the issue as one of determining the content of the obligation to afford procedural fairness rather than its exclusion. As Mason P observed:³³

“What is clear, however, is that [the] factors [to which particular attention is drawn by s 263(3)] severely qualify or attenuate the content of any pre-reporting notification duty falling upon the Commission.”

- [46] In *Greyhound Racing NSW v Cessnock & District Agricultural Association*,³⁴ Basten JA (with whom Beazley and Hodgson JJA agreed) considered both *Vanmeld* and *South Sydney City Council*:³⁵

“*Vanmeld Pty Ltd* involved the promulgation of a local environment plan under the *Environmental Planning and Assessment Act 1979* (NSW). The majority (Meagher and Powell JJA) held that compliance with the statutory scheme was sufficient to satisfy the requirements of procedural fairness. In *South Sydney City Council*, the Court was concerned with consultation with parties who might be affected by recommendation of the Boundaries Commission, operating under the *Local Government Act 1993* (NSW). Again, the statutory context was of importance. In any event, the broadly stated principles derived from the passages [in *Vanmeld* and *South Sydney City Council*] relied upon by the Appellant are not directly applicable in the present case. It became apparent early in the Appellant’s deliberations that, although various other cost saving devices were contemplated, to make savings in the order of \$3.5 million in a financial year required reductions in prize money payable at TAB club meetings, a reduction in the number of race meetings conducted, or a combination of those two approaches. *Once a reduction in the allocation of dates was identified as a real possibility, the parties who would be most directly affected were readily identified as the twelve TAB clubs. Consultations with those clubs was required prior to any operative decision being taken...*” (emphasis added)

- [47] In my view, these decisions illustrate that the preferable approach in cases such as the present is to have regard to the nature of the interests which may be affected, viewed in light of the relevant legislative framework, in order to determine the content – that is, the nature and extent – of the obligation to afford procedural fairness.³⁶

- [48] The appellant referred to three decisions of the New South Wales Court of Appeal, *Gardner v Dairy Industry Authority of New South Wales* (“*Gardner*”),³⁷ *Medway v Minister for Planning* (“*Medway*”)³⁸ and *Castle v Director-General State*

³³ *Minister for Local Government v South Sydney City Council* (2002) 55 NSWLR 381, [268].

³⁴ [2006] NSWCA 333.

³⁵ *Greyhound Racing NSW v Cessnock and District Agricultural Association* [2006] NSWCA 333, [73].

³⁶ *Kioa v West* (1985) 159 CLR 550, 584–585; *Waga v Technical & Further Education Commission* [2009] NSWCA 213, [49].

³⁷ [1977] 1 NSWLR 505.

³⁸ [1993] 30 NSWLR 646.

Emergency Service (“Castle”).³⁹ None of these authorities affect the correctness of the principle identified by Spigelman CJ outlined at [38] above.

- [49] In *Gardner*, a scheme was introduced under the *Dairy Industry Authority (Amendment) Act 1977* (NSW) whereby the relevant authority exercised powers in allocating new quotas and fixing interim production levels for dairy producers. This scheme affected thousands of persons involved in the dairy industry. In such circumstances, Hutley and Samuels JJA found that the rules of natural justice did not apply. As was observed by Hutley JA:⁴⁰

“The rules of natural justice, on their strict form, cannot be applied where the rights of great numbers of persons are likely to be affected by a single decision. The legislature, when it granted those powers, must have appreciated that they would have become unworkable, if the rules of natural justice had to be applied in exercising them. The rules of natural justice are really only applicable to alterations of rights of single individuals or small groups, that is numbers which be adequately handled by an adversary system of litigation.”

- [50] By reference to de Smith’s *Judicial Review of Administrative Action* (1st ed, Stevens & Sons, 1959), Hutley JA noted that the principles of natural justice “will be held to be impliedly excluded in so far as the number of persons affected by a particular order, act or decision is so great as to make it manifestly impracticable for them all to be given an opportunity of being heard by the competent authority beforehand”.⁴¹

- [51] These observations are relevant to circumstances where a decision affects the rights of “great numbers of persons”. For the reasons outlined at [40] above, together with those at [57]-[59] below, that is not this case.

- [52] Similarly in *Medway*, the relevant direction made by the Minister under the *Environmental Planning and Assessment Act 1979* (NSW) was in respect of development applications of a “class” that included future applications and would extend to applications of or by different people. Two adjoining landowners complained that they had been deprived of procedural fairness. Mahoney JA (with whom Sheller and Cripps JJA agreed) found that the principles of natural justice had been excluded:⁴²

“Where the persons relevantly affected by the exercise of the statutory power are numerous or difficult to identify, or identify in advance, it may more readily be inferred that it was not the legislative intention that, before the exercise of the power, the case sought to be made be formulated and notified.”

- [53] *Medway* was considered by Spigelman CJ in *Vanmeld* where it was noted that Mahoney JA gave weight to the fact that the persons who had lost the specific rights were a “much wider class” than simply adjacent landowners and that “[i]t would be difficult to identify all of them in advance”.⁴³ *Medway* was a case of the kind which is distinguished at [40] above; the Court was being asked to determine whether

³⁹ [2008] NSWCA 231.

⁴⁰ *Gardner v Dairy Industry Authority of New South Wales* [1977] 1 NSWLR 505, 519.

⁴¹ *Gardner v Dairy Industry Authority of New South Wales* [1977] 1 NSWLR 505, 519.

⁴² *Medway v Minister for Planning* [1993] 30 NSWLR 646, 652–653.

⁴³ *Vanmeld Pty Ltd v Fairfield City Council* (1999) 46 NSWLR 78, [64].

procedural fairness ought to be afforded to some identifiable members of a single affected class that was large and predominantly unidentifiable. Unlike the present case, the legislative framework in *Medway* did not recognise that the interests of distinct groups may be differently affected.

[54] In this regard, Spigelman CJ continued:⁴⁴

“[Mahoney JA in *Medway*] however also gave considerable weight to the particular circumstances of the specific case and described the persons who could object with respect to the particular development in issue as ‘a wider and more amorphous class’. His Honour was, however, careful to add:

‘It may be that in the case of a single application affecting only one person or several identifiable persons, different considerations may arise.’” (citations omitted)

[55] Notably, Spigelman CJ concluded that Mahoney JA in *Medway* “was not focussing on the existence of the duty to accord procedural fairness, but rather on its content in the specific circumstances of the case.”⁴⁵

[56] Basten JA in *Castle* also analysed the matter in terms of content rather than the exclusion of the obligation to afford procedural fairness:⁴⁶

“Thus, one limitation on the operation of the duty to accord procedural fairness arises from the need to identify the obligation by reference to an individual or class of persons. The obligation must be capable of identification and fulfillment, in a reasonable and practical sense, prior to the making of the decision. Some guidance may be obtained by asking whether it was reasonable to expect the officer exercising a particular power to identify, in advance, the applicant as a person whose rights or interest may be affected and the way in which the proposed affectation would occur. The larger the class of persons reasonably expected to be affected, the less the likelihood that procedural fairness will be attracted and, if it is, the lower the likely content of the duty. Similarly, even though the class of those effected may be small, the duty is less likely to be attracted if membership of the class is variable and not readily ascertained.”

[57] In the present case, s 10(1) mandates what the Council must have regard to in deciding whether to approve the exhibition of an advertisement. These considerations include the public interest pursuant to s 10(1)(b) and criteria and conditions prescribed by the *Subordinate Local Law* pursuant to s 10(1)(d). Section 10(2) identifies various classes of persons who may be affected by the approval. These classes include, under s 10(2)(b), vehicular or pedestrian traffic. For this class of persons, the Council may only approve the exhibition of an advertisement if it causes “no significant obstruction ... or distraction”. Another class identified is found in s 10(2)(c), namely “surrounding buildings and allotments”. The Council may only approve the exhibition of an advertisement if the dimensions of the advertisement bear a reasonable relationship to the dimensions of surrounding

⁴⁴ *Vanmeld Pty Ltd v Fairfield City Council* (1999) 46 NSWLR 78, [65].

⁴⁵ *Vanmeld Pty Ltd v Fairfield City Council* (1999) 46 NSWLR 78, [67].

⁴⁶ *Castle v Director-General State Emergency Service* [2008] NSWCA 231, [6].

buildings and allotments in such a way that the advertisement's presence is not unduly dominating or oppressive and does not unreasonably obstruct existing views.

[58] The requirement under s 10(2)(e) that the approval be consistent with the *Subordinate Local Law* identifies, in item 1(2) of Schedule 5, two further classes namely "other property owners" and "neighbouring properties". Advertisements should respect the amenity of other property owners and not obscure, dominate or overcrowd the views of existing or prospective development on neighbouring properties.

[59] This is not a case where the class is constituted by such a great number of persons that affording procedural fairness would render the approval process unworkable. In deciding to approve the exhibition of an advertisement, the *Local Law* and *Subordinate Local Law* mandates that the Council must have regard to whether the relevant advertisement obscures, dominates or overcrowds the views of existing or prospective development on neighbouring properties. The Council is uniquely placed by reference to relevant planning instruments to identify the existing or prospective development on neighbouring properties. Further, in deciding to approve the exhibition of an advertisement, the Council "must have regard to any relevant advice it sees fit to obtain from suitably qualified experts". Here, a report had been provided to the Council as part of the application for approval. This report specifically identified 51 Musgrave Road as a "neighbouring property" and the fact that the proposed sign may obstruct views from the premises. In carrying out the necessary assessment under item 1(2) of Schedule 5, the Council would be aware of the actual dimensions of the proposed advertisement. In these circumstances, any difficulty associated with identifying the class of "neighbouring properties" informs only the content of the obligation to afford procedural fairness. It does not, as a matter of legislative interpretation, evince any clear intendment that the principles of natural justice are excluded.

Disposition

[60] I would propose the following orders:

1. The appeal be dismissed.
2. The appellant pay the first respondent's costs of and incidental to the appeal.

[61] **BODDICE JA:** I agree with Flanagan JA.

[62] **RYAN J:** I agree with Flanagan JA.

Representations**Representor 6** - Rob Vozzo

Name	Rob Vozzo
Address	61 Glynburn Road GLYNDE SA, 5070 Australia
Submission Date	28/06/2023 02:26 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	
See attached letter	

Attached Documents

155-Payneham-Pty-Ltd-Representation-Letter-Application-23004466-28th-June-2023-1240576.pdf
Representation-Rob-Vozzo-Application-23004466-1240577.pdf

155 PAYNEHAM PTY. LTD.

C/O ICOSA GROUP Pty. Ltd.
61 Glynburn Road, Glynde SA 5070

28th June 2023

City of Norwood Payneham & St Peters

175 The Parade
NORWOOD SA 5067

Email: developmentassessment@npsp.sa.gov.au

Attention: **Geoff Parsons, Manager Development Assessment**

Dear Sir

**RE: REPRESENTATION – 149 PAYNEHAM ROAD, ST PETERS
(Application 23004466)**

My name is Rob Vozzo and I am a member of the Vozzo family who own the adjacent development site at 151-155 Payneham Road, St Peters. These two allotments have been in our family for more than a decade.

ICSA Projects Pty Ltd, our family company has engaged the services of professional consultants to assist it in making a representation in this matter. In addition to ICOSA Projects representation, I felt it appropriate to submit this personal representation against the development at 149 Payneham Road, St Peters.

I am totally opposed to the proposed LED screen/billboard and the use of this advertising display for third party advertising. My family and I have spent the past three years in the planning and design process, and obtaining approval for a high quality medium density residential and commercial development on our site at 151-155 Payneham Road. We are in the process of finalising the Building Approval and appointing a construction manager.

To be faced with an excessively enormous and oversized illuminated changing message advertising structure of almost 37 square metres in area, 12m wide x 3m tall & overall height measuring 9.2m (top of sign), on top of the existing Ultra Tune building on the corner of Stephen Terrace and Payneham Road, I consider this to be totally inappropriate and such a sign will severely impact on the viability of our development and will impact whether it can proceed or not.

The advertising structure is totally out of character with the low scale commercial and residential nature of the intersection and will be a blight on the landscape. The brightness and changing messaging will distract drivers at the intersection, causing a serious safety hazard. Further, the proximity and scale of the advertising structure, light bleed (light loss) from the sign and light and glow impacts more generally, will reduce the liveability of all of the dwellings on the south-western side opposite the sign, including our development.

I implore you to refuse this application.

I will be represented by Brenton Burman (Planning Consultant) and Kathryn Walker (Legal Advisor from Piper Alderman) at the Council Assessment Panel.

Yours Faithfully



Rob Vozzo
Managing Director

155 PAYNEHAM PTY. LTD.

M: [REDACTED]

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Twenty Four Outdoor Australia Pty Ltd
Development Number:	23004466
Nature of Development:	Partial change in use from motor repair station and consulting room to motor repair station, consulting room and third-party advertising, and construction of an LED screen and architectural columns atop the existing building.
Zone/Sub-zone/Overlay:	Suburban Activity Centre Zone
Subject Land:	149 Payneham Road, St Peters 5069 CT 5483/504 F16829AL500
Contact Officer:	Assessment Manager, City of Norwood Payneham & St Peters
Phone Number:	Click here to enter text. [authority phone]
Close Date:	28 June 2023

My name*: Rob Vozzo Managing Director, 155 Payneham Pty Ltd	My phone number: [REDACTED]
My postal address*: 155 Payneham Pty Ltd C/o ICSA Group Pty Ltd 61 Glynburn Road, Glynde	My email: [REDACTED]

* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
-----------------	--



Government of South Australia

Department for Trade
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

See attached Letter of Objection from 155 Payneham Pty Ltd

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal.

I:	<input checked="" type="checkbox"/> wish to be heard in support of my submission*
	<input type="checkbox"/> do not wish to be heard in support of my submission
By:	<input type="checkbox"/> appearing personally
	<input checked="" type="checkbox"/> being represented by the following person: Brenton Burman, Planning Consultant and Kathryn Walker, Piper Alderman

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:  on behalf of Rob Vozzo Date: 28 June 2023

Return Address:

Email: developmentassessment@npsp.sa.gov.au

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

Representations

Representor 7 - Giuseppe Rocca

Name	Giuseppe Rocca
Address	114 Payneham Road STEPNEY SA, 5069 Australia
Submission Date	28/06/2023 02:34 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	
See attached letter	

Attached Documents

Representation-Avenues-Shopping-Centre-Application-23004466-1240583.pdf
AVENUE~1-1240584.PDF

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Twenty Four Outdoor Australia Pty Ltd
Development Number:	23004466
Nature of Development:	Partial change in use from motor repair station and consulting room to motor repair station, consulting room and third-party advertising, and construction of an LED screen and architectural columns atop the existing building.
Zone/Sub-zone/Overlay:	Suburban Activity Centre Zone
Subject Land:	149 Payneham Road, St Peters 5069 CT 5483/504 F16829AL500
Contact Officer:	Assessment Manager, City of Norwood Payneham & St Peters
Phone Number:	Click here to enter text. [authority phone]
Close Date:	28 June 2023

My name*: Giuseppe Antonio Rocca	My phone number: [REDACTED]
My postal address*: The Avenues Shopping Centre 114 Payneham Road, Stepney SA 5069	My email: [REDACTED]

* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
-----------------	--



Government of South Australia

Department for Trade
and Investment

The specific reasons I believe that planning consent should be granted/refused are:

See attached Letter of Objection from Avenues SC Pty Ltd, the owners of the Avenues Shopping Centre

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal.

I:	<input type="checkbox"/> wish to be heard in support of my submission*
	<input checked="" type="checkbox"/> do not wish to be heard in support of my submission
By:	<input type="checkbox"/> appearing personally
	<input type="checkbox"/> being represented by the following person: Click here to enter text.

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature: 
on behalf of The Avenues Shopping Centre

Date: 28 June 2023

Return Address:

Email: developmentassessment@npsp.sa.gov.au

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

AVENUES SC PTY. LTD.

C/O RCR Partners Pty. Ltd.

125B The Parade

Norwood SA 5067

28 June 2023

To: City of Norwood Payneham & St Peters
Attention: Geoff Parsons, Manager Development Assessment

Re: Representation – 149 Payneham Road, St Peters (Application 23004466)

We are the owners of the Avenues Shopping Centre, located immediately to the south-east of the subject land on the corner of Payneham Road and Nelson Street, Stepney (114 Payneham Road, Stepney).

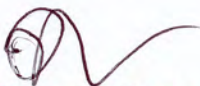
The Avenues Shopping Centre, with a supermarket and over 20 speciality stores and services, is locally owned and operated, and has been our centre for many years.

Our shopping centre, on a site of more than 15,000 square metres, has frontages to Payneham Road (almost 80 metres), Nelson Street (almost 200 metres) and Ann Street (around 230 metres). We pride ourselves on our landscaped frontages to these surrounding roads, including large mature gum trees.

With such a large site, our site-wide advertising is tasteful and of a scale which reflects this 'urban village' setting. The site has a small, illuminated pylon advertising structure on the corner of Payneham Road and Nelson Street, providing a tenancy directory for key tenants. All other advertising structures are on the parapet of the building and are of a design and scale which compliments rather than detracts from the building design.

We oppose the development application at 149 Payneham Road. The proposed LED screen, and the use of this advertising display for third party advertising, is totally out of character with the 'urban village' setting of this part of St Peters. Such advertising does not relate to businesses on the site or within the locality and will severely add to the visual clutter of the intersection.

Kind regards,



Giuseppe Antonio Rocca

Owner

The Avenues Shopping Centre | Corner Payneham Rd & Nelson Street

114 Payneham Road, Stepney SA 5069

M: [REDACTED]

W: www.austpropertydev.com.au





Level 1, 74 Pirie Street
Adelaide SA 5000
PH: 08 8221 5511
W: www.futureurban.com.au
E: info@futureurban.com.au
ABN: 76 651 171 630

November 2, 2023

Kieran Fairbrother
City of Norwood, Payneham & St Peters
Via: PlanSA Portal / email: KFairbrother@npsp.sa.gov.au

Dear Kieran,

RESPONSE TO REPRESENTATIONS – APPLICATION ID 23004466

I have been instructed by Twenty Four Outdoor Australia Pty Ltd (**Applicant**) to respond to the representations that have been made in relation to Application 23004466.

Accompanying this response is:

- a letter prepared by Cirqa in **Appendix 1**; and
- a letter from Mr Brett Delaney, Chief Operating Officer for Big Screen Video in **Appendix 2**.

Representations

During the notification period, 7 representations were submitted; 1 in support with some concerns and 6 opposed. The key matters raised by the representors are further summarised in Table 1 below:

Table 1: Representation Summary

No.	Name and Address	Position	Comments
1	Thomas Mackinnon 20/167-169 Payneham Road, St Peters • <i>does not wish to be heard</i>	Opposed	<ul style="list-style-type: none"> • Light pollution
2	Candice Dullona 20/167-169 Payneham Road, St Peters • <i>does not wish to be heard</i>	Opposed	<ul style="list-style-type: none"> • Light pollution • Traffic safety
3	GG Scott PO Box 2758, Kent Town • <i>does not wish to be heard</i>	Support (some concerns)	<ul style="list-style-type: none"> • Traffic safety
4	The St Peters Residents Association c/- 12 St Peters Street, St Peters (David Cree) • <i>wishes to be heard</i>	Opposed	<ul style="list-style-type: none"> • Not of a neighbourhood scale • Demean the public realm • Third-party advertising content • Height and scale • Character and visual appearance • Traffic Safety



5	ICSA Projects Pty Ltd 151-155 Payneham Road, St Peters <ul style="list-style-type: none"> <i>wishes to be heard</i> (Represented by Brenton Burman)	Opposed	<ul style="list-style-type: none"> Road widening requirements Not neighbourhood scale Does not create high quality public realm Land use for 'third-party advertising' Traffic safety Visual impacts to approved apartments at 151-157 Payneham Road Height Extent of advertising on subject site Overshadowing Noise Heat Light spill (151-157 Payneham Road)
6	Rob Vozzo 61 Glynburn Road, Glynde <ul style="list-style-type: none"> <i>wishes to be heard</i> 	Opposed	<ul style="list-style-type: none"> Impacts to 151-157 Payneham Road
7	Giuseppe Rocca 114 Payneham Road, Stepney (The Avenues Shopping Centre) <ul style="list-style-type: none"> <i>does not wish to be heard</i> 	Opposed	<ul style="list-style-type: none"> Third-party content Character Visual clutter

Our consolidated response to the most pertinent matters raised by third-parties is set out below and should be read together with our original planning statement.

Third-Party Content / Land Use

Representors 4, 5, 6 and 7

The representors assert that an advertisement displaying third-party content is not envisaged by the Zone, and we further note that, in Representor 5's submission, it is suggested that the land use 'advertisement' in Zone DPF 1.1 does not 'directly support third party advertising' and that advertising is generally 'a supporting activity' to the existing use of the land.

We respectfully suggest that the above assertions are erroneous, however, we first draw attention to the following Zone policies:

PO 1.1 *Shops, office, entertainment, health and recreation related uses and other businesses that provide a range of goods and services to the surrounding neighbourhood and district.*

DPF 1.1 (a) advertisement

DO 1 *An active commercial precinct supporting neighbourhood-scale shopping, business, entertainment and recreation facilities to provide a focus for business and community life and most daily and weekly shopping needs of the community...*



Judicial authority in relation to *advertisements* and land use can be found in *Keast v City of Salisbury [1999] SAERDC 55*, where, at paragraph 15 Commissioner Hutchings stated:

“Use of the subject land for the general display of advertisements and not a display accessory to another, existing, use of the land, is also development, insofar as it is a change in the use of the subject land.”

And at paragraph 24:

“... to use land for the general display of advertisements is, in generic terms, a commercial use of the land.”

As there is no definition in the Code for *advertisement*, we turn to the *Eighth Edition Macquarie Dictionary (EEMD)* which provides the below definition:

Advertisement: *n. any device or public announcement, as a printed notice in a newspaper, a commercial film on television, a neon sign etc., designed to attract public attention, bring in custom, etc.*

Further, as there is no definition in the Code for *service* (as in goods and ‘services’), we again turn to the EEMD which provides the below definition:

Service: *n. 1. an act of helpful activity. 3. the providing of, or a provider of, a public need, such as communications.*

From the above, we conclude the following:

- The commencement of an advertisement is reasonably characterised as a change in use of the land;
- The general display of advertisements is a commercial use of land;
- Zone DPF 1.1 identifies *advertisement* as an envisaged (i.e., standard outcome) use of land;
 - » Zone DPF 1.1 does not differentiate between, or suggest there is a preference for, content that relates to an existing use of the land in favour of third-party content. Simply, advertisements are envisaged.
 - » An *advertisement*, by definition, includes a device that displays an announcement (e.g., content) of any kind that is designed to attract public attention;
- PO 1.1 envisages ‘businesses’ that provide a ‘range of goods and services’ to the ‘surrounding neighbourhood and district’
 - » The Applicant is a business that provides a service through the display of advertising content, both commercial and public in nature, to attract public attention.

In many respects, the central question to this proposal is whether the unfettered display of third-party advertising content is appropriate in the context of the relevant Code policies under the legislative regime of the PDI Act.

It is therefore instructive to highlight that whilst the ‘*commencement of the display of an advertisement*’ is development, the simple act of changing advertising content displayed on an existing advertisement is excluded from the definition of development pursuant to clause 8 (1) in Schedule 3 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Notwithstanding the above, we remain cognisant of the General Development Policies in the *Advertisements* module of the Code and consider it important to establish the context, role and purpose



of those policies in the assessment of this application. Of particular relevance are the following General Development policies:

Part 4 – General Development Policies – Advertisements

PO 1.1 *Advertisements are compatible and integrated with the design of the building and/or land they are located on.*

PO 1.2 *Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.*

PO 2.1 *Proliferation of advertisements is minimised to avoid visual clutter and untidiness.*

PO 2.2 *Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.*

PO 2.3 *Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.*

PO 3.1 *Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.*

As outlined in our previous planning statement, we again suggest that the proposal will:

- be compatible and integrated with the design of the building (PO 1.1)
- not disfigure the appearance of the land (PO 1.2)
- reasonably minimise proliferation and avoid clutter and untidiness (POs 2.1 and 2.3)
- facilitate the co-located display of multiple businesses and activities (PO 2.2)

In relation to *Advertisements* PO 3.1, upon an initial reading of this policy one may be led to conclude that it establishes a firm foundation for discouraging third-party advertising content in every zone, carte blanche. It's at this point that one is needing consider *Part 1 – Rules of Interpretation* which states that the role of Desired Outcomes is to:

“aid the interpretation of performance outcomes by setting a general policy agenda for a zone, subzone, overlay or general development policies module”.

To that end, we again note that *Advertisements* DO 1, states the following:

DO 1 *Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.*

We suggest that *Advertisements* DO 1 should be used to aid the interpretation of *Advertisements* PO 3.1 noting that DO 1 emphasises the importance of understanding the *context* for the proposal, which includes existing land use and built form context as well as the anticipated land use and built form context as supported by the relevant Zone policies.

It is equally important to highlight that the General Development Policies in the Code apply across all zones. It is therefore necessary to acknowledge that *Advertisements* PO 3.1 plays an assessment role within the context of a variety of zones, some of which expressly envisaged *advertisements* as an anticipated use of land, and others in which this is not the case.



As such, we are of the opinion that it would be wrong to construe *Advertisements* PO 3.1 as precluding third-party advertising in all zones and in all contexts. Further to this, we note that there is a volume of judicial authority with respect to third-party advertising content within the urban landscape.

In *A & A Centofanti Pty Ltd v City of Port Adelaide Enfield [2009] SAERDC 8* at 42), Commissioner Hamnet stated:

“...third party advertisements clearly have a place in the urban environment and one looks to Development Plans to provide guidance on where that place might be.”

Having considered the remarks of Commissioner Hamnet, we are of the opinion that a more balanced reading of the Code’s attitude towards third-party advertising content must consider the land use and built form outcomes envisaged by the relevant zone, the envisaged land use and built form outcomes in other zones, and the universal role that the General Development Policies in the Code play with respect to advertisements.

Drawing on the remarks of Commissioner Hamnet, when “*one looks to Development Plans [the Code] to provide guidance on where [third-party advertisements have a place], that place might be*”, in Figure 1 below we provide an overview of the various zones that are commonly found across the Adelaide metropolitan area and an analysis of their policies in relation to advertisements:

Figure 1 *Advertisements in various zones*

ZONE	LAND USE (is ‘advertisement’ in DPF 1.1 for the Zone)	ADVERTISEMENTS zone specific policy
Business Neighbourhood Zone	No	PO 5.1 <i>Advertisements complement the scale of buildings and are not visually dominant within the locality.</i>
Employment Zone	Yes	PO 6.1 <i>Freestanding advertisements are not visually dominant within the locality.</i>
Employment (Bulk Handling Zone)	Yes	PO 4.1 <i>Freestanding advertisements do not create a visually dominant element within the locality.</i>
Employment (Enterprise) Zone	Yes	PO 6.1 <i>Freestanding advertisements do not create a visually dominant element within the locality.</i>
Established Neighbourhood Zone	No	PO 12.1 <i>Advertisements <u>identify the associated business activity</u>, and do not detract from the residential character of the locality.</i>
General Neighbourhood Zone	No	PO 12.1 <i>Advertisements <u>identify the associated business activity</u>, and do not</i>



		<i>detract from the residential character of the locality.</i>
Housing Diversity Neighbourhood Zone	No	PO 11.1 Advertisements <u>identify the associated business activity</u> , and do not detract from the residential character of the locality
Local Activity Centre Zone	Yes	PO 4.2 Freestanding advertisements: <ul style="list-style-type: none"> a) <u>identify the associated business(es)</u> b) are of a size that is commensurate with the scale of the centre and the street frontage c) avoid visual clutter d) positively respond to the context without dominating the locality.
Neighbourhood Zone	No	PO 12.1 Advertisements <u>identify the associated business activity</u> , and do not detract from the residential character of the locality.
Strategic Employment Zone	Yes	PO 7.1 Freestanding advertisements do not create a visually dominant element within the locality.
Strategic Innovation Zone	No	PO 5.1 Advertisements: <ul style="list-style-type: none"> a) use simple graphics and are restrained in their size, design and colour b) provide an overall consistency along individual street frontages.
Suburban Activity Centre Zone	Yes	PO 4.2 <u>Freestanding advertisements</u> : <ul style="list-style-type: none"> a) <u>identify the associated business(es)</u> b) are of a size that is commensurate with the scale of the centre and the street frontage c) avoid visual clutter d) positively respond to the context without dominating the locality.
Suburban Business Zone	No	PO 5.1 Freestanding advertisements <u>identify the associated business</u> without



		<i>creating a visually dominant element within the streetscape.</i>
Suburban Main Street Zone	Yes	<p>PO 5.2 <i>Freestanding advertisements:</i></p> <ul style="list-style-type: none"> a) <i><u>identify the associated business(es)</u></i> b) <i>are of a size that is commensurate with the scale of the centre and the street frontage</i> c) <i>avoid visual clutter</i> d) <i>positively respond to the context without dominating the locality.</i> e) <i>are sited and designed to not detract from the main street character</i>
Suburban Neighbourhood Zone	No	PO 12.1 <i>Advertisements <u>identify the associated business activity</u>, and do not detract from the residential character of the locality.</i>
Urban Activity Centre	Yes	<p>PO 5.2 <i>Freestanding advertisements:</i></p> <ul style="list-style-type: none"> a) <i><u>identify the associated business(es)</u></i> b) <i><u>are of a size that is commensurate with the scale of the centre and the street frontage</u></i> c) <i><u>avoid visual clutter</u></i> d) <i><u>positively respond to the context without dominating the locality.</u></i>
Urban Corridor (Boulevard) Zone	Yes	PO 7.1 <i>Freestanding advertisements <u>identify the associated business</u> without creating a visually dominant element within the streetscape.</i>
Urban Corridor (Business) Zone	Yes	PO 7.1 <i>Freestanding advertisements <u>identify the associated business</u> without creating a visually dominant element within the streetscape.</i>
Urban Corridor (Living) Zone	Yes	PO 7.1 <i>Freestanding advertisements <u>identify the associated business</u> without creating a visually dominant element within the streetscape.</i>



Urban Corridor (Main Street) Zone	Yes	<p>PO 7.2 Freestanding advertisements:</p> <p>a) <u>identify the associated business(es)</u></p> <p>b) <u>are of a size that is commensurate with the scale of the centre and the street frontage</u></p> <p>c) <u>avoid visual clutter</u></p> <p>d) <u>positively respond to the context without dominating the locality</u></p> <p>e) <u>are sited and designed to not detract from the main street character.</u></p>
Urban Neighbourhood Zone	Yes	N/A
Urban Renewal Neighbourhood Zone	No	N/A
Waterfront Neighbourhood Zone	No	<p>PO 13.1 Advertisements identify the associated business activity, and do not detract from the residential character of the locality.</p>

From the above table we are able to distil the following:

- a number of zones identify advertisements as a 'standard outcome', or in other terms, an envisaged use of land.
 - » these zones generally have separate policies in relation to the siting, design and overall dimensions of the 'structure' that contains the advertising content.
 - by way of an analogy, various zones identify *dwelling* as an envisaged use of land, however separate zone policy guides site area, site coverage, setbacks and building height for the various types of dwellings i.e., detached, semi-detached, row and residential flat building. Put simply, the use is generally considered appropriate, however the overall form and function are subject to separate policy examination.

Having further considered our above analysis of the various zones and their policies in relation to 'land use' and 'advertisements', we suggest that the general attitude of these zones towards advertisements can be categorised as provided in Figure 2 below:

Figure 2 Categories of 'zone attitude' towards advertisements

Category	Attitude towards advertisements & content
<p>Category A</p> <p><i>Employment Zone</i> <i>Employment (Bulk Handling) Zone</i> <i>Employment (Enterprise) Zone</i> <i>Strategic Employment Zone</i></p>	<ul style="list-style-type: none"> • <u>Advertisements (including third-party) are an expressly 'envisaged' use of land.</u> • Includes zone specific policies in relation to advertisements which:



	<ul style="list-style-type: none"> » provide guidance in regard to siting, height and advertising area. » <u>are silent on the nature of advertising content.</u>
<p>Category B</p> <p><i>Local Activity Centre Zone</i> Suburban Activity Centre Zone <i>Suburban Main Street Zone</i> <i>Urban Activity Centre Zone</i> <i>Urban Corridor (Boulevard) Zone</i> <i>Urban Corridor (Business) Zone</i> <i>Urban Corridor (Living) Zone</i> <i>Urban Corridor (Main Street) Zone</i></p>	<ul style="list-style-type: none"> • <u>Advertisements (including third-party) are an expressly 'envisaged' use of land.</u> • Third-party content is discouraged only in relation to free-standing signs.
<p>Category C</p> <p><i>Urban Neighbourhood Zone</i></p>	<ul style="list-style-type: none"> • <u>Advertisements (including third-party) are an expressly 'envisaged' use of land.</u> • There are no zone specific policies that are relevant to advertisements.
<p>Category D</p> <p><i>Strategic Innovation Zone</i> <i>Business Neighbourhood Zone</i></p>	<ul style="list-style-type: none"> • Advertisements are not an expressly 'envisaged' use of land. • Third-party content is not expressly discouraged.
<p>Category E</p> <p><i>Established Neighbourhood Zone</i> <i>General Neighbourhood Zone</i> <i>Housing Diversity Neighbourhood Zone</i> <i>Neighbourhood Zone</i> <i>Suburban Business Zone</i> <i>Suburban Neighbourhood Zone</i> <i>Waterfront Neighbourhood Zone</i></p>	<ul style="list-style-type: none"> • Advertisements are not an expressly 'envisaged' use of land. • Third-party content is expressly discouraged.
<p>Category F</p> <p><i>Urban Renewal Neighbourhood Zone</i></p>	<ul style="list-style-type: none"> • Advertisements are not an expressly 'envisaged' use of land. • There are no zone specific policies that are relevant to advertisements.

To again draw attention to the zoning for the Site, we note that Suburban Activity Centre Zone PO 1.1 and DPF 1.1 state the following:

PO 1.1 *Shops, office, entertainment, health and recreation related uses and other businesses that provide a range of goods and services to the surrounding neighbourhood and district.*

DPF 1.1 (a) advertisement

Accepting the judicial authority of Commissioner Hamnet in that “third party advertisements clearly have a place in the urban environment”, we unreservedly conclude that our above analysis demonstrates that the 'clear place' for third-party advertisements is reasonably concluded to be within Category A, B and C zones, which includes the Suburban Activity Centre Zone.

Indeed, it should also be noted that in regard to third party content, in *Keast v City of Marion [1999] SAERDC 74*, Commissioner Hutchings held that:



“in general, the message is not the issue. A message advertising a product or service available on the land on which a hoarding may be erected can be just as offensive in terms of its visual impact as one advertising a generic product or service. What is at issue is the size, height, shape etc of the hoarding”.

Building Height & Scale

Representors 4, 5 & 6

In relation to building height, the following Zone policies are considered the most pertinent:

PO 3.1 *Building height is consistent with the form expressed in any relevant Maximum Building Height (Levels) Technical and Numeric Variation layer, and is otherwise generally low-rise to complement the established streetscape and local character.*

DPF 3.1 *Building height is:*

(a) *not greater than:*

(i) *the following: Maximum building height is 2 levels*

PO 3.2 *Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.*

In addition to the above, I note that the Code in *Part 8 – Administrative Terms and Definitions* includes the following definition:

“Low-rise: *In relation to development, means up to and including 2 building levels.”*

I wish to therefore highlight that the proposal is:

- not development that comprises a ‘building level’;
- to be erected on-top of an existing building comprised of 1 building level.
- 9.7m in height when measured in accordance with the definition of *building height* provided in Part 8 of the Code.

In response to the assertions of Representors 4, 5 and 6 we first observe and highlight the following:

- Both the subject Site and Representor 5 and 6’s land are sited within the Suburban Activity Centre Zone, formerly the District Centre (St Peters) Zone of the now defunct Norwood, Payneham and St Petres (City) Development Plan (‘NPSP DP’);
 - » Representor 5 and 6’s ‘approved development’, which to date only has planning consent, was processed under the legislative framework of the *Development Act 1993*, and assessed against the NPSP DP;
 - » the relevant maximum building height policy in the NPSP DP was found at Principle of Development Control 309 which stated that “no new development should be more than two-storeys”;
 - » Representor 5 and 6’s development measures:
 - 4 building levels; and
 - ~14.2m or 14.5m or 14.6m in height depending on which elevation drawing provided in Representor 5’s submission is used (**Appendix #**).



- The elevation drawings submitted by Representor 5 (**Appendix #**) are highly inaccurate, and whilst this may have been unintentional, they are grossly misleading by attributing an additional 300mm or 500mm or 600mm to the overall height of the proposal.
 - » the elevation drawings also misrepresent the depth of the proposal and thereby grossly distort its presence.
- Representor 5's assertion that the proposal, measuring 9.7m in height, is equivalent in height to a 3-level building is absurd. We respectfully highlight that, when DPFs in the Code pair building height in levels and meters, one immediately observes the following:
 - » 2 building levels / 9 m
 - » 3 building levels / 12m

And;

- It is conceivable, given that a 4 level / ~14.5m tall building has been approved for construction on Representor 5 and 6's land, the subject Site could be developed with a building of at least 2 building levels, and possibly up to 4 levels / ~14m in height;
 - » Zone PO 3.1 envisages buildings that "*complement the established streetscape and local character*". Once constructed, Representor 5 and 6's development will impart substantial influence on the streetscape and local character.

Notwithstanding, and with complete disregard to the approved development on Representor 5 and 6's land, we submit that overall height of the proposal is appropriate for the following reasons:

- The proposed LED screen is approximately 50m distance from the boundary of the nearest residence in the Established Neighbourhood Zone. As such, the proposal appropriately responds to Zone PO 3.2 which encourages buildings to mitigate impacts of building mass on residential development in a *neighbourhood-type* zone.
- Measuring 9.7m in height and sited near the southernmost corner of the subject Site, the proposal will establish a building form that is analogous with the 2-level building height that is envisaged as a *standard outcome* in Zone DPF 3.1 as well as the adjoining Business Neighbourhood Zone on the opposite side of Nelson Terrace.

Having considered the above, we submit that the proposal is of a height that is both envisaged and contextually appropriate within the existing and emerging character of the streetscape and locality.

Overshadowing

Representor 5

Representor 5 asserts that the proposal will overshadow the residential apartments, which do not physically exist, at 151-157 Payneham Road.

In relation to this assertion, we consider the following Code policies and definitions to be of particular relevance:

General Development Policies – Interface Between Land Uses

PO 3.1 *Overshadowing of habitable room windows of adjacent residential land uses in:*

- (a) *a neighbourhood-type zone is minimised to maintain access to direct winter sunlight*
- (b) *other zones is managed to enable access to direct winter sunlight.*



PO 3.2 – *Overshadowing* of the primary area of private open space or communal open space of adjacent residential land uses in:

- (a) *a neighbourhood type zone is minimised to maintain access to direct winter sunlight.*
- (b) *other zones is managed to enable access to direct winter sunlight.*

Part 8 – Administrative Terms and Definitions Table

Habitable room: *Means any room used for domestic purposes other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, stair, dedicated corridor/hallway, lobby, clothes drying room or other space of a specialised nature occupied neither frequently nor for extended periods.*

Private open space: *Means a private outdoor area associated with a dwelling that:*

- a) *is for the exclusive use of the occupants of that dwelling*
- b) *has a minimum dimension of 2.0m for ground level areas and 1.8m for balconies*
- c) *is screened from public view by a building, fence, wall or other similar structure with a minimum height of 1.8m above ground level and a maximum transparency of 20%.*

Private open space may include verandahs, alfrescos, balconies, terraces, decks where not enclosed on all sides. Private open space does not include areas used for bin storage, laundry drying, rainwater tanks, utilities, driveways or vehicle parking areas.

In response to the assertions of Representor 5, we observe the following:

- Both the subject Site and Representor 5's land are within the Suburban Activity Centre Zone, which is not a neighbourhood-type zone as defined in Part 8 of the Code;
 - » overshadowing impacts are therefore needing to be *managed* rather than *minimised*;
- The subject Site is directly south / south-west of Representor 5's land;
- The south facing balcony for apartments 2.04 and 2.05 measure only 1.4m wide (i.e., less than 1.8m), and are therefore not *private open space* as defined in Part 8 of the Code;
- Whilst the southernmost apartments include some south facing windows, these windows typically relate to secondary bedrooms (not the main bedroom), a bathroom, or main living areas that have substantial glazing across all facades and are orientated to have primary outlook to the north-west or south-east, rather than across the subject Site.

Of most significance however is that on account of the sun's path of travel occurring predominantly in the northern aspects of the sky (when in the Southern Hemisphere), it is plainly evident that the proposal will not cast a single shadow across the adjacent residential apartments to the north.

Accordingly, there can be no reservation that the proposal, by virtue of its physical relationship with Representor 5's land, appropriately *manages* and maintains direct winter sunlight access to habitable rooms and the primary private open space areas of adjacent apartments.



Noise

Representors 5 and 6

The representors assert that the LED screen will generate noise, and will therefore impact the amenity of the residents in the approved apartment building to be constructed at 151-157 Payneham Road.

Of particular relevance are the following Code policies:

Interface Between Land Uses

PO 4.1 *Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).*

Included in **Appendix 2**, is a letter from Mr Brett Delaney, Chief Operating Officer for Big Screen Video (**BSV**), who are the supplier of the LED panel. Whilst we defer to Mr Delaney's letter, we highlight the following:

- The LED screen supplied by BSV is 'fan-less' and operates in silence.
- The absence of a fan means there is no vibration or audible resonance.

Traffic Safety and Light Pollution

Representors 1, 2, 3, 4, 5 and 6

We defer to the expert opinions of Cirqa (**Appendix 1**), and further highlight that the Commissioner of Highways (**CoH**) has power of *direction* and does not object to the proposal.

Road Widening

Representors 5 and 6

The representors make the observation that the subject Site is affected by the Metropolitan Road Widening Plan ('MRWP') and thereby suggest that the proposal is significantly compromised by virtue of the theoretical land acquisition that may be required in future.

In direct response to those comments, we note the following:

- The CoH has the power of direction in relation to road widening;
 - » The CoH does not object to the proposal on the grounds of road widening or indeed in relation to any other matter;
- Representor 5 and 6's land is substantially affected by the MRWP, and we note that the approved development on Representor 5 and 6's site encroaches considerably within the 6m Consent Area and the Type C Requirement as shown in Figure 3, below:

Figure 3 MRWP as it applies to Representatives 5 and 6



Conclusion

Having given due regard to the nature of the site and its factual context, the proposed development is a reasonable form of development that:

- is orderly and sustainable;
- is well-designed and responds in an appropriate manner to its setting and the locality;
- will not detract from the character or setting of surrounding residential uses;
- has due regard to its neighbours and reasonably maintains their amenity; and
- contributes to a vibrant and interesting streetscape character of the business area.

I trust this adequately responds to the concerns raised by third parties, and hereby express the view that the proposal is deserving of planning consent.

I wish to confirm our attendance at the scheduled Council Assessment Panel Meeting to respond to any third-party submissions.

Yours sincerely,



Jason Cattonar
Associate Director



APPENDIX 1: *CIRQA RESPONSE*



Ref: 22525|BNW

7 September 2023

Mr Jason Cattonar
Future Urban Pty Ltd
Level 1, 74 Pirie Street
ADELAIDE SA 5000

Dear Jason,

**LED ADVERTISING SIGNAGE
149 PAYNEHAM ROAD, ST PETERS**

I refer to the proposal to install an LED advertising sign at 149 Payneham Road, St Peters (Application ID: 23004466). Specifically, this letter provides a response to the representation received from Stantec in respect to the proposal.

An application for the proposed sign was lodged in February 2023 with the City of Norwood Payneham St Peters. The application included a traffic impact assessment report prepared by CIRQA in respect to (and in support of) the proposal. Subsequent to the lodgement of the application, further discussions were held with the Department for Infrastructure and Transport (DIT) in respect to the proposal. DIT requested a minor shift of the sign to the north but otherwise were in support of the proposal (and accepting of the general traffic impact assessment conclusions). This was confirmed in the DIT referral response which is in support of the application.

During the community notification period for the application, representations were received in respect to the proposal. One representation was prepared by Mr John Devney (a traffic consultant) from Stantec (on behalf of an adjacent land owner). Given the Stantec letter specifically considers traffic impacts associated with the proposal, I have prepared the following responses to the matters raised.

The key comments identified by Stantec are provided in italics below, followed by my response.

"The proposed sign has generally been assessed against the requirements ...". This implies that a comprehensive assessment was not completed."



Mr Devney has suggested CIRQA's assessment is '*not comprehensive*' as it only noted '*general conformance*' with the DPTI (now DIT) guidelines. Mr Devney has misinterpreted this comment (and ignored the following statement in the CIRQA report) relating to application of the DPTI guidelines.

As clearly noted in the CIRQA report, DIT no longer fully apply the outdated DPTI guidelines and, hence, there are aspects of those guidelines that are no longer relevant (hence the '*general*' conformance). DIT has advised CIRQA of updated assessment requirements as the guidelines were prepared at a time that the Department had less experience with LED illuminated advertising signs and it now acknowledges that the distraction potential is less than was anticipated in 2014.

The assessment has been prepared against the current approach to such applications as clearly confirmed by DIT's support of the proposal. Notably, this suggests Mr Devney is not aware of current practice in respect to the assessment of such signage proposals and his assessment is effectively based on an outdated and (at least partially) irrelevant approach.

"The LED billboard will further exacerbate the risk of driver distraction and would potentially increase crash risk."

Mr Devney has provided no qualification or quantification of the above statement. It is unclear on what basis he has arrived at the above conclusion. Notably the subject proposal has been supported by DIT and numerous similar LED sign applications have been accepted by DIT as well as various Council's within metropolitan Adelaide and the Environment, Resource and Development (ERD) Court.

"The crash statistics ... is (sic) considered moderately high for an intersection of this nature. The intersection of Magill Road at Nelson Street had 20 crashes over the same 5-year period."

Mr Devney has simply selected a single intersection with lower crashes to attempt to demonstrate his assertion regarding the crash rate at the subject intersection. Notably, the comparative intersection (Magill Road/Nelson Street) accommodates lower volumes than the subject intersection. Other intersections with relatively similar traffic volumes to the subject intersection have similar or higher crash rates over a 5-year period such as Stephen Terrace/Nottage Terrace/Northcote Terrace/North East Road with over 70 crashes, Hampstead Road/Marion Road with 35 crashes and Taunton Road/Hampstead Road with 38 crashes (and is only a T-intersection). I also note that of the intersections in metropolitan Adelaide with adjacent LED signage and similar volumes to the subject intersection, Dequetteville Terrace/Rundle Road has had only 20 crashes in five years and Main North



Road/Prospect Road/Barton Terrace West/O'Connell Street had only 19 crashes in five years. Of particular note, the crash rate at the Main North Road/Prospect Road/Barton Terrace West/O'Connell Street intersection has more than halved since an LED advertising sign was installed adjacent to it. The LED sign at that intersection was the subject of an Environment, Resource and Development (ERD) Court appeal (and was approved by the Court having regard to expert witness advice from two traffic engineers in respect to distraction potential and road safety impacts).

*"LED sign is not clear of all signal lanterns or traffic control devices impacting the right turn lane on the north east bound Payneham Road approach"; and
"In the CIRQA traffic report, the traffic signal on the northwest corner of Payneham Road at Stephen Terrace is shown in front of the billboard sign..."*

These statements are untrue and misleading. The traffic signal shown in the figure copied by Mr Devney does not align with the billboard.

"This is considered a potential distraction for drivers when the digital billboard sign on a 45 second refresh cycle may change at a different time to the phasing of the traffic signal. This is considered a high safety risk."

Mr Devney has not provided any qualification as to why he considers this to be a 'high safety risk'. He has provided no reference to any crash statistics or research noting a relationship between a digital sign's refresh rate compared to phase timing for an adjacent signal. There are numerous examples of digital billboards adjacent traffic signals in metropolitan Adelaide and, to my knowledge, none have refresh cycles synchronised with the adjacent signal phase. As above, based on previous reviews of arterial road intersections with and without adjacent LED advertising signs, there is no notable difference in crash rates where such signs are installed. It is unclear how Mr Devney can conclude the refresh cycle could create a high risk – this assertion is baseless.

"The visibility of the signs during different light conditions in the billboard signage location montages was not investigated."

The above statement is incorrect and misleading. The CIRQA report included the required luminance criteria for different ambient conditions as per DIT's requirements.

"The billboard will only come into view after the Payneham Road northeast drivers are close to the intersection at Stephen Terrace. This will create an element of surprise when the sign suddenly comes into view. A slightly hidden large billboard is considered more



dangerous for road safety as it may confuse and distract drivers within 40 m of the traffic signal or in crossing the intersection.”; and

“Element of surprise for the north-east bound drivers in Payneham Road with the digital billboard [LED screen] with unknown colours appearing from behind the Luxe bathrooms showroom on the immediate approach to the traffic signal intersection.”

Advertising signs are common within the urban road environment and form part of a road user’s regular set of ‘tasks’ required to navigate the urban road network. While research has shown passing road users will divert their attention to roadside signage, it is generally momentary and typically referred to as a ‘glance’ of less than one second with little, if any, impact on the driving/riding task. Such advice has previously been accepted by the ERD Court.

Mr Devney has identified example locations of existing signs that he suggests have no opportunity for driver ‘surprise’ (albeit he is incorrect in respect to the sign located adjacent the intersection of Marion Road/Sir Donald Bradman Drive to which vision is blocked on the southern approach by the building on the south-western corner of the intersection). Mr Devney’s argument is flawed in that it does not consider the scenario of drivers undertaking turns at the example intersections whereby an LED sign would enter their field of vision part way through executing the turn. This has a similar potential for ‘surprise’ as the situation described by Mr Devney. Nevertheless, no notable crash history has been identified at comparable sites and the ‘entering’ of an LED sign into a driver’s field of view as they travel along a road is not an apparent or notable hazard.

In relation to Mr Devney’s suggestion of ‘unknown colours’, I note that the visible spectrum of light is well-defined, ranging from approximately 380 to 750 nanometers in wavelength. The potential for ‘unknown colours’ to be utilised within the proposed advertising is nonsensical.

“None of the examples provided [by Stantec] have billboards that are behind the traffic signal lanterns that could create confusion with the colours between green, yellow and red on the traffic signal and the billboard display message.”

Mr Devney has simply selected examples which are clear of traffic signals (albeit he is incorrect in respect to the Port Road LED sign which does, at points, directly align with traffic signals at the adjacent intersection). There are, however, other examples of such signs which directly align with traffic signals with no notable difference in crash rates compared to similar intersections without adjacent LED signage. It is unclear why Mr Devney has ignored these comparative examples. These comparative examples include signs in the vicinity of the following intersections (it should be noted that this list is not exhaustive but simply demonstrates Mr Devney’s selective approach to only identifying sites that align with his position):



- Main North Road/Prospect Road/Barton Terrace West/O'Connell Street (on top of the Caledonian Inn) – notably this sign was the subject of an appeal considered by the Environment, Resources and Development (ERD) Court with the alignment of the LED sign with a traffic signal lantern a key matter considered (and accepted) by the ERD Court;
- Port Road/Park Terrace/Adam Street – as above, Mr Devney included this sign and noted it does not align with traffic signals, but that is incorrect;
- Payneham Road/Montacute Road/Glynburn Road/Lower North East Road;
- South Road/Sir Donald Bradman Drive;
- Sir Donald Bradman Drive/Marion Road – notably the view of LED sign is blocked by the building on the south-western corner until driver is positioned immediately adjacent the intersection (similar to conditions that would be associated with the proposed sign); and
- Richmond Road/South Road – notably the view of the LED sign on top of the RAA building is restricted by the 'Tuff & Sons' signs as drivers approach on the western side of the intersection with the LED sign only visible as a driver is immediately adjacent the intersection (similar to conditions that would be associated with the proposed sign).

In addition, I note that the lanterns at the subject intersection are provided with 'target boards' (black surrounds around the perimeter of the lanterns). The 'target boards' further enhance the appearance of the lanterns by contrasting and separating the lanterns to the background environment. Notably, DIT defines a target board as "*a panel surrounding the lantern to improve visibility of the signal*" and Australian Standard 1742.14-2014 indicates that the purpose of target boards is to "*...improve conspicuity against distracting backgrounds*". These target boards are also provided on traffic signals at most of the above intersections. Most notably, the lanterns at the Main North Road/Prospect Road/Barton Terrace West/O'Connell Street intersection include target boards and similar conclusions were noted by Mr Damien Bitzios (traffic engineer) in his expert witness advice to the ERD Court in respect to the LED sign adjacent this intersection (*Ooh! Media Pty Ltd v Corporation of the City of Adelaide, 2017*).

"Our traffic impact assessment of the proposed development of the LED screen at 149 Payneham Road against the relevant provisions of the Planning and Design Code has focused on the following traffic and safety provisions associated with Advertisements."

Mr Devney has provided an assessment of the proposal against the provisions of the Planning and Design Code. I note that Mr Devney's commentary concludes that various aspects of the proposal are '*unacceptable*' as they don't meet



Deemed-to-Satisfy/Designated Performance Features (DS/DPF). This is an incorrect interpretation of the manner in which the provisions of the Code are to be applied. The DTS/DPF criteria are simply one manner in which the associated Performance Outcome can be addressed.

"The billboard will be an eyesore and does not improve the amenity with the appropriateness of a bright sign at this suburban intersection with some character buildings in the St Peters area."

The comment that the sign will be an 'eyesore' is an emotive and subjective comment that, in my opinion, has no place within a technical, traffic engineering assessment. The inclusion of such a statement suggests Mr Devney is simply casting aspersions in respect to the proposal.

*"Noise from the digital signage that is powered through the night."; and
"Light spill from the large digital billboard affecting for the residents in the planned apartment building to the north at night."*

I am not aware of Mr Devney's expertise in respect to acoustic(al) engineering or lighting consulting. With no qualification of such statements, I question the inclusion of such statements within a traffic engineering/road safety assessment.

"Size and blocking resident views from the apartment building at 151-157 Payneham Road, St Peters."

It is unclear how the impact on resident views from an adjacent building is relevant to a road safety assessment. Again, this simply appears to be an attempt to disparage the proposal.

In summary, I consider the various statements provided by Mr Devney (Stantec) in respect to the proposed LED sign to generally be unsubstantiated, incorrect and/or misleading. A number of comments are also outside the relevance of a road safety assessment and are emotive rather than technical.

I reiterate that DIT has reviewed the signage proposal and the associated CIRQA traffic impact report and that the Department's (Commissioner of Highway's) referral response is in support of the application.



I trust the above sufficiently responds to the comments raised in Mr Devney's letter, however, please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ben Wilson".

BEN WILSON

Managing Director | CIRQA Pty Ltd



APPENDIX 2: *Big Screen Video Letter*

Bringing spaces to life.

Attachment 7

12th July 2023

Ross Eden Smith
Director
Twenty Four Outdoor Australia Pty Ltd
Suite 3, 21 Vale Street
North Melbourne
VIC 3051

Dear Ross

Large Format Digital Screen – Wall-Mounted or Roof-Mounted Product

Selecting a fit-for-purpose product is critical for each individual location. Simply put, digital screens are made up of very tiny LED lights in rows and columns. Furthermore, it is important to note screen content is never animated or with sound. The display changes intermittently and instantaneously (similar to a Powerpoint Presentation).

BSV provides a fanless solution which ensures the screen will be completely silent and as such, there are no concerns regarding vibration or audible resonance.

The 'fanless' design means there are absolutely no moving parts. Typically, and historically, LED panels require internal fans to circulate air through the panel in order to maintain an acceptable working temperature. However, BSV's fanless panels are specifically designed so that the entire panel functions as a 'heat-sink' surface to dissipate heat from crucial internal componentry. This eliminates any mechanical aspect and allows the screen to run autonomously, efficiently, and inaudibly.

Selecting the right product and quality of installation is critical at the start of the project lifecycle. BSV takes the life of the screen and maintains its premium performance and aesthetic over time just as seriously. The BSV monitoring facilities will ensure the screen is running as it should at all times. Our auto-brightness controllers and remote monitoring software ensure the screen runs at optimum low-energy use performance and is always in line with environmental conditions.

Yours Sincerely,



Brett Delaney
Chief Operating Officer

South Australia
10 Marlow Road,
Keswick SA 5035

Queensland
Unit 6, 2 Aliciajay Circuit
Luscombe QLD 4207

New South Wales
Unit 4, 42-50 Violet Street
Revesby NSW 2212

Victoria
10/14 Commercial Drive
Pakenham VIC 3810

Big Screen Video

T—1300 244 727
info@bigscreenvideo.com.au
bigscreenvideo.com.au

In reply please quote 2023/00447, Process ID: 1158
Enquiries to Mr Reece Loughron
Telephone (08) 7133 1665
E-mail dit.landusecoordination@sa.gov.au



Government of South Australia

Department for Infrastructure
and Transport

**TRANSPORT STRATEGY &
PLANNING DIVISION**

Transport Assessment

GPO Box 1533
ADELAIDE SA 5001

ABN 92 366 288 135

31 May 2023

Mr Kieran Fairbrother
City of Norwood, Payneham & St Peters
175 The Parade
NORWOOD SA 5067

Dear Mr Fairbrother

SCHEDULE 9 - REFERRAL RESPONSE

Development No.	23004466
Applicant	Twenty Four Outdoor Pty Ltd C/- Future Urban
Location	149 Payneham Road (cnr Stephen Terrace and First Lane), St Peters (CT 5483/504)
Proposal	Partial change in use from motor repair station and consulting room to motor repair station, consulting room and third-party advertising, and construction of an LED screen and architectural columns atop the existing building

The above application has been referred to the Commissioner of Highways (CoH) in accordance with Section 122 of the *Planning, Development and Infrastructure Act 2016*, as the prescribed body listed in Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

CONSIDERATION

The subject development abuts Payneham Road, Stephen Terrace and First Lane. Payneham Road and Stephen Terrace are arterial roads under the care, control and management of the CoH and First Lane is a local road under the control of Council. Payneham Road and Stephen Terrace carry approximately 34,500 and 21,200 vehicles per day (3% and 2.5% commercial vehicles) respectively. Both arterial roads have a posted speed limit of 60km/h. First Lane has a default urban speed limit of 50km/h.

Road Safety

This application proposes to install a new LED screen on top of the existing building along with 7 columns extending from the northern end of the sign. The columns are approximately 4.5m to 1.65m tall and reduce in height to the north.

The Department for Infrastructure and Transport (DIT) has reviewed the Future Urban Planning Statement (dated 16 February 2023), the CIRQA Traffic Assessment (Ref 22525/BNW, dated 17 January 2023) and associated 24 Outdoor plan set (Ref Job No. SA-PET-0922, Revision Dec. 22). During this assessment the photo montages provided in the CIRQA report identified that the sign was positioned clear of most vantage points for a driver. However at a distance of 40 metres from the Payneham Road (southern approach) the proposed sign and signal lanterns were in proximity to each other and presented potential risk of conflict and/or distraction.

#20127056

Attachment 8

2

OFFICIAL

As a result of this review, DIT lodged an RFI (on 3 March 2023) requesting that the sign provide additional separation from this signal lantern. CIRQA was also requested to clarify what height the photo montages were undertaken in the assessment. The height was needed to ascertain whether the photomontages were an accurate representation of a driver's position on the road and potential line of sight issues.

Further information by way of updated plans was provided by the applicant on 11 May 2023. Whilst there was no indication of what height the photomontages were modelled; the amended plans have reduced the overall width of the sign to 10.5 metres and increased the height of the sign to 3.5 metres. No additional traffic assessment (e.g. revised photo montages) was provided in support of the amended sign.

Notwithstanding this, DIT has reviewed the original photo montages and is now satisfied that with the amended sign width it should provide adequate visual separation from the signal lanterns. Provided that dwell time and luminance are appropriately managed, it is considered that the proposed sign should not cause undue distraction to motorists at this location. Conditions of approval are recommended.

Road Widening

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from both the Payneham Road and Stephen Terrace frontages of this property for future upgrading of the Payneham Road/Stephen Terrace/Nelson Street intersection. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act 1972 is required to all building works on or within 6.0 metres of the possible requirements.

It is noted that the sign is located clear of the 4.5 metre road widening strip and further information is provided as a note.

ADVICE

DIT supports the proposed development and directs the planning authority to attach the following conditions to any approval:

1. The billboard shall be installed as shown on 24 Outdoor, Plan & Elevation, Job No. SA-PET-0922, Drawing No. 230922-2/5, Revision Apr23.
2. The billboard shall be permitted to display one self- contained message every 45 seconds. The time taken for consecutive displays to change shall be no more than 0.1 seconds. The sign shall not flash, scroll or move. Furthermore, the sign shall not be permitted to display or imitate a traffic control device in any way. Animated effects such as 'fade', 'zoom' or 'fly in/out' or signs that show images across multiple displays shall not be used.
3. The operational system for the billboard shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction. The screen shall only be reactivated in the next available off peak period.
4. The billboard shall not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Subsequently, the LED component of the sign shall be limited to the following stepped luminance levels:

#20127056

Attachment 8

3
OFFICIAL

Ambient Conditions	Sign Illuminance Vertical Component (Lux)	Sign Luminance (Cd/m ²) Max
Sunny Day	40000	6300
Cloudy Day	4000	1100
Twilight	400	300
Dusk	40	200
Night	<4	60

5. The non-illuminated portion of the billboard shall be finished in a material of low reflectivity to minimise the likelihood of sun/headlamp glare.

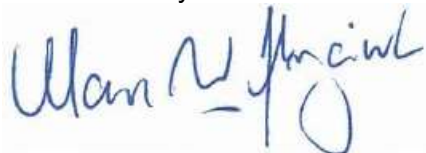
The following note provides important information for the benefit of the applicant and is required to be included in any approval:

- The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from both the Payneham Road and Stephen Terrace frontages of this property as well as additional land from the corner of the site for future upgrading of the Payneham Road/Stephen Terrace/Nelson Street intersection. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act 1972 is required to all building works on or within 6.0 metres of the possible requirements.

Accordingly, the attached consent form should be completed by the applicant and forwarded to DIT with a copy of the DNF and approved plans for processing (via dit.landusecoordination@sa.gov.au).

- This Department is undertaking a planning study to identify possible future upgrade options for Payneham Road. The exact nature and timing of any improvements at this intersection have yet to be determined.
- Should traffic flows on Payneham Road and or Stephen Terrace be impacted by the installation of the sign, the applicant shall notify DIT's Traffic Management Centre (TMC) – Roadworks on 1800 434 058 or email dit.roadworks@sa.gov.au to gain approval for any road works, or the implementation of a traffic management plan during the installation of the billboard.

Yours sincerely



A/MANAGER, TRANSPORT ASSESSMENT
for **COMMISSIONER OF HIGHWAYS**

Encl: Copy of the Metropolitan Adelaide Road Widening Plan consent form

#20127056

METROPOLITAN ADELAIDE ROAD WIDENING PLAN ACT, 1972



Government of South Australia
Department for Infrastructure
and Transport

APPLICATION FOR CONSENT OF THE COMMISSIONER OF HIGHWAYS FOR BUILDING WORK

Owner's Name: _____

Applicant's Name: _____
(If not owner)

Relationship to Owner (Lessee, Prospective Purchaser, Etc.): _____

Postal Address: _____

Email: _____ Postcode _____

Location of Proposed Building Works (Full Details Required):

L.T.O. Plan No.: _____ Allotment No.: _____ Section: _____

Hundred: _____ House No.: _____

Street Name: _____ Suburb: _____

Certificate of Title: _____

Volume _____ Folio _____

Nature of Proposed Building Work: _____

Proposed Location of Building Work on Land:

Distance from existing front road boundary to nearest point of building

Distance from existing side boundary (if on corner) to nearest point of building

Total estimated cost of proposed building work \$ _____

Estimated cost of proposed building work on land to which the Act applies \$ _____

Signature(s): _____ Date _____
(Applicant) (Owner or Authorised Agent)

Notes:

1. *A copy of the approved site plan describing fully the nature and extent of the proposal must be forwarded with this application form together with a copy of the notification of the relevant authority's decision to approve the development under the Planning, Development and Infrastructure Act 2016.*
2. *The Metropolitan Adelaide Road Widening Act requires that the consent of the Commissioner of Highways must be obtained for any building work on land to which the Act applies.*
3. *The Metropolitan Adelaide Road Widening Act applies to all land shown on the Metropolitan Adelaide Road Widening Plan as possibly required for road widening and all land within six metres of the boundary of that land.*

PLEASE RETURN TO: COMMISSIONER OF HIGHWAYS
DEPARTMENT FOR INFRASTRUCTURE AND TRANSPORT
GPO BOX 1533
ADELAIDE SA 5001

Or via email: dit.landusecoordination@sa.gov.au

For further information regarding the *Metropolitan Adelaide Road Widening Plan Act*, please contact DIT on (08) 7133 1665.

5.2 DEVELOPMENT NUMBER 23030106 – SYLVIA SOON – 4 WOODS STREET, NORWOOD

DEVELOPMENT NO.:	23030106
APPLICANT:	Sylvia Soon
ADDRESS:	4 WOODS ST NORWOOD SA 5067
NATURE OF DEVELOPMENT:	Demolition of ticket booth and construction of a replacement ticket booth (with associated signage) and fencing
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Recreation <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Heritage Adjacency • Local Heritage Place • Local Heritage Place • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 6m; group dwelling is 18m; residential flat building is 18m) • Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 250 sqm; row dwelling is 250 sqm; group dwelling is 250 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	17 Oct 2023
RELEVANT AUTHORITY:	Assessment panel at City of Norwood, Payneham and St. Peters
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) - Version 2023.14 - 12/10/2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Mark Thomson, Consulting Planner
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Pippa Buckberry, Heritage Advisor

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 5:	Representations
ATTACHMENT 1:	Application Documents	ATTACHMENT 6:	Response to Representations
ATTACHMENT 2:	Subject Land Map	ATTACHMENT 7:	Internal Referral Advice
ATTACHMENT 3:	Zoning Map		
ATTACHMENT 4:	Representation Map		

DETAILED DESCRIPTION OF PROPOSAL:

The proposed development comprises the demolition of an existing ticket booth associated with Norwood Oval, adjacent Woods Street and the construction of a smaller replacement ticket booth and fencing.

The replacement ticket booth is approximately 1.24m wide, 3.2m deep and 2.6m high. It is to be clad in red corrugated metal sheets and have an open grill at the front, as well as a sign above with the word "tickets".

The proposed new fencing is 2.6m high, 3.65m long and has a cut-out to accommodate access to a new electricity transformer which is the subject of a separate development application.

BACKGROUND:

The existing 500kVQ electricity transformer at Norwood Oval is insufficient to meet the current electricity demands for the Norwood Oval during football matches. As a result, it was necessary for the Council and the AFL to hire and use generators for electricity backup for the previous 'Gather Round' games played at the Norwood Oval.

As part of its 2023/2024 Annual Business Plan, the City of Norwood Payneham & St Peters has allocated a budget to upgrade the existing transformer to align with the Norwood Oval's current electrical demands at full capacity plus contingency.

A separate Development Application (DA 23028960) was lodged for the installation of the electricity transformer.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 4 WOODS ST NORWOOD SA 5067

Title ref.: CT
6130/129

Plan Parcel:
F35168 AL7

Council: THE CITY OF NORWOOD PAYNEHAM
AND ST PETERS

The subject land is the whole of the Norwood Oval site, including the oval itself, stands, offices and facilities. The Planning & Design Code lists the entire "Norwood Oval Complex" at 4 Woods Street as a Local Heritage Place.

Also located on the subject land, to the north of the site of the ticket booth, is the RSL Hall. This is also listed in the Code as a Local Heritage Place.

Locality

Woods Street forms the boundary between the Recreation Zone containing Norwood Oval and the Established Neighbourhood Zone to the west.

The Established Neighbourhood Zone part of the locality contains character dwellings at low density. The Historic Area Overlay applies to this part of the locality.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 - Demolition
 - Replacement building: Code Assessed - Performance Assessed
 - Fences and walls
 - Demolition: Code Assessed - Performance Assessed
 - Fence: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**
 - Code Assessed - Performance Assessed

- **REASON**
 - P&D Code

PUBLIC NOTIFICATION

- **REASON**

Demolition is exempt from public notification within the Recreation Zone, other than the demolition (or partial demolition) of a State or Local Heritage Place.

The ticket booth forms part of the Norwood Oval Complex and is therefore part of the Local Heritage Place listing.

- **LIST OF REPRESENTATIONS**

One representation was received from Mr Peter Fairlie-Jones of 15 Theresa Street, Norwood. Mr Fairlie-Jones is opposed to the development and wishes to be heard by the Council Assessment Panel in support of his representation.

- **SUMMARY**

In summary, Mr Fairlie-Jones has opposed the development on the following three grounds:

- The location of the replacement ticket booth should be altered to enable the adjacent entrance gates to be widened;
- The new electricity transformer may emit low level noise which may impact on amenity; and
- An alternative material should be considered for the construction of the replacement ticket booth and fence, to lessen heat radiation.

The applicant has responded to the representation, advising in summary:

- There will be no adjustments made to the access gate;
- The new transformer is not expected to create noise impacts; and
- The proposed metal cladding matches existing cladding along Woods Street.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

The application was referred to Ms Pippa Buckberry of Anaglypta Architecture for advice on the impact of the proposal on the heritage value of the Norwood Oval complex. Ms Buckberry was appointed in lieu of the Council's usual Heritage Advisor, David Brown, as Mr Brown prepared the plans for the application.

PLANNING ASSESSMENT

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

Demolition

Performance Outcomes 6.1 and 6.2 of the Local Heritage Place Overlay respectively state:

"Local Heritage Places are not demolished, destroyed or removed in total or in part unless:

- a) the portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value*

or

- b) the structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair."*

and

"The demolition, destruction or removal of a building, portion of a building or other feature or attribute is appropriate where it does not contribute to the heritage values of the Local Heritage Place."

Ms Buckberry has reviewed the 1994 Heritage Data Sheet for the Norwood Oval Complex to assist her in determining which elements of the complex constitute significant fabric of the Local Heritage Place. In this respect, the data sheet references the E.T. Smith Pavilion, the Southern Stand and the entrance gates on the south side (facing The Parade) as significant fabric.

As the ticket booth is not mentioned in the data sheet as being significant fabric, Ms Buckberry has advised that its demolition is acceptable.

Heritage Impact of New Building Work

Ms Buckberry has also considered the impact of the proposed replacement ticket booth and fencing on the adjacent RSL Hall. The most relevant policies in this respect are considered to be Performance Outcomes 3.1, 3.2, and 3.4 of the Local Heritage Place Overlay, as set out respectively below:

"Ancillary development, including carports, outbuildings and garages, complements the heritage values of the Local Heritage Place."

“Ancillary development, including carports, outbuildings and garages, is located behind the building line and does not dominate the Local Heritage Place or its setting.”

and

“Fencing and gates closer to a street boundary (other than a laneway) than the street elevation of the associated building are consistent with the traditional period, style and form of the Local Heritage Place.”

Ms Buckberry has advised that the proposal will have minimal impact on the setting of the adjacent RSL Hall, being designed to match in with the extensive boundary fencing and rear of the western grandstand, which are all finished in manor red corrugated colorbond cladding.

Ms Buckberry has recommended that the new transformer be painted in the same manor red colour, to similarly blend in with the existing streetscape. This recommendation is not relevant to the subject development application, as it relates to the separate development application for the installation of the transformer.

Signage

Performance Outcome 3.3 of the Local Heritage Place Overlay states:

“Advertising and advertising hoardings are designed to complement the Local Heritage Place, be unobtrusive, be below the parapet line, not conceal or obstruct heritage elements and detailing, or dominate the building or its setting.”

The proposed sign displaying the word “tickets” is small and reasonably discreet and unobtrusive, extending only 300mm above the height of the ticket box and adjacent fence. It is not proposed to be illuminated. Given its small size, the sign is considered to be reasonably complimentary to the adjacent Local Heritage Place and consistent with PO 3.3.

Traffic Impact, Access and Parking

While there appears to be sound rationale behind the suggestion by the representor that the entry gates be widened, this is not a relevant consideration for the assessment of the development application. The proposal relates only to the demolition of the ticket booth and constructing a new booth and fencing in its place. No changes are proposed to the existing gate and it would be inappropriate for the planning authority to seek to vary the nature of the development application by way of a condition or other means. If the applicant chose to voluntarily take the opportunity to widen the entrance gates that would be a different matter, however that is not the case.

As the proposal does not alter the existing vehicular access conditions, access and associated traffic impacts are not relevant to the assessment.

Environmental Factors

Concerns regarding noise emissions from the transformer are not directly relevant to the proposal, as there is a separate development application for the transformer. That said, there is some indirect relevance to the concern, as an approval of the separate development application for the transformer would only be able to be implemented if the subject development application is also approved.

In any event, noise from electricity transformers is very low level to the extent that it is almost undetectable when standing directly adjacent to one and below typical background noise in an urban area.

The proposal will not increase heat reflection to the adjacent residential area. While red colour corrugated iron may or may not reflect more heat than the existing red brick building, any difference would be negligible, particularly at the distance of the nearest residential properties.

CONCLUSION

The proposal to demolish the existing ticket booth and replace it with a smaller ticket booth and fencing does not impact on any important historic fabric of the Norwood Oval complex and does not impact adversely on the heritage value of the adjacent RSL Hall.

Concerns raised through the public notification process regarding traffic access are not relevant to the proposal, while any noise and heat reflection impacts would be negligible.

RECOMMENDATION

It is recommended that the Council Assessment Panel/SCAP resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23030106, by Sylvia Soon is granted Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

Planning Consent

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

ADVISORY NOTES

Planning Consent

Advisory Note 1

The Applicant is reminded of its responsibilities under the *Environment Protection Act 1993*, to not harm the environment. Specifically, paint, plaster, concrete, brick wastes and wash waters should not be discharged into the stormwater system, litter should be appropriately stored on site pending removal, excavation and site disturbance should be limited, entry/exit points to the site should be managed to prevent soil being carried off site by vehicles, sediment barriers should be used (particularly on sloping sites), and material stockpiles should all be placed on site and not on the footpath or public roads or reserves. Further information is available by contacting the EPA.

Advisory Note 2

The granting of this consent does not remove the need for the beneficiary to obtain all other consents which may be required by any other legislation.

The Applicant's attention is particularly drawn to the requirements of the *Fences Act 1975* regarding notification of any neighbours affected by new boundary development or boundary fencing. Further information is available in the 'Fences and the Law' booklet available through the Legal Services Commission.

Advisory Note 3

The Applicant is advised that construction noise is not allowed:

1. on any Sunday or public holiday; or
2. after 7pm or before 7am on any other day

Advisory Note 4

The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections) will require the approval of the Council pursuant to the *Local Government Act 1999* prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

Advisory Note 5

The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work. Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and, in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

Advisory Note 6

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Advisory Note 7

Appeal Rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 8

Consents issued for this Development Application will remain valid for the following periods of time:

1. Planning Consent is valid for 24 months following the date of issue, within which time Development Approval must be obtained;
2. Development Approval is valid for 24 months following the date of issue, within which time works must have substantially commenced on site;
3. Works must be substantially completed within 3 years of the date on which Development Approval is issued.

If an extension is required to any of the above-mentioned timeframes a request can be made for an extension of time by emailing the Planning Department at townhall@npsp.sa.gov.au. Whether or not an extension of time will be granted will be at the discretion of the relevant authority.

Advisory Note 9

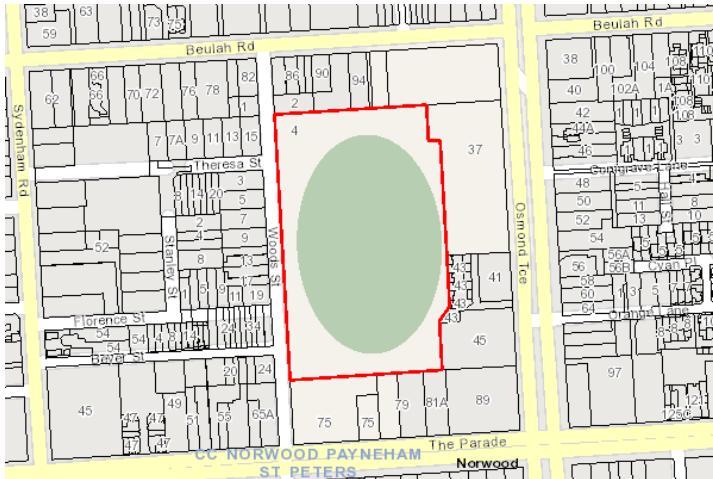
No work can commence on this development unless a Development Approval has been obtained. If one or more Consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

4 WOODS ST NORWOOD SA 5067

Address:

Click to view a detailed interactive [SAILIS](#) in SAILIS

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Zone

Recreation

Overlay

Airport Building Heights (Regulated) (All structures over 45 metres)
 Heritage Adjacency
 Local Heritage Place (6004)
 Local Heritage Place (6005)
 Prescribed Wells Area
 Regulated and Significant Tree
 Stormwater Management
 Traffic Generating Development
 Urban Tree Canopy

Local Variation (TNV)

Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 6m; group dwelling is 18m; residential flat building is 18m)
 Minimum Site Area (Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 250 sqm; row dwelling is 250 sqm; group dwelling is 250 sqm)
 Maximum Building Height (Levels) (Maximum building height is 2 levels)

Development Pathways

Recreation

1. Accepted Development

Means that the development type does not require planning consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

- Brush fence
- Building alterations
- Building work on railway land
- Excavation
- Filling of land
- Ground intruding activity
- Outbuilding
- Partial demolition of a building or structure
- Private bushfire shelter
- Protective tree netting structure
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Storage of material or equipment
- Swimming pool or spa pool and associated swimming pool safety features
- Temporary stockpiling
- Verandah
- Water tank (above ground)
- Water tank (underground)

2. Code Assessed - Deemed to Satisfy

Means that the development type requires consent (planning approval). Please ensure compliance with relevant land use and development controls in the Code.

- Outbuilding
- Replacement building
- Temporary accommodation in an area affected by bushfire
- Verandah

3. Code Assessed - Performance Assessed

Performance Assessed development types listed below are those for which the Code identifies relevant policies.

Additional development types that are not listed as Accepted, Deemed to Satisfy or Restricted default to a Performance assessed Pathway. Please contact your local council for more information.

- Advertisement
- Demolition
- Outbuilding
- Retaining wall
- Shop
- Tree-damaging activity
- Verandah

4. Impact Assessed - Restricted

Means that the development type requires approval. Classes of development that are classified as Restricted are listed in Table 4 of the relevant Zones.

Part 2 - Zones and Sub Zones

Recreation Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Provision of a range of accessible recreational facilities.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>Development is associated with or ancillary to the primary purpose of structured, unstructured, active and / or passive recreational facilities.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Car parking (b) Change rooms (c) Golf course (d) Indoor recreation facility (e) Lighting for night use of facilities (f) Market (g) Motorsport track and associated activities (h) Office ancillary to recreation facility (i) Open space (j) Outdoor sports courts (k) Playground (l) Racecourse and associated activities (m) Recreation area (n) Shop ancillary to recreation facility (o) Showground and associated activities (p) Special event (q) Spectator viewing structure (r) Sporting clubrooms (s) Sporting ovals and fields (t) Stadium (u) Swimming pool (v) Tourist accommodation ancillary to recreation facility
<p>PO 1.2</p> <p>Shops including restaurants are of a scale that is subordinate to the principal recreational use of land.</p>	<p>DTS/DPF 1.2</p> <p>Shop gross leasable floor area does not exceed 80m².</p>
<p>PO 1.3</p> <p>Offices are of a scale that is subordinate to the principal recreational use of land.</p>	<p>DTS/DPF 1.3</p> <p>Office gross leasable floor area does not exceed 80m².</p>
<p>PO 1.4</p> <p>Tourist accommodation of a scale that is subordinate to the principal recreational use of land.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
<p>PO 1.5</p> <p>Facilities capable of attracting larger numbers of spectators may include complementary activities associated with the principal recreational use of land, such</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>

<p>as:</p> <ul style="list-style-type: none"> (a) Horse breeding, keeping, sales and training activities associated with a racecourse (b) Storage and maintenance of racing vehicles associated with a motorsport track. 	
<p>PO 1.6</p> <p>Facilities that may attract longer-term stays may include complementary activities associated with the principal recreational use of land, such as tourist accommodation.</p>	<p>DTS/DPF 1.6</p> <p>None are applicable.</p>
<p><small>Built Form and Character</small></p>	
<p>PO 2.1</p> <p>Development includes building, landscape and streetscape design elements to achieve high visual amenity particularly along public roads and open spaces.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Buildings are designed and sited to manage visual impacts.</p>	<p>DTS/DPF 2.2</p> <p>Buildings are set back:</p> <ul style="list-style-type: none"> (a) no closer to a public road than an existing building on an adjoining allotment, or 8m where no building exists on an adjoining site (b) 8m from the boundary of an allotment containing, or zoned to primarily accommodate, a sensitive receiver in other ownership.
<p>PO 2.3</p> <p>Outbuildings are of a scale that manages visual impacts.</p>	<p>DTS/DPF 2.3</p> <p>Outbuildings have a:</p> <ul style="list-style-type: none"> (a) floor area that does not exceed 80m² (b) wall height that does not exceed 3m (c) building height that does not exceed 5m
<p><small>Interface Height</small></p>	
<p>PO 3.1</p> <p>Buildings mitigate the visual impacts of massing on residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.1</p> <p>Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram (except where this boundary is a southern boundary or where this boundary is the street boundary):</p> <div style="text-align: center; margin-top: 20px;"> </div>
<p>PO 3.2</p> <p>Buildings mitigate overshadowing of residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.2</p> <p>Buildings on sites with a southern boundary adjoining the boundary of an allotment used for residential purposes within a neighbourhood-type zone are constructed within a building envelope provided by a 30 degree plane grading north measured from a height of 3m above natural ground level at the southern boundary, as shown in the following diagram (except where this boundary is a street boundary):</p>

	<p>LEGEND BUILDING ENVELOPE</p> <p>ALLOTMENT USED FOR RESIDENTIAL PURPOSES WITHIN A NEIGHBOURHOOD-TYPE ZONE</p> <p>30° PLANE MEASURED FROM THE BOUNDARY</p> <p>DEVELOPMENT SITE</p> <p>NORTH →</p> <p>NATURAL GROUND LEVEL</p> <p>2 STOREY DWELLING</p> <p>3M</p> <p>FRONTY FUSEL FRONTAGE</p>
<p>PO 3.3</p> <p>Buildings on an allotment fronting a road that is not a State maintained road, and where land on the opposite side of the road is within a neighbourhood-type zone, provides an orderly transition to the built form scale envisaged in the adjacent zone to complement the streetscape character.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>Land Division</p>	
<p>PO 4.1</p> <p>Land division supports the provision of recreational facilities.</p>	<p>DTS/DPF 4.1</p> <p>Land division is for the purposes of:</p> <ul style="list-style-type: none"> (a) the creation of a public road or a public reserve or (b) a minor adjustment of allotment boundaries to remove an anomaly in existing boundaries with respect to the location of existing buildings or structures.
<p>Concept Plans</p>	
<p>PO 5.1</p> <p>Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 5.1</p> <p>The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 5.1, in instances where:</p> <ul style="list-style-type: none"> (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 5.1 is met.
<p>Advertisements</p>	
<p>PO 6.1</p> <p>Freestanding advertisements that identify the associated business without creating a visually dominant element within the locality.</p>	<p>DTS/DPF 6.1</p> <p>Freestanding advertisements:</p> <ul style="list-style-type: none"> (a) do not exceed 2m in height (b) do not have a sign face that exceeds 2m² per side.

Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in

which case the application will not require notification.

A relevant authority may determine that a variation to 1 or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.

Class of Development (Column A)	Exceptions (Column B)
<p>1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	None specified.
<p>2. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) advertisement (b) change rooms (c) outdoor sports courts (d) playground (e) protective tree netting structure. 	<p>Except development that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Recreation Zone DTS/DPF 2.2 2. Recreation Zone DTS/DPF 3.1 3. Recreation Zone DTS/DPF 3.2.
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) indoor recreation facility (b) market (c) showground (d) special event (e) sporting clubrooms (f) Swimming pool or spa pool and associated swimming pool safety features (g) horse breeding, keeping, sales, training or stables ancillary to an existing racecourse 	<p>Except where the site of the development is adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone.</p>
<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) air handling unit, air conditioning system or exhaust fan (b) carport (c) deck (d) fence (e) internal building works (f) land division (g) open space (h) outbuilding (i) pergola (j) private bushfire shelter (k) recreation area (l) replacement building (m) retaining wall (n) shade sail (o) solar photovoltaic panels (roof mounted) (p) swimming pool or spa pool and associated swimming pool safety features (q) temporary accommodation in an area affected by bushfire (r) tree damaging activity (s) verandah (t) water tank. 	None specified.
<p>5. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
<p>6. Office.</p>	<p>Except office that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Recreation Zone DTS/DPF 1.3 2. Recreation Zone DTS/DPF 2.2 3. Recreation Zone DTS/DPF 3.1 4. Recreation Zone DTS/DPF 3.2.
<p>7. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>
<p>8. Shop.</p>	<p>Except shop that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Recreation Zone DTS/DPF 1.2 2. Recreation Zone DTS/DPF 2.2

	<p>3. Recreation Zone DTS/DPF 3.1</p> <p>4. Recreation Zone DTS/DPF 3.2.</p>
9. Telecommunications facility.	Except telecommunications facility exceeding 30m in height or where the site of the development is adjacent land to a site (or land) used for residential purposes in a neighbourhood zone.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Part 3 - Overlays

Airport Building Heights (Regulated) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
<p>PO 1.1</p> <p>Building height does not pose a hazard to the operation of a certified or registered aerodrome.</p>	<p>DTS/DPF 1.1</p> <p>Buildings are located outside the area identified as 'All structures' (no height limit is prescribed) and do not exceed the height specified in the Airport Building Heights (Regulated) Overlay which applies to the subject site as shown on the SA Property and Planning Atlas.</p> <p>In instances where more than one value applies to the site, the lowest value relevant to the site of the proposed development is applicable.</p>
<p>PO 1.2</p> <p>Exhaust stacks are designed and sited to minimise plume impacts on aircraft movements associated with a certified or registered aerodrome.</p>	<p>DTS/DPF 1.2</p> <p>Development does not include exhaust stacks.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
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<p>Any of the following classes of development:</p> <p>(a) building located in an area identified as 'All structures' (no height limit is prescribed) or will exceed the height specified in the <i>Airport Building Heights (Regulated) Overlay</i></p> <p>(b) building comprising exhaust stacks that generates plumes, or may cause plumes to be generated, above a height specified in the <i>Airport Building Heights (Regulated) Overlay</i>.</p>	<p>The airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, the Secretary of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth.</p>	<p>To provide expert assessment and direction to the relevant authority on potential impacts on the safety and operation of aviation activities.</p>	<p>Development of a class to which Schedule 9 clause 3 item 1 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>
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Heritage Adjacency Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
<p>PO 1.1</p> <p>Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
Land Division	
<p>PO 2.1</p> <p>Land division adjacent to a State or Local Heritage Place creates allotments that are of a size and dimension that enables the siting and setbacks of new buildings from allotment boundaries so that they do not dominate, encroach or unduly impact on the setting of the Place.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development which in the opinion of the relevant authority materially affects the context within which the State Heritage Place is situated.	Minister responsible for the administration of the <i>Heritage Places Act 1993</i> .	To provide expert assessment and direction to the relevant authority on the potential impacts of development adjacent State Heritage Places.	Development of a class to which Schedule 9 clause 3 item 17 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

			and Infrastructure (General) Regulations 2017 applies.
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Local Heritage Place Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 The form of new buildings and structures maintains the heritage values of the Local Heritage Place.	DTS/DPF 1.1 None are applicable.
PO 1.2 Massing, scale and siting of development maintains the heritage values of the Local Heritage Place.	DTS/DPF 1.2 None are applicable.
PO 1.3 Design and architectural detailing (including but not limited to roof pitch and form, openings, chimneys and verandahs) maintains the heritage values of the Local Heritage Place.	DTS/DPF 1.3 None are applicable.
PO 1.4 Development is consistent with boundary setbacks and setting.	DTS/DPF 1.4 None are applicable.
PO 1.5 Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.	DTS/DPF 1.5 None are applicable.
PO 1.6 New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.	DTS/DPF 1.6 None are applicable.
PO 1.7 Development of a Local Heritage Place retains features contributing to its heritage	DTS/DPF 1.7 None are applicable.

value.	
Alterations and Additions	
<p>PO 2.1</p> <p>Alterations and additions complement the subject building and are sited to be unobtrusive, not conceal or obstruct heritage elements and detailing, or dominate the Local Heritage Place or its setting.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Adaptive reuse and revitalisation of Local Heritage Places to support their retention in a manner that respects and references the original use of the Local Heritage Place.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
Ancillary Development	
<p>PO 3.1</p> <p>Ancillary development, including carports, outbuildings and garages, complements the heritage values of the Local Heritage Place.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Ancillary development, including carports, outbuildings and garages, is located behind the building line and does not dominate the Local Heritage Place or its setting.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>PO 3.3</p> <p>Advertising and advertising hoardings are designed to complement the Local Heritage Place, be unobtrusive, be below the parapet line, not conceal or obstruct heritage elements and detailing, or dominate the building or its setting.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Fencing and gates closer to a street boundary (other than a laneway) than the street elevation of the associated building are consistent with the traditional period, style and form of the Local Heritage Place.</p>	<p>DTS/DPF 3.4</p> <p>None are applicable.</p>
Land Division	
<p>PO 4.1</p> <p>Land division creates allotments that:</p> <p>(a) maintain the heritage values of the Local Heritage Place, including setting</p> <p>(b) are of a dimension to accommodate new development that reinforces and is compatible with the heritage values of the Local Heritage Place.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
Landscape Context and Streetscape Amenity	
<p>PO 5.1</p> <p>Individually heritage listed trees, parks, historic gardens and memorial avenues are retained unless:</p> <p>(a) trees / plantings are, or have the potential to be, a danger to life or property or</p> <p>(b) trees / plantings are significantly diseased and their life expectancy is short.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
Demolition	
<p>PO 6.1</p> <p>Local Heritage Places are not demolished, destroyed or removed in total or in part unless:</p> <p>(a) the portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>

<p>the extent of listing that is of heritage value or</p> <p>(b) the structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair.</p>	
<p>PO 6.2</p> <p>The demolition, destruction or removal of a building, portion of a building or other feature or attribute is appropriate where it does not contribute to the heritage values of the Local Heritage Place.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
<p>Conservation Works</p>	
<p>PO 7.1</p> <p>Conservation works to the exterior of a Local Heritage Place (and other features identified in the extent of listing) match original materials to be repaired and utilise traditional work methods.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Prescribed Wells Area Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
<p>DO 1</p>	<p>Sustainable water use in prescribed wells areas.</p>

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>All development, but in particular involving any of the following:</p> <ul style="list-style-type: none"> (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) commercial forestry <p>has a lawful, sustainable and reliable water supply that does not place undue strain on water resources in prescribed wells areas.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies either of the following:</p> <ul style="list-style-type: none"> (a) the applicant has a current water licence in which sufficient spare capacity exists to accommodate the water needs of the proposed use or (b) the proposal does not involve the taking of water for which a licence would be required under the <i>Landscape South Australia Act 2019</i>.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

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Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Any of the following classes of development that require or may require water to be taken in addition to any allocation that has already been granted under the <i>Landscape South Australia Act 2019</i>:</p> <ul style="list-style-type: none"> (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) commercial forestry. 	<p>The Chief Executive of the Department of the Minister responsible for the administration of the <i>Landscape South Australia Act 2019</i>.</p>	<p>To provide expert technical assessment and direction to the relevant authority on the taking of water to ensure development is undertaken sustainably.</p>	<p>Development of a class to which Schedule 9 clause 3 item 13 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>
<p>Commercial forestry that requires a forest water licence under Part 8 Division 6 of the <i>Landscape South Australia Act 2019</i>.</p>			

Regulated and Significant Tree Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Tree Retention and Health	
<p>PO 1.1</p> <p>Regulated trees are retained where they:</p> <ul style="list-style-type: none"> (a) make an important visual contribution to local character and amenity (b) are indigenous to the local area and listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species and / or (c) provide an important habitat for native fauna. 	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Significant trees are retained where they:</p> <ul style="list-style-type: none"> (a) make an important contribution to the character or amenity of the local area (b) are indigenous to the local area and are listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species (c) represent an important habitat for native fauna (d) are part of a wildlife corridor of a remnant area of native vegetation (e) are important to the maintenance of biodiversity in the local environment and / or (f) form a notable visual element to the landscape of the local area. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>A tree damaging activity not in connection with other development satisfies (a) and (b):</p> <ul style="list-style-type: none"> (a) tree damaging activity is only undertaken to: 	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>

<p>(i) remove a diseased tree where its life expectancy is short</p> <p>(ii) mitigate an unacceptable risk to public or private safety due to limb drop or the like</p> <p>(iii) rectify or prevent extensive damage to a building of value as comprising any of the following:</p> <p style="margin-left: 20px;">A. a Local Heritage Place</p> <p style="margin-left: 20px;">B. a State Heritage Place</p> <p style="margin-left: 20px;">C. a substantial building of value</p> <p>and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity</p> <p>(iv) reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire</p> <p>(v) treat disease or otherwise in the general interests of the health of the tree and / or</p> <p>(vi) maintain the aesthetic appearance and structural integrity of the tree</p> <p>(b) in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective.</p>	
<p>PO 1.4</p> <p>A tree-damaging activity in connection with other development satisfies all the following:</p> <p>(a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible</p> <p>(b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
<p>Ground work affecting trees</p>	
<p>PO 2.1</p> <p>Regulated and significant trees, including their root systems, are not unduly compromised by excavation and / or filling of land, or the sealing of surfaces within the vicinity of the tree to support their retention and health.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>Land Division</p>	
<p>PO 3.1</p> <p>Land division results in an allotment configuration that enables its subsequent development and the retention of regulated and significant trees as far as is reasonably practicable.</p>	<p>DTS/DPF 3.1</p> <p>Land division where:</p> <p>(a) there are no regulated or significant trees located within or adjacent to the plan of division or</p> <p>(b) the application demonstrates that an area exists to accommodate subsequent development of proposed allotments after an allowance has been made for a tree protection zone around any regulated tree within and adjacent to the plan of division.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Stormwater Management Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development incorporates water sensitive urban design techniques to capture and re-use stormwater.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature												
<p>PO 1.1</p> <p>Residential development is designed to capture and re-use stormwater to:</p> <ul style="list-style-type: none"> (a) maximise conservation of water resources (b) manage peak stormwater runoff flows and volume to ensure the carrying capacities of downstream systems are not overloaded (c) manage stormwater runoff quality. 	<p>DTS/DPF 1.1</p> <p>Residential development comprising detached, semi-detached or row dwellings, or less than 5 group dwellings or dwellings within a residential flat building:</p> <ul style="list-style-type: none"> (a) includes rainwater tank storage: <ul style="list-style-type: none"> (i) connected to at least: <ul style="list-style-type: none"> A. in relation to a detached dwelling (not in a battle-axe arrangement), semi-detached dwelling or row dwelling, 60% of the roof area B. in all other cases, 80% of the roof area (ii) connected to either a toilet, laundry cold water outlets or hot water service for sites less than 200m² (iii) connected to one toilet and either the laundry cold water outlets or hot water service for sites of 200m² or greater (iv) with a minimum total capacity in accordance with Table 1 (v) where detention is required, includes a 20-25 mm diameter slow release orifice at the bottom of the detention component of the tank (b) incorporates dwelling roof area comprising at least 80% of the site's impervious area <p style="font-size: small; margin-top: 10px;">Table 1: Rainwater Tank</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr style="background-color: #d9ead3;"> <th style="width: 25%;">Site size (m²)</th> <th style="width: 25%;">Minimum retention volume (Litres)</th> <th style="width: 50%;">Minimum detention volume (Litres)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><200</td> <td style="text-align: center;">1000</td> <td style="text-align: center;">1000</td> </tr> <tr> <td style="text-align: center;">200-400</td> <td style="text-align: center;">2000</td> <td style="text-align: center;">Site perviousness <30%: 1000 Site perviousness ≥30%: N/A</td> </tr> <tr> <td style="text-align: center;">>401</td> <td style="text-align: center;">4000</td> <td style="text-align: center;">Site perviousness <35%: 1000 Site perviousness ≥35%: N/A</td> </tr> </tbody> </table>	Site size (m ²)	Minimum retention volume (Litres)	Minimum detention volume (Litres)	<200	1000	1000	200-400	2000	Site perviousness <30%: 1000 Site perviousness ≥30%: N/A	>401	4000	Site perviousness <35%: 1000 Site perviousness ≥35%: N/A
Site size (m ²)	Minimum retention volume (Litres)	Minimum detention volume (Litres)											
<200	1000	1000											
200-400	2000	Site perviousness <30%: 1000 Site perviousness ≥30%: N/A											
>401	4000	Site perviousness <35%: 1000 Site perviousness ≥35%: N/A											

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Traffic Generating Development Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome
DO 1

	Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.
DO 2	Provision of safe and efficient access to and from urban transport routes and major urban transport routes.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Traffic Generating Development	
<p>PO 1.1</p> <p>Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.</p>	<p>DTS/DPF 1.1</p> <p>Access is obtained directly from a State Maintained Road where it involves any of the following types of development:</p> <ul style="list-style-type: none"> (a) building, or buildings, containing in excess of 50 dwellings (b) land division creating 50 or more additional allotments (c) commercial development with a gross floor area of 10,000m² or more (d) retail development with a gross floor area of 2,000m² or more (e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (f) industry with a gross floor area of 20,000m² or more (g) educational facilities with a capacity of 250 students or more.
<p>PO 1.2</p> <p>Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.</p>	<p>DTS/DPF 1.2</p> <p>Access is obtained directly from a State Maintained Road where it involves any of the following types of development:</p> <ul style="list-style-type: none"> (a) building, or buildings, containing in excess of 50 dwellings (b) land division creating 50 or more additional allotments (c) commercial development with a gross floor area of 10,000m² or more (d) retail development with a gross floor area of 2,000m² or more (e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (f) industry with a gross floor area of 20,000m² or more (g) educational facilities with a capacity of 250 students or more.
<p>PO 1.3</p> <p>Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network.</p>	<p>DTS/DPF 1.3</p> <p>Access is obtained directly from a State Maintained Road where it involves any of the following types of development:</p> <ul style="list-style-type: none"> (a) building, or buildings, containing in excess of 50 dwellings (b) land division creating 50 or more additional allotments (c) commercial development with a gross floor area of 10,000m² or more (d) retail development with a gross floor area of 2,000m² or more (e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (f) industry with a gross floor area of 20,000m² or more (g) educational facilities with a capacity of 250 students or more.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except where all of the relevant deemed-to-satisfy criteria are met, any of the following classes of development that are proposed within 250m of a State Maintained Road:</p> <ul style="list-style-type: none"> (a) except where a proposed development has previously been referred under clause (b) - a building, or buildings, containing in excess of 50 dwellings (b) except where a proposed development has previously been referred under clause (a) - land division creating 50 or more additional allotments (c) commercial development with a gross floor area of 10,000m² or more 	Commissioner of Highways.	To provide expert technical assessment and direction to the Relevant Authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in the Planning and Design Code.	Development of a class to which Schedule 9 clause 3 item 7 of the Planning, Development

<p>(d) retail development with a gross floor area of 2,000m² or more</p> <p>(e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more</p> <p>(f) industry with a gross floor area of 20,000m² or more</p> <p>(g) educational facilities with a capacity of 250 students or more.</p>		<p>and Infrastructure (General) Regulations 2017 applies.</p>
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Urban Tree Canopy Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Residential development preserves and enhances urban tree canopy through the planting of new trees and retention of existing mature trees where practicable.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature																																								
<p>PO 1.1</p> <p>Trees are planted or retained to contribute to an urban tree canopy.</p>	<p>DTS/DPF 1.1</p> <p>Tree planting is provided in accordance with the following:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr style="background-color: #d9ead3;"> <th style="width: 50%;">Site size per dwelling (m²)</th> <th style="width: 50%;">Tree size* and number required per dwelling</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><450</td> <td style="text-align: center;">1 small tree</td> </tr> <tr> <td style="text-align: center;">450-800</td> <td style="text-align: center;">1 medium tree or 2 small trees</td> </tr> <tr> <td style="text-align: center;">>800</td> <td style="text-align: center;">1 large tree or 2 medium trees or 4 small trees</td> </tr> </tbody> </table> <p>*refer Table 1 Tree Size</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr style="background-color: #d9ead3;"> <th colspan="4" style="text-align: center;">Table 1 Tree Size</th> </tr> <tr style="background-color: #d9ead3;"> <th style="width: 15%;">Tree size</th> <th style="width: 15%;">Mature height (minimum)</th> <th style="width: 15%;">Mature spread (minimum)</th> <th style="width: 55%;">Soil area around tree within development site (minimum)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Small</td> <td style="text-align: center;">4 m</td> <td style="text-align: center;">2m</td> <td style="text-align: center;">10m² and min. dimension of 1.5m</td> </tr> <tr> <td style="text-align: center;">Medium</td> <td style="text-align: center;">6 m</td> <td style="text-align: center;">4 m</td> <td style="text-align: center;">30m² and min. dimension of 2m</td> </tr> <tr> <td style="text-align: center;">Large</td> <td style="text-align: center;">12 m</td> <td style="text-align: center;">8m</td> <td style="text-align: center;">60m² and min. dimension of 4m</td> </tr> </tbody> </table> <p>The discount in Column D of Table 2 discounts the number of trees required to be planted in DTS/DPF 1.1 where existing tree(s) are retained on the subject land that meet the criteria in Columns A, B and C of Table 2, and are not a species identified in Regulation 3F(4)(b) of the Planning Development and Infrastructure (General) Regulations 2017.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #d9ead3;"> <th colspan="4" style="text-align: center;">Table 2 Tree Discounts</th> </tr> <tr style="background-color: #d9ead3;"> <th style="width: 15%;">Retained tree height</th> <th style="width: 15%;">Retained tree spread</th> <th style="width: 20%;">Retained soil area around tree within development site</th> <th style="width: 50%;">Discount applied (Column D)</th> </tr> </thead> <tbody> <tr> <td style="height: 20px;"></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Site size per dwelling (m ²)	Tree size* and number required per dwelling	<450	1 small tree	450-800	1 medium tree or 2 small trees	>800	1 large tree or 2 medium trees or 4 small trees	Table 1 Tree Size				Tree size	Mature height (minimum)	Mature spread (minimum)	Soil area around tree within development site (minimum)	Small	4 m	2m	10m ² and min. dimension of 1.5m	Medium	6 m	4 m	30m ² and min. dimension of 2m	Large	12 m	8m	60m ² and min. dimension of 4m	Table 2 Tree Discounts				Retained tree height	Retained tree spread	Retained soil area around tree within development site	Discount applied (Column D)				
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(Column A)	(Column B)	(Column C)	
4-6m	2-4m	10m ² and min. dimension of 1.5m	2 small trees (or 1 medium tree)
6-12m	4-8m	30m ² and min. dimension of 3m	2 medium trees (or 4 small trees)
>12m	>8m	60m ² and min. dimension of 6m	2 large trees (or 4 medium trees, or 8 small trees)

Note: In order to satisfy DTS/DPF 1.1, payment may be made in accordance with a relevant off-set scheme established by the Minister under section 197 of the Planning, Development and Infrastructure Act 2016, provided the provisions and requirements of that scheme are satisfied. For the purposes of section 102(4) of the Planning, Development and Infrastructure Act 2016, an applicant may elect for any of the matters in DTS/DPF 1.1 to be reserved.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Part 4 - General Development Policies

Advertisements

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Appearance	
PO 1.1	DTS/DPF 1.1

<p>Advertisements are compatible and integrated with the design of the building and/or land they are located on.</p>	<p>Advertisements attached to a building satisfy all of the following:</p> <ul style="list-style-type: none"> (a) are not located in a Neighbourhood-type zone (b) where they are flush with a wall: <ul style="list-style-type: none"> (i) if located at canopy level, are in the form of a fascia sign (ii) if located above canopy level: <ul style="list-style-type: none"> A. do not have any part rising above parapet height B. are not attached to the roof of the building (c) where they are not flush with a wall: <ul style="list-style-type: none"> (i) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (ii) if attached to a two-storey building: <ul style="list-style-type: none"> A. has no part located above the finished floor level of the second storey of the building B. does not protrude beyond the outer limits of any verandah structure below C. does not have a sign face that exceeds 1m² per side. (d) if located below canopy level, are flush with a wall (e) if located at canopy level, are in the form of a fascia sign (f) if located above a canopy: <ul style="list-style-type: none"> (i) are flush with a wall (ii) do not have any part rising above parapet height (iii) are not attached to the roof of the building. (g) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (h) if attached to a two-storey building, have no part located above the finished floor level of the second storey of the building (i) where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building facade to which they are attached.
<p>PO 1.2</p> <p>Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.</p>	<p>DTS/DPF 1.2</p> <p>Where development comprises an advertising hoarding, the supporting structure is:</p> <ul style="list-style-type: none"> (a) concealed by the associated advertisement and decorative detailing or (b) not visible from an adjacent public street or thoroughfare, other than a support structure in the form of a single or dual post design.
<p>PO 1.3</p> <p>Advertising does not encroach on public land or the land of an adjacent allotment.</p>	<p>DTS/DPF 1.3</p> <p>Advertisements and/or advertising hoardings are contained within the boundaries of the site.</p>
<p>PO 1.4</p> <p>Where possible, advertisements on public land are integrated with existing structures and infrastructure.</p>	<p>DTS/DPF 1.4</p> <p>Advertisements on public land that meet at least one of the following:</p> <ul style="list-style-type: none"> (a) achieves Advertisements DTS/DPF 1.1 (b) are integrated with a bus shelter.
<p>PO 1.5</p> <p>Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
<p>Proliferation of Advertisements</p>	
<p>PO 2.1</p> <p>Proliferation of advertisements is minimised to avoid visual clutter and untidiness.</p>	<p>DTS/DPF 2.1</p> <p>No more than one freestanding advertisement is displayed per occupancy.</p>
<p>PO 2.2</p> <p>Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.</p>	<p>DTS/DPF 2.2</p> <p>Advertising of a multiple business or activity complex is located on a single advertisement fixture or structure.</p>
<p>PO 2.3</p> <p>Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.</p>	<p>DTS/DPF 2.3</p> <p>Advertisements satisfy all of the following:</p>

	<ul style="list-style-type: none"> (a) are attached to a building (b) other than in a Neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building facade to which they are attached (c) do not result in more than one sign per occupancy that is not flush with a wall.
<small>Advertising Content</small>	
<p>PO 3.1</p> <p>Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.</p>	<p>DTS/DPF 3.1</p> <p>Advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement.</p>
<small>Amenity Impacts</small>	
<p>PO 4.1</p> <p>Light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers.</p>	<p>DTS/DPF 4.1</p> <p>Advertisements do not incorporate any illumination.</p>
<small>Safety</small>	
<p>PO 5.1</p> <p>Advertisements and/or advertising hoardings erected on a verandah or projecting from a building wall are designed and located to allow for safe and convenient pedestrian access.</p>	<p>DTS/DPF 5.1</p> <p>Advertisements have a minimum clearance of 2.5m between the top of the footpath and base of the underside of the sign.</p>
<p>PO 5.2</p> <p>Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination.</p>	<p>DTS/DPF 5.2</p> <p>No advertisement illumination is proposed.</p>
<p>PO 5.3</p> <p>Advertisements and/or advertising hoardings do not create a hazard to drivers by:</p> <ul style="list-style-type: none"> (a) being liable to interpretation by drivers as an official traffic sign or signal (b) obscuring or impairing drivers' view of official traffic signs or signals (c) obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings. 	<p>DTS/DPF 5.3</p> <p>Advertisements satisfy all of the following:</p> <ul style="list-style-type: none"> (a) are not located in a public road or rail reserve (b) are located wholly outside the land shown as 'Corner Cut-Off Area' in the following diagram <div style="text-align: center; margin-top: 10px;"> </div>
<p>PO 5.4</p> <p>Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.</p>	<p>DTS/DPF 5.4</p> <p>Advertisements and/or advertising hoardings are not located along or adjacent to a road having a speed limit of 80km/h or more.</p>
<p>PO 5.5</p> <p>Advertisements and/or advertising hoardings provide sufficient clearance from the road carriageway to allow for safe and convenient movement by all road users.</p>	<p>DTS/DPF 5.5</p> <p>Where the advertisement or advertising hoarding is:</p> <ul style="list-style-type: none"> (a) on a kerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 0.6m from the roadside edge of the kerb (b) on an unkerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 5.5m from the edge of the seal (c) on any other kerbed or unkerbed road, the advertisement or advertising hoarding is located a minimum of the following distance from the roadside edge of the kerb or the seal: <ul style="list-style-type: none"> (a) 110 km/h road - 14m (b) 100 km/h road - 13m (c) 90 km/h road - 10m (d) 70 or 80 km/h road - 8.5m.

<p>PO 5.6</p> <p>Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.</p>	<p>DTS/DPF 5.6</p> <p>Advertising:</p> <ul style="list-style-type: none"> (a) is not illuminated (b) does not incorporate a moving or changing display or message (c) does not incorporate a flashing light(s).
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Animal Keeping and Horse Keeping

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Animals are kept at a density that is not beyond the carrying capacity of the land and in a manner that minimises their adverse effects on the environment, local amenity and surrounding development.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<small>Siting and Design</small>	
<p>PO 1.1</p> <p>Animal keeping, horse keeping and associated activities do not create adverse impacts on the environment or the amenity of the locality.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Animal keeping and horse keeping is located and managed to minimise the potential transmission of disease to other operations where animals are kept.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<small>Horse Keeping</small>	
<p>PO 2.1</p> <p>Water from stable wash-down areas is directed to appropriate absorption areas and/or drainage pits to minimise pollution of land and water.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Stables, horse shelters or associated yards are sited appropriate distances away from sensitive receivers and/or allotments in other ownership to avoid adverse impacts from dust, erosion and odour.</p>	<p>DTS/DPF 2.2</p> <p>Stables, horse shelters and associated yards are sited in accordance with all of the following:</p> <ul style="list-style-type: none"> (a) 30m or more from any sensitive receivers (existing or approved) on land in other ownership (b) where an adjacent allotment is vacant and in other ownership, 30m or more from the boundary of that allotment.
<p>PO 2.3</p> <p>All areas accessible to horses are separated from septic tank effluent disposal areas to protect the integrity of that system. Stable flooring is constructed with an impervious material to facilitate regular cleaning.</p>	<p>DTS/DPF 2.3</p> <p>Septic tank effluent disposal areas are enclosed with a horse-proof barrier such as a fence to exclude horses from this area.</p>
<p>PO 2.4</p>	<p>DTS/DPF 2.4</p>

To minimise environmental harm and adverse impacts on water resources, stables, horse shelters and associated yards are appropriately set back from a watercourse.	Stables, horse shelters and associated yards are set back 50m or more from a watercourse.
PO 2.5 Stables, horse shelters and associated yards are located on slopes that are stable to minimise the risk of soil erosion and water runoff.	DTS/DPF 2.5 Stables, horse shelters and associated yards are not located on land with a slope greater than 10% (1-in-10).
Kennels	
PO 3.1 Kennel flooring is constructed with an impervious material to facilitate regular cleaning.	DTS/DPF 3.1 The floors of kennels satisfy all of the following: (a) are constructed of impervious concrete (b) are designed to be self-draining when washed down.
PO 3.2 Kennels and exercise yards are designed and sited to minimise noise nuisance to neighbours through measures such as: (a) adopting appropriate separation distances (b) orientating openings away from sensitive receivers.	DTS/DPF 3.2 Kennels are sited 500m or more from the nearest sensitive receiver on land in other ownership.
PO 3.3 Dogs are regularly observed and managed to minimise nuisance impact on adjoining sensitive receivers from animal behaviour.	DTS/DPF 3.3 Kennels are sited in association with a permanent dwelling on the land.
Wastes	
PO 4.1 Storage of manure, used litter and other wastes (other than wastewater lagoons) is designed, constructed and managed to minimise attracting and harbouring vermin.	DTS/DPF 4.1 None are applicable.
PO 4.2 Facilities for the storage of manure, used litter and other wastes (other than wastewater lagoons) are located to minimise the potential for polluting water resources.	DTS/DPF 4.2 Waste storage facilities (other than wastewater lagoons) are located outside the 1% AEP flood event areas.

Aquaculture

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Aquaculture facilities are developed in an ecologically, economically and socially sustainable manner to support an equitable sharing of marine, coastal and inland resources and mitigate conflict with other water-based and land-based uses.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land-based Aquaculture	

<p>PO 1.1</p> <p>Land-based aquaculture and associated components are sited and designed to mitigate adverse impacts on nearby sensitive receivers.</p>	<p>DTS/DPF 1.1</p> <p>Land-based aquaculture and associated components are located to satisfy all of the following:</p> <p>(a) 200m or more from a sensitive receiver in other ownership (b) 500m or more from the boundary of a zone primarily intended to accommodate sensitive receivers</p> <p>or</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
<p>PO 1.2</p> <p>Land-based aquaculture and associated components are sited and designed to prevent surface flows from entering ponds in a 1% AEP sea flood level event.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Land-based aquaculture and associated components are sited and designed to prevent pond leakage that would pollute groundwater.</p>	<p>DTS/DPF 1.3</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
<p>PO 1.4</p> <p>Land-based aquaculture and associated components are sited and designed to prevent farmed species escaping and entering into any waters.</p>	<p>DTS/DPF 1.4</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
<p>PO 1.5</p> <p>Land-based aquaculture and associated components, including intake and discharge pipes, are designed to minimise the need to traverse sensitive areas to minimise impact on the natural environment.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
<p>PO 1.6</p> <p>Pipe inlets and outlets associated with land-based aquaculture are sited and designed to minimise the risk of disease transmission.</p>	<p>DTS/DPF 1.6</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
<p>PO 1.7</p> <p>Storage areas associated with aquaculture activity are integrated with the use of the land and sited and designed to minimise their visual impact on the surrounding environment.</p>	<p>DTS/DPF 1.7</p> <p>None are applicable.</p>
<p>Marine Based Aquaculture</p>	
<p>PO 2.1</p> <p>Marine aquaculture is sited and designed to minimise its adverse impacts on sensitive ecological areas including:</p> <p>(a) creeks and estuaries (b) wetlands (c) significant seagrass and mangrove communities (d) marine habitats and ecosystems.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Marine aquaculture is sited in areas with adequate water current to disperse sediments and dissolve particulate wastes to prevent the build-up of waste that may cause environmental harm.</p>	<p>DTS/DPF 2.2</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
<p>PO 2.3</p>	<p>DTS/DPF 2.3</p>

<p>Marine aquaculture is designed to not involve discharge of human waste on the site, on any adjacent land or into nearby waters.</p>	<p>The development does not include toilet facilities located over water.</p>
<p>PO 2.4</p> <p>Marine aquaculture (other than inter-tidal aquaculture) is located an appropriate distance seaward of the high water mark.</p>	<p>DTS/DPF 2.4</p> <p>Marine aquaculture development is located 100m or more seaward of the high water mark</p> <p>or</p> <p>The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i>.</p>
<p>PO 2.5</p> <p>Marine aquaculture is sited and designed to not obstruct or interfere with:</p> <ul style="list-style-type: none"> (a) areas of high public use (b) areas, including beaches, used for recreational activities such as swimming, fishing, skiing, sailing and other water sports (c) areas of outstanding visual or environmental value (d) areas of high tourism value (e) areas of important regional or state economic activity, including commercial ports, wharfs and jetties (f) the operation of infrastructure facilities including inlet and outlet pipes associated with the desalination of sea water. 	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
<p>PO 2.6</p> <p>Marine aquaculture is sited and designed to minimise interference and obstruction to the natural processes of the coastal and marine environment.</p>	<p>DTS/DPF 2.6</p> <p>None are applicable.</p>
<p>PO 2.7</p> <p>Marine aquaculture is designed to be as unobtrusive as practicable by incorporating measures such as:</p> <ul style="list-style-type: none"> (a) using feed hoppers painted in subdued colours and suspending them as close as possible to the surface of the water (b) positioning structures to protrude the minimum distance practicable above the surface of the water (c) avoiding the use of shelters and structures above cages and platforms unless necessary to exclude predators and protected species from interacting with the farming structures and/or stock inside the cages, or for safety reasons (d) positioning racks, floats and other farm structures in unobtrusive locations landward from the shoreline. 	<p>DTS/DPF 2.7</p> <p>None are applicable.</p>
<p>PO 2.8</p> <p>Access, launching and maintenance facilities utilise existing established roads, tracks, ramps and paths to or from the sea where possible to minimise environmental and amenity impacts.</p>	<p>DTS/DPF 2.8</p> <p>The development utilises existing established roads, tracks, ramps and/or paths (as applicable) to access the sea.</p>
<p>PO 2.9</p> <p>Access, launching and maintenance facilities are developed as common user facilities and are co-located where practicable to mitigate adverse impacts on coastal areas.</p>	<p>DTS/DPF 2.9</p> <p>The development utilises existing established roads, tracks, ramps and/or paths (as applicable) to access the sea.</p>
<p>PO 2.10</p> <p>Marine aquaculture is sited to minimise potential impacts on, and to protect the integrity of, reserves under the <i>National Parks and Wildlife Act 1972</i>.</p>	<p>DTS/DPF 2.10</p> <p>Marine aquaculture is located 1000m or more seaward of the boundary of any reserve under the <i>National Parks and Wildlife Act 1972</i>.</p>
<p>PO 2.11</p> <p>Onshore storage, cooling and processing facilities do not impair the coastline and its visual amenity by:</p> <ul style="list-style-type: none"> (a) being sited, designed, landscaped and of a scale to reduce the overall bulk and appearance of buildings and complement the coastal landscape (b) making provision for appropriately sited and designed vehicular access arrangements, including using existing vehicular access arrangements as far as practicable 	<p>DTS/DPF 2.11</p> <p>The development does not include any onshore facilities in conjunction with a proposal for marine aquaculture.</p>

(c) incorporating appropriate waste treatment and disposal.	
Navigation and Safety	
PO 3.1 Marine aquaculture sites are suitably marked to maintain navigational safety.	DTS/DPF 3.1 The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
PO 3.2 Marine aquaculture is sited to provide adequate separation between farms for safe navigation.	DTS/DPF 3.2 The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .
Environmental Management	
PO 4.1 Marine aquaculture is maintained to prevent hazards to people and wildlife, including breeding grounds and habitats of native marine mammals and terrestrial fauna, especially migratory species.	DTS/DPF 4.1 None are applicable.
PO 4.2 Marine aquaculture is designed to facilitate the relocation or removal of structures in the case of emergency such as oil spills, algal blooms and altered water flows.	DTS/DPF 4.2 None are applicable.
PO 4.3 Marine aquaculture provides for progressive or future reclamation of disturbed areas ahead of, or upon, decommissioning.	DTS/DPF 4.3 None are applicable.
PO 4.4 Aquaculture operations incorporate measures for the removal and disposal of litter, disused material, shells, debris, detritus, dead animals and animal waste to prevent pollution of waters, wetlands, or the nearby coastline.	DTS/DPF 4.4 The development is the subject of an aquaculture lease and/or licence (as applicable) granted under the <i>Aquaculture Act 2001</i> .

Beverage Production in Rural Areas

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Mitigation of potential amenity and environmental impacts of value-adding beverage production facilities such as wineries, distilleries, cideries and breweries.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Odour and Noise	

PO 1.1 Beverage production activities are designed and sited to minimise odour impacts on rural amenity.	DTS/DPF 1.1 None are applicable.
PO 1.2 Beverage production activities are designed and sited to minimise noise impacts on sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.3 Fermentation, distillation, manufacturing, storage, packaging and bottling activities occur within enclosed buildings to improve the visual appearance within a locality and manage noise associated with these activities.	DTS/DPF 1.3 None are applicable.
PO 1.4 Breweries are designed to minimise odours emitted during boiling and fermentation stages of production.	DTS/DPF 1.4 Brew kettles are fitted with a vapour condenser.
PO 1.5 Beverage production solid wastes are stored in a manner that minimises odour impacts on sensitive receivers in other ownership.	DTS/DPF 1.5 Solid waste from beverage production is collected and stored in sealed containers and removed from the site within 48 hours.
Water Quality	
PO 2.1 Beverage production wastewater management systems (including wastewater irrigation) are set back from watercourses to minimise adverse impacts on water resources.	DTS/DPF 2.1 Wastewater management systems are set back 50m or more from the banks of watercourses and bores.
PO 2.2 The storage or disposal of chemicals or hazardous substances is undertaken in a manner to prevent pollution of water resources.	DTS/DPF 2.2 None are applicable.
PO 2.3 Stormwater runoff from areas that may cause contamination due to beverage production activities (including vehicle movements and machinery operations) is drained to an onsite stormwater treatment system to manage potential environmental impacts.	DTS/DPF 2.3 None are applicable.
PO 2.4 Stormwater runoff from areas unlikely to cause contamination by beverage production and associated activities (such as roof catchments and clean hard-paved surfaces) is diverted away from beverage production areas and wastewater management systems.	DTS/DPF 2.4 None are applicable.
Wastewater Irrigation	
PO 3.1 Beverage production wastewater irrigation systems are designed and located to not contaminate soil and surface and ground water resources or damage crops.	DTS/DPF 3.1 None are applicable.
PO 3.2 Beverage production wastewater irrigation systems are designed and located to minimise impact on amenity and avoid spray drift onto adjoining land.	DTS/DPF 3.2 Beverage production wastewater is not irrigated within 50m of any dwelling in other ownership.

<p>PO 3.3</p> <p>Beverage production wastewater is not irrigated onto areas that pose an undue risk to the environment or amenity such as:</p> <p>(a) waterlogged areas (b) land within 50m of a creek, swamp or domestic or stock water bore (c) land subject to flooding (d) steeply sloping land (e) rocky or highly permeable soil overlaying an unconfined aquifer.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
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Bulk Handling and Storage Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Facilities for the bulk handling and storage of agricultural, mineral, petroleum, rock, ore or other similar commodities are designed to minimise adverse impacts on transport networks, the landscape and surrounding land uses.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<small>Siting and Design</small>	
<p>PO 1.1</p> <p>Bulk handling and storage facilities are sited and designed to minimise risks of adverse air quality and noise impacts on sensitive receivers.</p>	<p>DTS/DPF 1.1</p> <p>Facilities for the handling, storage and dispatch of commodities in bulk (excluding processing) meet the following minimum separation distances from sensitive receivers:</p> <p>(a) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility (including sea-port grain terminals), where the handling of these materials into or from vessels does not exceed 100 tonnes per day: 300m or more from residential premises not associated with the facility</p> <p>(b) bulk handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility: 300m or more from residential premises not associated with the facility</p> <p>(c) bulk petroleum storage involving individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1,000 cubic metres: 500m or more</p> <p>(d) coal handling with: a. capacity up to 1 tonne per day or a storage capacity up to 50 tonnes: 500m or more b. capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes: 1000m or more.</p>
<small>Buffers and Landscaping</small>	
<p>PO 2.1</p> <p>Bulk handling and storage facilities incorporate a buffer area for the establishment of dense landscaping adjacent road frontages to enhance the appearance of land and buildings from public thoroughfares.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Bulk handling and storage facilities incorporate landscaping to assist with screening and dust filtration.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<small>Access and Parking</small>	

<p>PO 3.1</p> <p>Roadways and vehicle parking areas associated with bulk handling and storage facilities are designed and surfaced to control dust emissions and prevent drag out of material from the site.</p>	<p>DTS/DPF 3.1</p> <p>Roadways and vehicle parking areas are sealed with an all-weather surface.</p>
<p>Slipways, Wharves and Pontoons</p>	
<p>PO 4.1</p> <p>Slipways, wharves and pontoons used for the handling of bulk materials (such as fuel, oil, catch, bait and the like) incorporate catchment devices to avoid the release of materials into adjacent waters.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.</p>	<p>DTS/DPF 1.1</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

Design

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
External Appearance	
<p>PO 1.1</p> <p>Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Plant, exhaust and intake vents and other technical equipment is integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:</p> <p>(a) positioning plant and equipment in unobtrusive locations viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.</p>	<p>DTS/DPF 1.4</p> <p>Development does not incorporate any structures that protrude beyond the roofline.</p>
<p>PO 1.5</p> <p>The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
Safety	
<p>PO 2.1</p> <p>Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Development is designed to differentiate public, communal and private areas.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.</p>	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>

<p>PO 2.5</p> <p>Common areas and entry points of buildings (such as the foyer areas of residential buildings), and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
<p>Landscaping</p>	
<p>PO 3.1</p> <p>Soft landscaping and tree planting is incorporated to:</p> <ul style="list-style-type: none"> (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes (e) contribute to biodiversity. 	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Soft landscaping and tree planting maximises the use of locally indigenous plant species, incorporates plant species best suited to current and future climate conditions and avoids pest plant and weed species.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>Environmental Performance</p>	
<p>PO 4.1</p> <p>Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>Buildings incorporate climate-responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.</p>	<p>DTS/DPF 4.3</p> <p>None are applicable.</p>
<p>Water Sensitive Design</p>	
<p>PO 5.1</p> <p>Development is sited and designed to maintain natural hydrological systems without negatively impacting:</p> <ul style="list-style-type: none"> (a) the quantity and quality of surface water and groundwater (b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs. 	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
<p>On-site Waste Treatment Systems</p>	
<p>PO 6.1</p> <p>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.</p>	<p>DTS/DPF 6.1</p> <p>Effluent disposal drainage areas do not:</p> <ul style="list-style-type: none"> (a) encroach within an area used as private open space or result in less private open space than that specified in Design Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
<p>Carparking Appearance</p>	

<p>PO 7.1</p> <p>Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on the streetscapes through techniques such as:</p> <p>(a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>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.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.</p>	<p>DTS/DPF 7.3</p> <p>None are applicable.</p>
<p>PO 7.4</p> <p>Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.</p>	<p>DTS/DPF 7.4</p> <p>None are applicable.</p>
<p>PO 7.5</p> <p>Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.</p>	<p>DTS/DPF 7.5</p> <p>None are applicable.</p>
<p>PO 7.6</p> <p>Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.</p>	<p>DTS/DPF 7.6</p> <p>None are applicable.</p>
<p>PO 7.7</p> <p>Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.</p>	<p>DTS/DPF 7.7</p> <p>None are applicable.</p>
<p>Earthworks and sloping land</p>	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p> <p>(a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.</p>
<p>PO 8.2</p> <p>Driveways and access tracks are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <p>(a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.</p>
<p>PO 8.3</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8):</p> <p>(a) do not contribute to the instability of embankments and cuttings</p>	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>

<p>(b) provide level transition areas for the safe movement of people and goods to and from the development</p> <p>(c) are designed to integrate with the natural topography of the land.</p>	
<p>PO 8.4</p> <p>Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on-site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
<p>PO 8.5</p> <p>Development does not occur on land at risk of landslip nor increases the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
Fences and Walls	
<p>PO 9.1</p> <p>Fences, walls and retaining walls are of sufficient height to maintain privacy and security without unreasonably impacting the visual amenity and adjoining land's access to sunlight or the amenity of public places.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Landscaping incorporated on the low side of retaining walls is visible from public roads and public open space to minimise visual impacts.</p>	<p>DTS/DPF 9.2</p> <p>A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.</p>
Overlooking / Visual Privacy (in building 3 storeys or less)	
<p>PO 10.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.</p>	<p>DTS/DPF 10.1</p> <p>Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
<p>PO 10.2</p> <p>Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
All Residential development	
Front elevations and passive surveillance	
<p>PO 11.1</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 11.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street.
<p>PO 11.2</p>	<p>DTS/DPF 11.2</p>

<p>Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.</p>	<p>Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.</p>				
<p>Outlook and amenity</p>					
<p>PO 12.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 12.1</p> <p>A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.</p>				
<p>PO 12.2</p> <p>Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p>	<p>DTS/DPF 12.2</p> <p>None are applicable.</p>				
<p>Ancillary Development</p>					
<p>PO 13.1</p> <p>Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 13.1</p> <p>Ancillary buildings:</p> <ul style="list-style-type: none"> (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m² (c) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> (i) is set back at least 5.5m from the boundary of the primary street (ii) when facing a primary street or secondary street, has a total door / opening not exceeding: <ul style="list-style-type: none"> A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width (e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless: <ul style="list-style-type: none"> (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent (f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary (g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure (h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end) (i) have a roof height where no part of the roof is more than 5m above the natural ground level (j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour (k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less: <ul style="list-style-type: none"> (i) a total area as determined by the following table: <table border="1" data-bbox="938 1547 1522 2128" style="width: 100%; background-color: #0056b3; color: white;"> <thead> <tr> <th style="padding: 10px;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="padding: 10px;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td style="padding: 10px;"><150</td> <td style="padding: 10px;">10%</td> </tr> </tbody> </table>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site				
<150	10%				

	150-200	15%
	201-450	20%
	>450	25%

(ii) the amount of existing soft landscaping prior to the development occurring.

<p>PO 13.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision or car parking requirements and do not result in over-development of the site.</p>	<p>DTS/DPF 13.2</p> <p>Ancillary buildings and structures do not result in:</p> <p>(a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space</p> <p>(b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</p>
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<p>PO 13.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa is positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers.</p>	<p>DTS/DPF 13.3</p> <p>The pump and/or filtration system is ancillary to a dwelling erected on the same site and is:</p> <p>(a) enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room located on an adjoining allotment</p> <p style="text-align: center;">or</p> <p>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>
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<p>PO 13.4</p> <p>Buildings and structures that are ancillary to an existing non-residential use do not detract from the streetscape character, appearance of buildings on the site of the development, or the amenity of neighbouring properties.</p>	<p>DTS/DPF 13.4</p> <p>Non-residential ancillary buildings and structures:</p> <p>(a) are ancillary and subordinate to an existing non-residential use on the same site</p> <p>(b) have a floor area not exceeding the following:</p> <table border="1" style="margin-left: 20px; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Allotment size</th> <th style="text-align: center;">Floor area</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">≤500m²</td> <td style="text-align: center;">60m²</td> </tr> <tr> <td style="text-align: center;">>500m²</td> <td style="text-align: center;">80m²</td> </tr> </tbody> </table> <p>(c) are not constructed, added to or altered so that any part is situated:</p> <p style="margin-left: 20px;">(i) in front of any part of the building line of the main building to which it is ancillary</p> <p style="margin-left: 40px;">or</p> <p style="margin-left: 20px;">(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</p> <p>(d) in the case of a garage or carport, the garage or carport:</p> <p style="margin-left: 20px;">(i) is set back at least 5.5m from the boundary of the primary street</p> <p>(e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless:</p> <p style="margin-left: 20px;">(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary</p> <p style="margin-left: 20px;">(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</p> <p>(f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</p> <p>(g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</p> <p>(h) have a wall height (or post height) not exceeding 3m (and not including a gable end)</p> <p>(i) have a roof height where no part of the roof is more than 5m above the natural ground level</p> <p>(j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour.</p>	Allotment size	Floor area	≤500m ²	60m ²	>500m ²	80m ²
Allotment size	Floor area						
≤500m ²	60m ²						
>500m ²	80m ²						

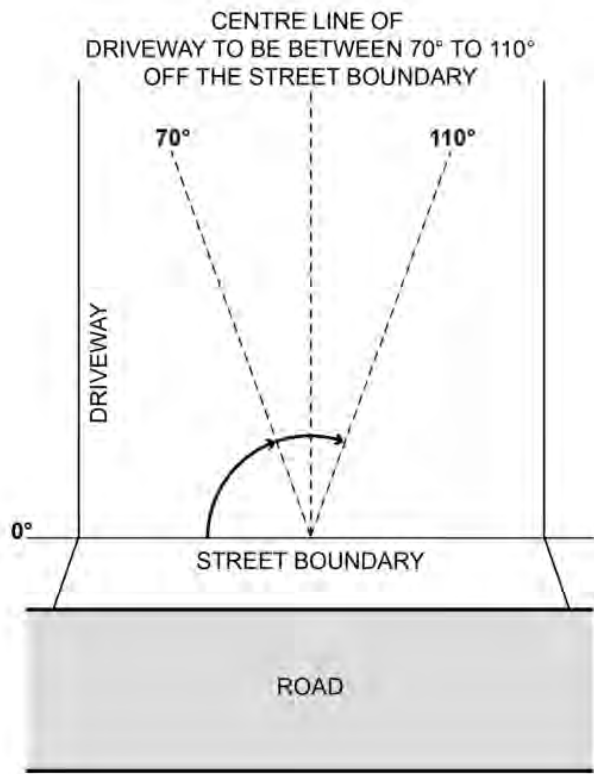
Garage appearance

<p>PO 14.1</p> <p>Garaging is designed to not detract from the streetscape or appearance of a dwelling.</p>	<p>DTS/DPF 14.1</p> <p>Garages and carports facing a street:</p> <p>(a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling</p> <p>(b) are set back at least 5.5m from the boundary of the primary street</p> <p>(c) have a garage door / opening not exceeding 7m in width</p> <p>(d) have a garage door /opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.</p>
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Massing

<p>PO 15.1</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 15.1</p> <p>None are applicable</p>
<p><small>Dwelling additions</small></p>	
<p>PO 16.1</p> <p>Dwelling additions are sited and designed to not detract from the streetscape or amenity of adjoining properties and do not impede on-site functional requirements.</p>	<p>DTS / DPF 16.1</p> <p>Dwelling additions:</p> <p>(a) are not constructed, added to or altered so that any part is situated closer to a public street</p> <p>(b) do not result in:</p> <ul style="list-style-type: none"> (i) excavation exceeding a vertical height of 1m (ii) filling exceeding a vertical height of 1m (iii) a total combined excavation and filling vertical height of 2m or more (iv) less Private Open Space than specified in Design Table 1 - Private Open Space (v) less on-site parking than specified in Transport Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas <p>(vi) upper level windows facing side or rear boundaries unless:</p> <ul style="list-style-type: none"> A. they are permanently obscured to a height of 1.5m above finished floor level that is fixed or not capable of being opened more than 200mm or B. have sill heights greater than or equal to 1.5m above finished floor level or C. incorporate screening to a height of 1.5m above finished floor level <p>(vii) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of:</p> <ul style="list-style-type: none"> A. 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land B. 1.7m above finished floor level in all other cases.
<p><small>Private Open Space</small></p>	
<p>PO 17.1</p> <p>Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</p>	<p>DTS/DPF 17.1</p> <p>Private open space is provided in accordance with Design Table 1 - Private Open Space.</p>
<p><small>Water Sensitive Design</small></p>	
<p>PO 18.1</p> <p>Residential development creating a common driveway / access includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.</p>	<p>DTS/DPF 18.1</p> <p>Residential development creating a common driveway / access that services 5 or more dwellings achieves the following stormwater runoff outcomes:</p> <ul style="list-style-type: none"> (a) 80 per cent reduction in average annual total suspended solids (b) 60 per cent reduction in average annual total phosphorus (c) 45 per cent reduction in average annual total nitrogen.
<p>PO 18.2</p> <p>Residential development creating a common driveway / access includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.</p>	<p>DTS/DPF 18.2</p> <p>Development creating a common driveway / access that services 5 or more dwellings:</p> <ul style="list-style-type: none"> (a) maintains the pre-development peak flow rate from the site based upon a 0.35 runoff coefficient for the 18.1% AEP 30-minute storm and the stormwater runoff time to peak is not increased or captures and retains the difference in pre-development runoff volume (based upon a 0.35 runoff coefficient) vs post development runoff volume from the site for an 18.1% AEP 30-minute storm; and (b) manages site generated stormwater runoff up to and including the 1% AEP flood event to avoid flooding of buildings.
<p><small>Car parking, access and manoeuvrability</small></p>	
<p>PO 19.1</p> <p>Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.1</p> <p>Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):</p> <ul style="list-style-type: none"> (a) single width car parking spaces:

	<ul style="list-style-type: none"> (i) a minimum length of 5.4m per space (ii) a minimum width of 3.0m (iii) a minimum garage door width of 2.4m <p>(b) double width car parking spaces (side by side):</p> <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space.
<p>PO 19.2</p> <p>Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.2</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> (a) a minimum length of 5.4m (b) a minimum width of 2.4m (c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m
<p>PO 19.3</p> <p>Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, pedestrian movement, domestic waste collection, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 19.3</p> <p>Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.</p>
<p>PO 19.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 19.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed: <ul style="list-style-type: none"> (i) is set back 6m or more from the tangent point of an intersection of 2 or more roads (ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing (iii) does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.
<p>PO 19.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 19.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping (b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:



(c) if located to provide access from an alley, lane or right of way - the alley, land or right or way is at least 6.2m wide along the boundary of the allotment / site

PO 19.6

Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.

DTS/DPF 19.6

Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:

- (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)
- (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly
- (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.

Waste storage

PO 20.1

Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.

DTS/DPF 20.1

None are applicable.

Design of Transportable Dwellings

PO 21.1

The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.

DTS/DPF 21.1

Buildings satisfy (a) or (b):

- (a) are not transportable or
- (b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.

Group dwelling, residential flat buildings and battle-axe development

Amenity

PO 22.1

Dwellings are of a suitable size to accommodate a layout that is well organised and provides a high standard of amenity for occupants.

DTS/DPF 22.1

Dwellings have a minimum internal floor area in accordance with the following table:

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	Number of bedrooms	Minimum internal floor area
	Studio	35m ²
	1 bedroom	50m ²
	2 bedroom	65m ²
	3+ bedrooms	80m ² and any dwelling over 3 bedrooms provides an additional 15m ² for every additional bedroom
<p>PO 22.2</p> <p>The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.</p>	<p>DTS/DPF 22.2</p> <p>None are applicable.</p>	
<p>PO 22.3</p> <p>Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.</p>	<p>DTS/DPF 22.3</p> <p>None are applicable.</p>	
<p>PO 22.4</p> <p>Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.</p>	<p>DTS/DPF 22.4</p> <p>Dwelling sites/allotments are not in the form of a battle-axe arrangement.</p>	
Communal Open Space		
<p>PO 23.1</p> <p>Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.</p>	<p>DTS/DPF 23.1</p> <p>None are applicable.</p>	
<p>PO 23.2</p> <p>Communal open space is of sufficient size and dimensions to cater for group recreation.</p>	<p>DTS/DPF 23.2</p> <p>Communal open space incorporates a minimum dimension of 5 metres.</p>	
<p>PO 23.3</p> <p>Communal open space is designed and sited to:</p> <p>(a) be conveniently accessed by the dwellings which it services</p> <p>(b) have regard to acoustic, safety, security and wind effects.</p>	<p>DTS/DPF 23.3</p> <p>None are applicable.</p>	
<p>PO 23.4</p> <p>Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.</p>	<p>DTS/DPF 23.4</p> <p>None are applicable.</p>	
<p>PO 23.5</p> <p>Communal open space is designed and sited to:</p> <p>(a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings</p> <p>(b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.</p>	<p>DTS/DPF 23.5</p> <p>None are applicable.</p>	

Carparking, access and manoeuvrability	
<p>PO 24.1</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 24.1</p> <p>Where on-street parking is available directly adjacent the site, on-street parking is retained adjacent the subject site in accordance with the following requirements:</p> <ul style="list-style-type: none"> (a) minimum 0.33 on-street car parks per proposed dwellings (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
<p>PO 24.2</p> <p>The number of vehicular access points onto public roads is minimised to reduce interruption of the footpath and positively contribute to public safety and walkability.</p>	<p>DTS/DPF 24.2</p> <p>Access to group dwellings or dwellings within a residential flat building is provided via a single common driveway.</p>
<p>PO 24.3</p> <p>Residential driveways that service more than one dwelling are designed to allow safe and convenient movement.</p>	<p>DTS/DPF 24.3</p> <p>Driveways that service more than 1 dwelling or a dwelling on a battle-axe site:</p> <ul style="list-style-type: none"> (a) have a minimum width of 3m (b) for driveways servicing more than 3 dwellings: <ul style="list-style-type: none"> (i) have a width of 5.5m or more and a length of 6m from the kerb of the primary street (ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.
<p>PO 24.4</p> <p>Residential driveways in a battle-axe configuration are designed to allow safe and convenient movement.</p>	<p>DTS/DPF 24.4</p> <p>Where in a battle-axe configuration, a driveway servicing one dwelling has a minimum width of 3m.</p>
<p>PO 24.5</p> <p>Residential driveways that service more than one dwelling are designed to allow passenger vehicles to enter and exit the site and manoeuvre within the site in a safe and convenient manner.</p>	<p>DTS/DPF 24.5</p> <p>Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre.</p>
<p>PO 24.6</p> <p>Dwellings are adequately separated from common driveways and manoeuvring areas.</p>	<p>DTS/DPF 24.6</p> <p>Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.</p>
Soft Landscaping	
<p>PO 25.1</p> <p>Soft landscaping is provided between dwellings and common driveways to improve the outlook for occupants and appearance of common areas.</p>	<p>DTS/DPF 25.1</p> <p>Other than where located directly in front of a garage or a building entry, soft landscaping with a minimum dimension of 1m is provided between a dwelling and common driveway.</p>
<p>PO 25.2</p> <p>Soft landscaping is provided that improves the appearance of common driveways.</p>	<p>DTS/DPF 25.2</p> <p>Where a common driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).</p>
Site Facilities / Waste Storage	
<p>PO 26.1</p> <p>Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.</p>	<p>DTS/DPF 26.1</p> <p>None are applicable.</p>

<p>PO 26.2</p> <p>Provision is made for suitable external clothes drying facilities.</p>	<p>DTS/DPF 26.2</p> <p>None are applicable.</p>
<p>PO 26.3</p> <p>Provision is made for suitable household waste and recyclable material storage facilities which are:</p> <p>(a) located away, or screened, from public view, and</p> <p>(b) conveniently located in proximity to dwellings and the waste collection point.</p>	<p>DTS/DPF 26.3</p> <p>None are applicable.</p>
<p>PO 26.4</p> <p>Waste and recyclable material storage areas are located away from dwellings.</p>	<p>DTS/DPF 26.4</p> <p>Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.</p>
<p>PO 26.5</p> <p>Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.</p>	<p>DTS/DPF 26.5</p> <p>None are applicable.</p>
<p>PO 26.6</p> <p>Services including gas and water meters are conveniently located and screened from public view.</p>	<p>DTS/DPF 26.6</p> <p>None are applicable.</p>
Supported accommodation and retirement facilities	
Siting and Configuration	
<p>PO 27.1</p> <p>Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.</p>	<p>DTS/DPF 27.1</p> <p>None are applicable.</p>
Movement and Access	
<p>PO 28.1</p> <p>Development is designed to support safe and convenient access and movement for residents by providing:</p> <p>(a) ground-level access or lifted access to all units</p> <p>(b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places</p> <p>(c) car parks with gradients no steeper than 1-in-40 and of sufficient area to provide for wheelchair manoeuvrability</p> <p>(d) kerb ramps at pedestrian crossing points.</p>	<p>DTS/DPF 28.1</p> <p>None are applicable.</p>
Communal Open Space	
<p>PO 29.1</p> <p>Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.</p>	<p>DTS/DPF 29.1</p> <p>None are applicable.</p>
<p>PO 29.2</p> <p>Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.</p>	<p>DTS/DPF 29.2</p> <p>None are applicable.</p>
<p>PO 29.3</p> <p>Communal open space is of sufficient size and dimensions to cater for group</p>	<p>DTS/DPF 29.3</p> <p>Communal open space incorporates a minimum dimension of 5 metres.</p>

recreation.	
<p>PO 29.4</p> <p>Communal open space is designed and sited to:</p> <p>(a) be conveniently accessed by the dwellings which it services</p> <p>(b) have regard to acoustic, safety, security and wind effects.</p>	<p>DTS/DPF 29.4</p> <p>None are applicable.</p>
<p>PO 29.5</p> <p>Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.</p>	<p>DTS/DPF 29.5</p> <p>None are applicable.</p>
<p>PO 29.6</p> <p>Communal open space is designed and sited to:</p> <p>(a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings</p> <p>(b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.</p>	<p>DTS/DPF 29.6</p> <p>None are applicable.</p>
Site Facilities / Waste Storage	
<p>PO 30.1</p> <p>Development is designed to provide storage areas for personal items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric powered vehicles.</p>	<p>DTS/DPF 30.1</p> <p>None are applicable.</p>
<p>PO 30.2</p> <p>Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.</p>	<p>DTS/DPF 30.2</p> <p>None are applicable.</p>
<p>PO 30.3</p> <p>Provision is made for suitable external clothes drying facilities.</p>	<p>DTS/DPF 30.3</p> <p>None are applicable.</p>
<p>PO 30.4</p> <p>Provision is made for suitable household waste and recyclable material storage facilities conveniently located and screened from public view.</p>	<p>DTS/DPF 30.4</p> <p>None are applicable.</p>
<p>PO 30.5</p> <p>Waste and recyclable material storage areas are located away from dwellings.</p>	<p>DTS/DPF 30.5</p> <p>Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.</p>
<p>PO 30.6</p> <p>Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time.</p>	<p>DTS/DPF 30.6</p> <p>None are applicable.</p>
<p>PO 30.7</p> <p>Services including gas and water meters are conveniently located and screened from public view.</p>	<p>DTS/DPF 30.7</p> <p>None are applicable.</p>
All non-residential development	
Water Sensitive Design	
<p>PO 31.1</p>	<p>DTS/DPF 31.1</p>

Development likely to result in significant risk of export of litter, oil or grease includes stormwater management systems designed to minimise pollutants entering stormwater.	None are applicable.
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PO 31.2 Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.	DTS/DPF 31.2 None are applicable.
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Wash-down and Waste Loading and Unloading

<p>PO 32.1</p> <p>Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, vessels, plant or equipment are:</p> <ul style="list-style-type: none"> (a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off (b) paved with an impervious material to facilitate wastewater collection (c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area designed to drain wastewater to either: (d) <ul style="list-style-type: none"> (i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or (ii) a holding tank and its subsequent removal off-site on a regular basis. 	<p>DTS/DPF 32.1</p> <p>None are applicable.</p>
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Decks

Design and Siting

<p>PO 33.1</p> <p>Decks are designed and sited to:</p> <ul style="list-style-type: none"> (a) complement the associated building form (b) minimise impacts on the streetscape through siting behind the building line of the principal building (unless on a significant allotment or open space) (c) minimise cut and fill and overall massing when viewed from adjacent land. 	<p>DTS/DPF 33.1</p> <p>Decks:</p> <ul style="list-style-type: none"> (a) where ancillary to a dwelling: <ul style="list-style-type: none"> (i) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> A. in front of any part of the building line of the dwelling to which it is ancillary or B. within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (ii) are set back at least 900mm from side or rear allotment boundaries (iii) when attached to the dwelling, has a finished floor level consistent with the finished ground floor level of the dwelling (iv) where associated with a residential use, retains a total area of soft landscaping for the entire development site, including any common property, with a minimum dimension of 700mm in accordance with (A) or (B), whichever is less: <ul style="list-style-type: none"> A. a total area is determined by the following table: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #004a87; color: white;"> <th style="padding: 5px;">Site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="padding: 5px;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;"><150</td> <td style="padding: 5px;">10%</td> </tr> <tr> <td style="padding: 5px;">150-200</td> <td style="padding: 5px;">15%</td> </tr> </tbody> </table>	Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%
Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site						
<150	10%						
150-200	15%						

	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="width: 50%;"></td> <td style="width: 50%;"></td> </tr> <tr> <td style="text-align: center;">>200-450</td> <td style="text-align: center;">20%</td> </tr> <tr> <td style="text-align: center;">>450</td> <td style="text-align: center;">25%</td> </tr> </table>			>200-450	20%	>450	25%
>200-450	20%						
>450	25%						
	<p>B. the amount of existing soft landscaping prior to the development occurring.</p> <p>(b) where in association with a non-residential use:</p> <ul style="list-style-type: none"> (i) are set back at least 2 metres from the boundary of an allotment used for residential purposes. (ii) are set back at least 2 metres from a public road. (iii) have a floor area not exceeding 25m² <p>(c) in all cases, has a finished floor level not exceeding 1 metre above natural ground level at any point.</p>						
<p>PO 33.2</p> <p>Decks are designed and sited to minimise direct overlooking of habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones through suitable floor levels, screening and siting taking into account the slope of the subject land, existing vegetation on the subject land, and fencing.</p>	<p>DTS/DPF 33.2</p> <p>Decks with a finished floor level/s 500mm or more above natural ground level facing side or rear boundaries shared with a residential use in a neighbourhood-type zone incorporate screening with a maximum of 25% transparency/openings, permanently fixed to the outer edge of the deck not less than 1.5 m above the finished floor level/s.</p>						
<p>PO 33.3</p> <p>Decks used for outdoor dining, entertainment or other commercial uses provide carparking in accordance with the primary use of the deck.</p>	<p>DTS/DPF 33.3</p> <p>Decks used for commercial purposes do not result in less on-site car parking for the primary use of the subject land than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</p>						

Table 1 - Private Open Space

Dwelling Type	Minimum Rate
Dwelling (at ground level)	<p>Total private open space area:</p> <ul style="list-style-type: none"> (a) Site area <301m²: 24m² located behind the building line. (b) Site area ≥ 301m²: 60m² located behind the building line. <p style="text-align: center;">Minimum directly accessible from a living room: 16m² / with a minimum dimension 3m.</p>
Dwelling (above ground level)	<p>Studio (no separate bedroom): 4m² with a minimum dimension 1.8m</p> <p>One bedroom: 8m² with a minimum dimension 2.1m</p> <p>Two bedroom dwelling: 11m² with a minimum dimension 2.4m</p> <p>Three + bedroom dwelling: 15m² with a minimum dimension 2.6m</p>
Cabin or caravan (permanently fixed to the ground) in a residential park or a caravan and tourist park	<p>Total area: 16m², which may be used as second car parking space, provided on each site intended for residential occupation.</p>

Design in Urban Areas

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome

DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
External Appearance	
<p>PO 1.1</p> <p>Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by:</p> <ul style="list-style-type: none"> (a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses. 	<p>DTS/DPF 1.4</p> <p>Development does not incorporate any structures that protrude beyond the roofline.</p>
<p>PO 1.5</p> <p>The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
Safety	
<p>PO 2.1</p> <p>Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Development is designed to differentiate public, communal and private areas.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>

<p>PO 2.3</p> <p>Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.</p>	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>
<p>PO 2.5</p> <p>Common areas and entry points of buildings (such as the foyer areas of residential buildings) and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
<p>Landscaping</p>	
<p>PO 3.1</p> <p>Soft landscaping and tree planting are incorporated to:</p> <p>(a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>Environmental Performance</p>	
<p>PO 4.1</p> <p>Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>Buildings incorporate climate responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.</p>	<p>DTS/DPF 4.3</p> <p>None are applicable.</p>
<p>Water Sensitive Design</p>	
<p>PO 5.1</p> <p>Development is sited and designed to maintain natural hydrological systems without negatively impacting:</p> <p>(a) the quantity and quality of surface water and groundwater (b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
<p>On-site Waste Treatment Systems</p>	
<p>PO 6.1</p> <p>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.</p>	<p>DTS/DPF 6.1</p> <p>Effluent disposal drainage areas do not:</p> <p>(a) encroach within an area used as private open space or result in less private open space than that specified in Design in Urban Areas Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements</p>

or Table 2 - Off-Street Car Parking Requirements in Designated Areas.

Car parking appearance

PO 7.1

Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on streetscapes through techniques such as:

- (a) limiting protrusion above finished ground level
- (b) screening through appropriate planting, fencing and mounding
- (c) limiting the width of openings and integrating them into the building structure.

DTS/DPF 7.1

None are applicable.

PO 7.2

Vehicle parking areas 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.

DTS/DPF 7.2

None are applicable.

PO 7.3

Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.

DTS/DPF 7.3

None are applicable.

PO 7.4

Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.

DTS/DPF 7.4

Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.

PO 7.5

Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.

DTS/DPF 7.5

Vehicle parking areas comprising 10 or more car parking spaces include soft landscaping with a minimum dimension of:

- (a) 1m along all public road frontages and allotment boundaries
- (b) 1m between double rows of car parking spaces.

PO 7.6

Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.

DTS/DPF 7.6

None are applicable.

PO 7.7

Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.

DTS/DPF 7.7

None are applicable.

Earthworks and sloping land

PO 8.1

Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.

DTS/DPF 8.1

Development does not involve any of the following:

- (a) excavation exceeding a vertical height of 1m
- (b) filling exceeding a vertical height of 1m
- (c) a total combined excavation and filling vertical height of 2m or more.

PO 8.2

Driveways and access tracks designed and constructed to allow safe and convenient access on sloping land.

DTS/DPF 8.2

Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):

- (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway
- (b) are constructed with an all-weather trafficable surface.

<p>PO 8.3</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8):</p> <p>(a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development (c) are designed to integrate with the natural topography of the land.</p>	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
<p>PO 8.5</p> <p>Development does not occur on land at risk of landslip or increase the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
<p>Fences and walls</p>	
<p>PO 9.1</p> <p>Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Landscaping is incorporated on the low side of retaining walls that are visible from public roads and public open space to minimise visual impacts.</p>	<p>DTS/DPF 9.2</p> <p>A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.</p>
<p>Overlooking / Visual Privacy (low rise buildings)</p>	
<p>PO 10.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.</p>	<p>DTS/DPF 10.1</p> <p>Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone:</p> <p>(a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.</p>
<p>PO 10.2</p> <p>Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p> <p>(a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases</p>
<p>Site Facilities / Waste Storage (excluding low rise residential development)</p>	
<p>PO 11.1</p> <p>Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.</p>	<p>DTS/DPF 11.1</p> <p>None are applicable.</p>
<p>PO 11.2</p> <p>Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.</p>	<p>DTS/DPF 11.2</p> <p>None are applicable.</p>
<p>PO 11.3</p>	<p>DTS/DPF 11.3</p>

Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.	None are applicable.
PO 11.4 Communal waste storage and collection areas are designed to allow waste and recycling collection vehicles to enter and leave the site without reversing.	DTS/DPF 11.4 None are applicable.
PO 11.5 For mixed use developments, non-residential waste and recycling storage areas and access provide opportunities for on-site management of food waste through composting or other waste recovery as appropriate.	DTS/DPF 11.5 None are applicable.
All Development - Medium and High Rise	
External Appearance	
PO 12.1 Buildings positively contribute to the character of the local area by responding to local context.	DTS/DPF 12.1 None are applicable.
PO 12.2 Architectural detail at street level and a mixture of materials at lower building levels near the public interface are provided to reinforce a human scale.	DTS/DPF 12.2 None are applicable.
PO 12.3 Buildings are designed to reduce visual mass by breaking up building elevations into distinct elements.	DTS/DPF 12.3 None are applicable.
PO 12.4 Boundary walls visible from public land include visually interesting treatments to break up large blank elevations.	DTS/DPF 12.4 None are applicable.
PO 12.5 External materials and finishes are durable and age well to minimise ongoing maintenance requirements.	DTS/DPF 12.5 Buildings utilise a combination of the following external materials and finishes: (a) masonry (b) natural stone (c) pre-finished materials that minimise staining, discolouring or deterioration.
PO 12.6 Street-facing building elevations are designed to provide attractive, high quality and pedestrian-friendly street frontages.	DTS/DPF 12.6 Building street frontages incorporate: (a) active uses such as shops or offices (b) prominent entry areas for multi-storey buildings (where it is a common entry) (c) habitable rooms of dwellings (d) areas of communal public realm with public art or the like, where consistent with the zone and/or subzone provisions.
PO 12.7 Entrances to multi-storey buildings are safe, attractive, welcoming, functional and contribute to streetscape character.	DTS/DPF 12.7 Entrances to multi-storey buildings are: (a) oriented towards the street (b) clearly visible and easily identifiable from the street and vehicle parking areas (c) designed to be prominent, accentuated and a welcoming feature if there are no active or occupied ground floor uses (d) designed to provide shelter, a sense of personal address and transitional space around the entry (e) located as close as practicable to the lift and / or lobby access to minimise the need for long access corridors (f) designed to avoid the creation of potential areas of entrapment.
PO 12.8 Building services, plant and mechanical equipment are screened from the public realm.	DTS/DPF 12.8 None are applicable.

Landscaping																											
<p>PO 13.1</p> <p>Development facing a street provides a well landscaped area that contains a deep soil space to accommodate a tree of a species and size adequate to provide shade, contribute to tree canopy targets and soften the appearance of buildings.</p>	<p>DTS/DPF 13.1</p> <p>Buildings provide a 4m by 4m deep soil space in front of the building that accommodates a medium to large tree, except where no building setback from front property boundaries is desired.</p>																										
<p>PO 13.2</p> <p>Deep soil zones are provided to retain existing vegetation or provide areas that can accommodate new deep root vegetation, including tall trees with large canopies to provide shade and soften the appearance of multi-storey buildings.</p>	<p>DTS/DPF 13.2</p> <p>Multi-storey development provides deep soil zones and incorporates trees at not less than the following rates, except in a location or zone where full site coverage is desired.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #003366; color: white;"> <th style="padding: 5px;">Site area</th> <th style="padding: 5px;">Minimum deep soil area</th> <th style="padding: 5px;">Minimum dimension</th> <th style="padding: 5px;">Tree / deep soil zones</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;"><300 m²</td> <td style="padding: 5px;">10 m²</td> <td style="padding: 5px;">1.5m</td> <td style="padding: 5px;">1 small tree / 10 m²</td> </tr> <tr> <td style="padding: 5px;">300-1500 m²</td> <td style="padding: 5px;">7% site area</td> <td style="padding: 5px;">3m</td> <td style="padding: 5px;">1 medium tree / 30 m²</td> </tr> <tr> <td style="padding: 5px;">>1500 m²</td> <td style="padding: 5px;">7% site area</td> <td style="padding: 5px;">6m</td> <td style="padding: 5px;">1 large or medium tree / 60 m²</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th colspan="2" style="padding: 2px;">Tree size and site area definitions</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Small tree</td> <td style="padding: 2px;">4-6m mature height and 2-4m canopy spread</td> </tr> <tr> <td style="padding: 2px;">Medium tree</td> <td style="padding: 2px;">6-12m mature height and 4-8m canopy spread</td> </tr> <tr> <td style="padding: 2px;">Large tree</td> <td style="padding: 2px;">12m mature height and >8m canopy spread</td> </tr> <tr> <td style="padding: 2px;">Site area</td> <td style="padding: 2px;">The total area for development site, not average area per dwelling</td> </tr> </tbody> </table>	Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones	<300 m ²	10 m ²	1.5m	1 small tree / 10 m ²	300-1500 m ²	7% site area	3m	1 medium tree / 30 m ²	>1500 m ²	7% site area	6m	1 large or medium tree / 60 m ²	Tree size and site area definitions		Small tree	4-6m mature height and 2-4m canopy spread	Medium tree	6-12m mature height and 4-8m canopy spread	Large tree	12m mature height and >8m canopy spread	Site area	The total area for development site, not average area per dwelling
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<p>PO 13.3</p> <p>Deep soil zones with access to natural light are provided to assist in maintaining vegetation health.</p>	<p>DTS/DPF 13.3</p> <p>None are applicable.</p>																										
<p>PO 13.4</p> <p>Unless separated by a public road or reserve, development sites adjacent to any zone that has a primary purpose of accommodating low-rise residential development incorporate a deep soil zone along the common boundary to enable medium to large trees to be retained or established to assist in screening new buildings of 3 or more building levels in height.</p>	<p>DTS/DPF 13.4</p> <p>Building elements of 3 or more building levels in height are set back at least 6m from a zone boundary in which a deep soil zone area is incorporated.</p>																										
Environmental																											
<p>PO 14.1</p> <p>Development minimises detrimental micro-climatic impacts on adjacent land and buildings.</p>	<p>DTS/DPF 14.1</p> <p>None are applicable.</p>																										

<p>PO 14.2</p> <p>Development incorporates sustainable design techniques and features such as window orientation, eaves and shading structures, water harvesting and use, green walls and roof designs that enable the provision of rain water tanks (where they are not provided elsewhere on site), green roofs and photovoltaic cells.</p>	<p>DTS/DPF 14.2</p> <p>None are applicable.</p>
<p>PO 14.3</p> <p>Development of 5 or more building levels, or 21m or more in height (as measured from natural ground level and excluding roof-mounted mechanical plant and equipment) is designed to minimise the impacts of wind through measures such as:</p> <ul style="list-style-type: none"> (a) a podium at the base of a tall tower and aligned with the street to deflect wind away from the street (b) substantial verandahs around a building to deflect downward travelling wind flows over pedestrian areas (c) the placement of buildings and use of setbacks to deflect the wind at ground level (d) avoiding tall shear elevations that create windy conditions at street level. 	<p>DTS/DPF 14.3</p> <p>None are applicable.</p>
<p>Car Parking</p>	
<p>PO 15.1</p> <p>Multi-level vehicle parking structures are designed to contribute to active street frontages and complement neighbouring buildings.</p>	<p>DTS/DPF 15.1</p> <p>Multi-level vehicle parking structures within buildings:</p> <ul style="list-style-type: none"> (a) provide land uses such as commercial, retail or other non-car parking uses along ground floor street frontages (b) incorporate facade treatments in building elevations facing along major street frontages that are sufficiently enclosed and detailed to complement adjacent buildings.
<p>PO 15.2</p> <p>Multi-level vehicle parking structures within buildings complement the surrounding built form in terms of height, massing and scale.</p>	<p>DTS/DPF 15.2</p> <p>None are applicable.</p>
<p>Overlooking/Visual Privacy</p>	
<p>PO 16.1</p> <p>Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:</p> <ul style="list-style-type: none"> (a) appropriate site layout and building orientation (b) off-setting the location of balconies and windows of habitable rooms or areas with those of other buildings so that views are oblique rather than direct to avoid direct line of sight (c) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms (d) screening devices that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity. 	<p>DTS/DPF 16.1</p> <p>None are applicable.</p>
<p>All residential development</p>	
<p>Front elevations and passive surveillance</p>	
<p>PO 17.1</p> <p>Dwellings incorporate windows facing primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 17.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street.
<p>PO 17.2</p> <p>Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.</p>	<p>DTS/DPF 17.2</p> <p>Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.</p>
<p>Outlook and Amenity</p>	

<p>PO 18.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 18.1</p> <p>A living room of a dwelling incorporates a window with an external outlook of the street frontage, private open space, public open space, or waterfront areas.</p>								
<p>PO 18.2</p> <p>Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p>	<p>DTS/DPF 18.2</p> <p>None are applicable.</p>								
<p><small>Ancillary Development</small></p>									
<p>PO 19.1</p> <p>Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 19.1</p> <p>Ancillary buildings:</p> <ul style="list-style-type: none"> (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m² (c) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> (i) is set back at least 5.5m from the boundary of the primary street (ii) when facing a primary street or secondary street, has a total door / opening not exceeding: <ul style="list-style-type: none"> A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width (e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless: <ul style="list-style-type: none"> (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent (f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary (g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure (h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end) (i) have a roof height where no part of the roof is more than 5m above the natural ground level (j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour (k) retains a total area of soft landscaping for the entire development site, including any common property, with a minimum dimension of 700mm in accordance with (i) or (ii), whichever is less: <ul style="list-style-type: none"> (i) a total area as determined by the following table: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #003366; color: white;"> <th style="padding: 5px;">Site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="padding: 5px;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;"><150</td> <td style="padding: 5px;">10%</td> </tr> <tr> <td style="padding: 5px;">150-200</td> <td style="padding: 5px;">15%</td> </tr> <tr> <td style="padding: 5px;">>200-450</td> <td style="padding: 5px;">20%</td> </tr> </tbody> </table>	Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	>200-450	20%
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<p>PO 19.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements or result in over-development of the site.</p>	<p>DTS/DPF 19.2</p> <p>Ancillary buildings and structures do not result in:</p> <p>(a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space</p> <p>(b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</p>						
<p>PO 19.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers.</p>	<p>DTS/DPF 19.3</p> <p>The pump and/or filtration system is ancillary to a dwelling erected on the same site and is:</p> <p>(a) enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room located on an adjoining allotment</p> <p style="padding-left: 20px;">or</p> <p>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>						
<p>PO 19.4</p> <p>Buildings and structures that are ancillary to an existing non-residential use do not detract from the streetscape character, appearance of buildings on the site of the development, or the amenity of neighbouring properties.</p>	<p>DTS/DPF 19.4</p> <p>Non-residential ancillary buildings and structures:</p> <p>(a) are ancillary and subordinate to an existing non-residential use on the same site</p> <p>(b) have a floor area not exceeding the following:</p> <table border="1" style="margin-left: 20px; border-collapse: collapse; text-align: center;"> <thead> <tr> <th style="padding: 2px 10px;">Allotment size</th> <th style="padding: 2px 10px;">Floor area</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px 10px;">≤500m²</td> <td style="padding: 2px 10px;">60m²</td> </tr> <tr> <td style="padding: 2px 10px;">>500m²</td> <td style="padding: 2px 10px;">80m²</td> </tr> </tbody> </table> <p>(c) are not constructed, added to or altered so that any part is situated:</p> <p style="padding-left: 20px;">(i) in front of any part of the building line of the main building to which it is ancillary</p> <p style="padding-left: 40px;">or</p> <p style="padding-left: 20px;">(ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads)</p> <p>(d) in the case of a garage or carport, the garage or carport:</p> <p style="padding-left: 20px;">(i) is set back at least 5.5m from the boundary of the primary street</p> <p>(e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless:</p> <p style="padding-left: 20px;">(i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary</p> <p style="padding-left: 20px;">(ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent</p> <p>(f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary</p> <p>(g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure</p> <p>(h) have a wall height (or post height) not exceeding 3m (and not including a gable end)</p> <p>(i) have a roof height where no part of the roof is more than 5m above the natural ground level</p> <p>(j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour.</p>	Allotment size	Floor area	≤500m ²	60m ²	>500m ²	80m ²
Allotment size	Floor area						
≤500m ²	60m ²						
>500m ²	80m ²						

Residential Development - Low Rise

External appearance

<p>PO 20.1</p> <p>Garaging is designed to not detract from the streetscape or appearance of a dwelling.</p>	<p>DTS/DPF 20.1</p> <p>Garages and carports facing a street:</p> <p>(a) are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling</p> <p>(b) are set back at least 5.5m from the boundary of the primary street</p> <p>(c) have a garage door / opening width not exceeding 7m</p> <p>(d) have a garage door / opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.</p>
<p>PO 20.2</p> <p>Dwelling elevations facing public streets and common driveways make a positive</p>	<p>DTS/DPF 20.2</p> <p>Each dwelling includes at least 3 of the following design features within the building</p>

<p>contribution to the streetscape and the appearance of common driveway areas.</p>	<p>elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:</p> <ul style="list-style-type: none"> (a) a minimum of 30% of the building wall is set back an additional 300mm from the building line (b) a porch or portico projects at least 1m from the building wall (c) a balcony projects from the building wall (d) a verandah projects at least 1m from the building wall (e) eaves of a minimum 400mm width extend along the width of the front elevation (f) a minimum 30% of the width of the upper level projects forward from the lower level primary building line by at least 300mm (g) a minimum of two different materials or finishes are incorporated on the walls of the front building elevation, with a maximum of 80% of the building elevation in a single material or finish.
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<p>PO 20.3</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 20.3</p> <p>None are applicable</p>
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Private Open Space

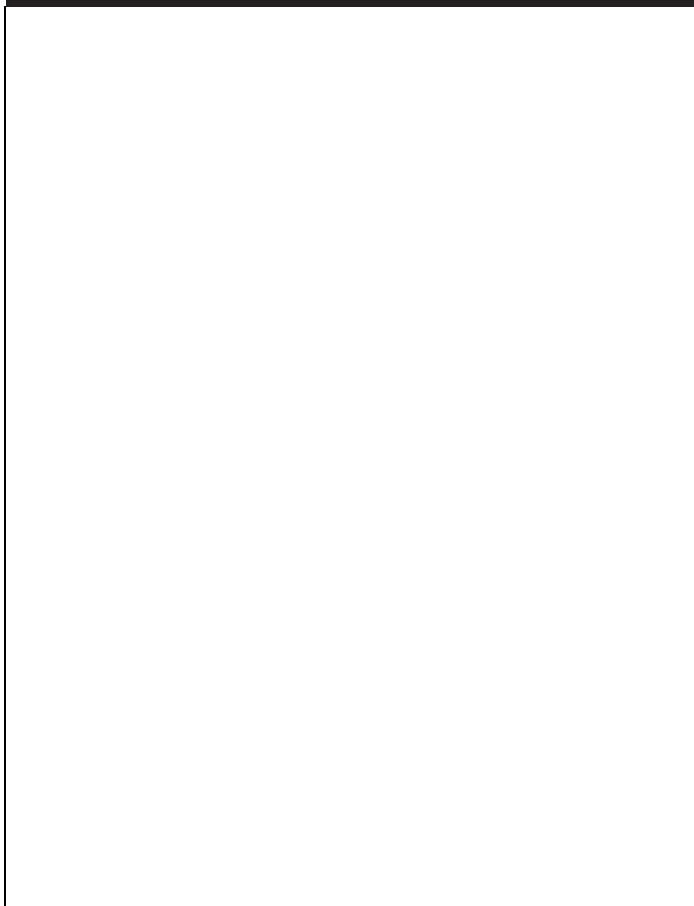
<p>PO 21.1</p> <p>Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</p>	<p>DTS/DPF 21.1</p> <p>Private open space is provided in accordance with Design in Urban Areas Table 1 - Private Open Space.</p>
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<p>PO 21.2</p> <p>Private open space is positioned to provide convenient access from internal living areas.</p>	<p>DTS/DPF 21.2</p> <p>Private open space is directly accessible from a habitable room.</p>
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Landscaping

<p>PO 22.1</p> <p>Soft landscaping is incorporated into development to:</p> <ul style="list-style-type: none"> (a) minimise heat absorption and reflection (b) contribute shade and shelter (c) provide for stormwater infiltration and biodiversity (d) enhance the appearance of land and streetscapes. 	<p>DTS/DPF 22.1</p> <p>Residential development incorporates soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b):</p> <ul style="list-style-type: none"> (a) a total area for the entire development site, including any common property, as determined by the following table: <table border="1" data-bbox="874 1451 1524 2128"> <thead> <tr> <th style="background-color: #1a3d54; color: white;">Site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="background-color: #1a3d54; color: white;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td>150-200</td> <td>15%</td> </tr> <tr> <td>>200-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table>	Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	>200-450	20%	>450	25%
Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
>200-450	20%										
>450	25%										

	(b) at least 30% of any land between the primary street boundary and the primary building line.
Car parking, access and manoeuvrability	
<p>PO 23.1</p> <p>Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 23.1</p> <p>Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):</p> <p>(a) single width car parking spaces:</p> <p>(i) a minimum length of 5.4m per space</p> <p>(ii) a minimum width of 3.0m</p> <p>(iii) a minimum garage door width of 2.4m</p> <p>(b) double width car parking spaces (side by side):</p> <p>(i) a minimum length of 5.4m</p> <p>(ii) a minimum width of 5.4m</p> <p>(iii) minimum garage door width of 2.4m per space.</p>
<p>PO 23.2</p> <p>Uncovered car parking space are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 23.2</p> <p>Uncovered car parking spaces have:</p> <p>(a) a minimum length of 5.4m</p> <p>(b) a minimum width of 2.4m</p> <p>(c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m.</p>
<p>PO 23.3</p> <p>Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, pedestrian movement, domestic waste collection, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 23.3</p> <p>Driveways and access points satisfy (a) or (b):</p> <p>(a) sites with a frontage to a public road of 10m or less, have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site</p> <p>(b) sites with a frontage to a public road greater than 10m:</p> <p>(i) have a maximum width of 5m measured at the property boundary and are the only access point provided on the site;</p> <p>(ii) have a width between 3.0 metres and 3.2 metres measured at the property boundary and no more than two access points are provided on site, separated by no less than 1m.</p>
<p>PO 23.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 23.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <p>(a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land</p> <p>(b) where newly proposed, is set back:</p> <p>(i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner</p> <p>(ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance</p> <p>(iii) 6m or more from the tangent point of an intersection of 2 or more roads</p> <p>(iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.</p>
<p>PO 23.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 23.5</p> <p>Driveways are designed and sited so that:</p> <p>(a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping</p> <p>(b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:</p>



(c) if located to provide access from an alley, lane or right of way - the alley, land or right or way is at least 6.2m wide along the boundary of the allotment / site.

PO 23.6
Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.

DTS/DPF 23.6
Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:

- (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)
- (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly
- (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.

Waste storage

PO 24.1
Provision is made for the convenient storage of waste bins in a location screened from public view.

DTS/DPF 24.1
Where dwellings abut both side boundaries a waste bin storage area is provided behind the building line of each dwelling that:

- (a) has a minimum area of 2m² with a minimum dimension of 900mm (separate from any designated car parking spaces or private open space); and
- (b) has a continuous unobstructed path of travel (excluding moveable objects like gates, vehicles and roller doors) with a minimum width of 800mm between the waste bin storage area and the street.

Design of Transportable Buildings

PO 25.1
The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.

DTS/DPF 25.1
Buildings satisfy (a) or (b):

- (a) are not transportable
- (b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.

Residential Development - Medium and High Rise (including serviced apartments)

Outlook and Visual Privacy

PO 26.1
Ground level dwellings have a satisfactory short range visual outlook to public,

DTS/DPF 26.1
Buildings:

communal or private open space.	<p>(a) provide a habitable room at ground or first level with a window facing toward the street</p> <p>(b) limit the height / extent of solid walls or fences facing the street to 1.2m high above the footpath level or, where higher, to 50% of the site frontage.</p>
<p>PO 26.2</p> <p>The visual privacy of ground level dwellings within multi-level buildings is protected.</p>	<p>DTS/DPF 26.2</p> <p>The finished floor level of ground level dwellings in multi-storey developments is raised by up to 1.2m.</p>
Private Open Space	
<p>PO 27.1</p> <p>Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</p>	<p>DTS/DPF 27.1</p> <p>Private open space provided in accordance with Design in Urban Areas Table 1 - Private Open Space.</p>
Residential amenity in multi-level buildings	
<p>PO 28.1</p> <p>Residential accommodation within multi-level buildings have habitable rooms, windows and balconies designed and positioned to be separated from those of other dwellings and accommodation to provide visual and acoustic privacy and allow for natural ventilation and the infiltration of daylight into interior and outdoor spaces.</p>	<p>DTS/DPF 28.1</p> <p>Habitable rooms and balconies of independent dwellings and accommodation are separated by at least 6m from one another where there is a direct line of sight between them and 3m or more from a side or rear property boundary.</p>
<p>PO 28.2</p> <p>Balconies are designed, positioned and integrated into the overall architectural form and detail of the development to:</p> <p>(a) respond to daylight, wind, and acoustic conditions to maximise comfort and provide visual privacy</p> <p>(b) allow views and casual surveillance of the street while providing for safety and visual privacy of nearby living spaces and private outdoor areas.</p>	<p>DTS/DPF 28.2</p> <p>Balconies utilise one or a combination of the following design elements:</p> <p>(a) sun screens</p> <p>(b) pergolas</p> <p>(c) louvres</p> <p>(d) green facades</p> <p>(e) openable walls.</p>
<p>PO 28.3</p> <p>Balconies are of sufficient size and depth to accommodate outdoor seating and promote indoor / outdoor living.</p>	<p>DTS/DPF 28.3</p> <p>Balconies open directly from a habitable room and incorporate a minimum dimension of 2m.</p>
<p>PO 28.4</p> <p>Dwellings are provided with sufficient space for storage to meet likely occupant needs.</p>	<p>DTS/DPF 28.4</p> <p>Dwellings (not including student accommodation or serviced apartments) are provided with storage at the following rates with at least 50% or more of the storage volume to be provided within the dwelling:</p> <p>(a) studio: not less than 6m³</p> <p>(b) 1 bedroom dwelling / apartment: not less than 8m³</p> <p>(c) 2 bedroom dwelling / apartment: not less than 10m³</p> <p>(d) 3+ bedroom dwelling / apartment: not less than 12m³.</p>
<p>PO 28.5</p> <p>Dwellings that use light wells for access to daylight, outlook and ventilation for habitable rooms, are designed to ensure a reasonable living amenity is provided.</p>	<p>DTS/DPF 28.5</p> <p>Light wells:</p> <p>(a) are not used as the primary source of outlook for living rooms</p> <p>(b) up to 18m in height have a minimum horizontal dimension of 3m, or 6m if overlooked by bedrooms</p> <p>(c) above 18m in height have a minimum horizontal dimension of 6m, or 9m if overlooked by bedrooms.</p>
<p>PO 28.6</p> <p>Attached or abutting dwellings are designed to minimise the transmission of sound between dwellings and, in particular, to protect bedrooms from possible noise intrusions.</p>	<p>DTS/DPF 28.6</p> <p>None are applicable.</p>
<p>PO 28.7</p>	<p>DTS/DPF 28.7</p>

Dwellings are designed so that internal structural columns correspond with the position of internal walls to ensure that the space within the dwelling/apartment is useable.	None are applicable.										
Dwelling Configuration											
PO 29.1 Buildings containing in excess of 10 dwellings provide a variety of dwelling sizes and a range in the number of bedrooms per dwelling to contribute to housing diversity.	DTS/DPF 29.1 Buildings containing in excess of 10 dwellings provide at least one of each of the following: <ul style="list-style-type: none"> (a) studio (where there is no separate bedroom) (b) 1 bedroom dwelling / apartment with a floor area of at least 50m² (c) 2 bedroom dwelling / apartment with a floor area of at least 65m² (d) 3+ bedroom dwelling / apartment with a floor area of at least 80m², and any dwelling over 3 bedrooms provides an additional 15m² for every additional bedroom. 										
PO 29.2 Dwellings located on the ground floor of multi-level buildings with 3 or more bedrooms have the windows of their habitable rooms overlooking internal courtyard space or other public space, where possible.	DTS/DPF 29.2 None are applicable.										
Common Areas											
PO 30.1 The size of lifts, lobbies and corridors is sufficient to accommodate movement of bicycles, strollers, mobility aids and visitor waiting areas.	DTS/DPF 30.1 Common corridor or circulation areas: <ul style="list-style-type: none"> (a) have a minimum ceiling height of 2.7m (b) provide access to no more than 8 dwellings (c) incorporate a wider section at apartment entries where the corridors exceed 12m in length from a core. 										
Group Dwellings, Residential Flat Buildings and Battle axe Development											
Amenity											
PO 31.1 Dwellings are of a suitable size to provide a high standard of amenity for occupants.	DTS/DPF 31.1 Dwellings have a minimum internal floor area in accordance with the following table: <table border="1" style="width: 100%; margin-top: 10px; border-collapse: collapse;"> <thead> <tr> <th style="padding: 5px;">Number of bedrooms</th> <th style="padding: 5px;">Minimum internal floor area</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Studio</td> <td style="padding: 5px;">35m²</td> </tr> <tr> <td style="padding: 5px;">1 bedroom</td> <td style="padding: 5px;">50m²</td> </tr> <tr> <td style="padding: 5px;">2 bedroom</td> <td style="padding: 5px;">65m²</td> </tr> <tr> <td style="padding: 5px;">3+ bedrooms</td> <td style="padding: 5px;">80m² and any dwelling over 3 bedrooms provides an additional 15m² for every additional bedroom</td> </tr> </tbody> </table>	Number of bedrooms	Minimum internal floor area	Studio	35m ²	1 bedroom	50m ²	2 bedroom	65m ²	3+ bedrooms	80m ² and any dwelling over 3 bedrooms provides an additional 15m ² for every additional bedroom
Number of bedrooms	Minimum internal floor area										
Studio	35m ²										
1 bedroom	50m ²										
2 bedroom	65m ²										
3+ bedrooms	80m ² and any dwelling over 3 bedrooms provides an additional 15m ² for every additional bedroom										
PO 31.2 The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.	DTS/DPF 31.2 None are applicable.										
PO 31.3 Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.	DTS/DPF 31.3 None are applicable.										
PO 31.4	DTS/DPF 31.4										

Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	Dwelling sites/allotments are not in the form of a battle-axe arrangement.
Communal Open Space	
<p>PO 32.1</p> <p>Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.</p>	<p>DTS/DPF 32.1</p> <p>None are applicable.</p>
<p>PO 32.2</p> <p>Communal open space is of sufficient size and dimensions to cater for group recreation.</p>	<p>DTS/DPF 32.2</p> <p>Communal open space incorporates a minimum dimension of 5 metres.</p>
<p>PO 32.3</p> <p>Communal open space is designed and sited to:</p> <p>(a) be conveniently accessed by the dwellings which it services</p> <p>(b) have regard to acoustic, safety, security and wind effects.</p>	<p>DTS/DPF 32.3</p> <p>None are applicable.</p>
<p>PO 32.4</p> <p>Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.</p>	<p>DTS/DPF 32.4</p> <p>None are applicable.</p>
<p>PO 32.5</p> <p>Communal open space is designed and sited to:</p> <p>(a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings</p> <p>(b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.</p>	<p>DTS/DPF 32.5</p> <p>None are applicable.</p>
Car parking, access and manoeuvrability	
<p>PO 33.1</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 33.1</p> <p>Where on-street parking is available directly adjacent the site, on-street parking is retained adjacent the subject site in accordance with the following requirements:</p> <p>(a) minimum 0.33 on-street car parks per proposed dwelling (rounded up to the nearest whole number)</p> <p>(b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly</p> <p>(c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.</p>
<p>PO 33.2</p> <p>The number of vehicular access points onto public roads is minimised to reduce interruption of the footpath and positively contribute to public safety and walkability.</p>	<p>DTS/DPF 33.2</p> <p>Access to group dwellings or dwellings within a residential flat building is provided via a single common driveway.</p>
<p>PO 33.3</p> <p>Residential driveways that service more than one dwelling are designed to allow safe and convenient movement.</p>	<p>DTS/DPF 33.3</p> <p>Driveways that service more than 1 dwelling or a dwelling on a battle-axe site:</p> <p>(a) have a minimum width of 3m</p> <p>(b) for driveways servicing more than 3 dwellings:</p> <p>(i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street</p> <p>(ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.</p>
<p>PO 33.4</p> <p>Residential driveways that service more than one dwelling or a dwelling on a battle-axe site are designed to allow passenger vehicles to enter and exit and manoeuvre within the site in a safe and convenient manner.</p>	<p>DTS/DPF 33.4</p> <p>Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre.</p>
<p>PO 33.5</p> <p>Dwellings are adequately separated from common driveways and manoeuvring</p>	<p>DTS/DPF 33.5</p> <p>Dwelling walls with entry doors or ground level habitable room windows are set back</p>

areas.	at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.
Soft landscaping	
<p>PO 34.1</p> <p>Soft landscaping is provided between dwellings and common driveways to improve the outlook for occupants and appearance of common areas.</p>	<p>DTS/DPF 34.1</p> <p>Other than where located directly in front of a garage or building entry, soft landscaping with a minimum dimension of 1m is provided between a dwelling and common driveway.</p>
<p>PO 34.2</p> <p>Battle-axe or common driveways incorporate landscaping and permeability to improve appearance and assist in stormwater management.</p>	<p>DTS/DPF 34.2</p> <p>Battle-axe or common driveways satisfy (a) and (b):</p> <p>(a) are constructed of a minimum of 50% permeable or porous material</p> <p>(b) where the driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).</p>
Site Facilities / Waste Storage	
<p>PO 35.1</p> <p>Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.</p>	<p>DTS/DPF 35.1</p> <p>None are applicable.</p>
<p>PO 35.2</p> <p>Provision is made for suitable external clothes drying facilities.</p>	<p>DTS/DPF 35.2</p> <p>None are applicable.</p>
<p>PO 35.3</p> <p>Provision is made for suitable household waste and recyclable material storage facilities which are:</p> <p>(a) located away, or screened, from public view, and</p> <p>(b) conveniently located in proximity to dwellings and the waste collection point.</p>	<p>DTS/DPF 35.3</p> <p>None are applicable.</p>
<p>PO 35.4</p> <p>Waste and recyclable material storage areas are located away from dwellings.</p>	<p>DTS/DPF 35.4</p> <p>Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.</p>
<p>PO 35.5</p> <p>Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.</p>	<p>DTS/DPF 35.5</p> <p>None are applicable.</p>
<p>PO 35.6</p> <p>Services including gas and water meters are conveniently located and screened from public view.</p>	<p>DTS/DPF 35.6</p> <p>None are applicable.</p>
Water sensitive urban design	
<p>PO 36.1</p> <p>Residential development creating a common driveway / access includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.</p>	<p>DTS/DPF 36.1</p> <p>None are applicable.</p>
<p>PO 36.2</p>	<p>DTS/DPF 36.2</p>

Residential development creating a common driveway / access includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	None are applicable.
Supported Accommodation and retirement facilities	
Siting, Configuration and Design	
<p>PO 37.1</p> <p>Supported accommodation and housing for aged persons and people with disabilities is located where on-site movement of residents is not unduly restricted by the slope of the land.</p>	<p>DTS/DPF 37.1</p> <p>None are applicable.</p>
<p>PO 37.2</p> <p>Universal design features are incorporated to provide options for people living with disabilities or limited mobility and / or to facilitate ageing in place.</p>	<p>DTS/DPF 37.2</p> <p>None are applicable.</p>
Movement and Access	
<p>PO 38.1</p> <p>Development is designed to support safe and convenient access and movement for residents by providing:</p> <ul style="list-style-type: none"> (a) ground-level access or lifted access to all units (b) level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places (c) car parks with gradients no steeper than 1-in-40, and of sufficient area to provide for wheelchair manoeuvrability (d) kerb ramps at pedestrian crossing points. 	<p>DTS/DPF 38.1</p> <p>None are applicable.</p>
Communal Open Space	
<p>PO 39.1</p> <p>Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.</p>	<p>DTS/DPF 39.1</p> <p>None are applicable.</p>
<p>PO 39.2</p> <p>Private open space provision may be substituted for communal open space which is designed and sited to meet the recreation and amenity needs of residents.</p>	<p>DTS/DPF 39.2</p> <p>None are applicable.</p>
<p>PO 39.3</p> <p>Communal open space is of sufficient size and dimensions to cater for group recreation.</p>	<p>DTS/DPF 39.3</p> <p>Communal open space incorporates a minimum dimension of 5 metres.</p>
<p>PO 39.4</p> <p>Communal open space is designed and sited to:</p> <ul style="list-style-type: none"> (a) be conveniently accessed by the dwellings which it services (b) have regard to acoustic, safety, security and wind effects. 	<p>DTS/DPF 39.4</p> <p>None are applicable.</p>
<p>PO 39.5</p> <p>Communal open space contains landscaping and facilities that are functional, attractive and encourage recreational use.</p>	<p>DTS/DPF 39.5</p> <p>None are applicable.</p>
<p>PO 39.6</p> <p>Communal open space is designed and sited to:</p> <ul style="list-style-type: none"> (a) in relation to rooftop or elevated gardens, minimise overlooking into habitable room windows or onto the useable private open space of other dwellings 	<p>DTS/DPF 39.6</p> <p>None are applicable.</p>

(b) in relation to ground floor communal space, be overlooked by habitable rooms to facilitate passive surveillance.	
Site Facilities / Waste Storage	
<p>PO 40.1</p> <p>Development is designed to provide storage areas for personal items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric-powered vehicles.</p>	<p>DTS/DPF 40.1</p> <p>None are applicable.</p>
<p>PO 40.2</p> <p>Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.</p>	<p>DTS/DPF 40.2</p> <p>None are applicable.</p>
<p>PO 40.3</p> <p>Provision is made for suitable external clothes drying facilities.</p>	<p>DTS/DPF 40.3</p> <p>None are applicable.</p>
<p>PO 40.4</p> <p>Provision is made for suitable household waste and recyclable material storage facilities conveniently located away, or screened, from view.</p>	<p>DTS/DPF 40.4</p> <p>None are applicable.</p>
<p>PO 40.5</p> <p>Waste and recyclable material storage areas are located away from dwellings.</p>	<p>DTS/DPF 40.5</p> <p>Dedicated waste and recyclable material storage areas are located at least 3m from any habitable room window.</p>
<p>PO 40.6</p> <p>Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time.</p>	<p>DTS/DPF 40.6</p> <p>None are applicable.</p>
<p>PO 40.7</p> <p>Services, including gas and water meters, are conveniently located and screened from public view.</p>	<p>DTS/DPF 40.7</p> <p>None are applicable.</p>
Student Accommodation	
<p>PO 41.1</p> <p>Student accommodation is designed to provide safe, secure, attractive, convenient and comfortable living conditions for residents, including an internal layout and facilities that are designed to provide sufficient space and amenity for the requirements of student life and promote social interaction.</p>	<p>DTS/DPF 41.1</p> <p>Student accommodation provides:</p> <ul style="list-style-type: none"> (a) a range of living options to meet a variety of accommodation needs, such as one-bedroom, two-bedroom and disability access units (b) common or shared facilities to enable a more efficient use of space, including: <ul style="list-style-type: none"> (i) shared cooking, laundry and external drying facilities (ii) internal and external communal and private open space provided in accordance with Design in Urban Areas Table 1 - Private Open Space (iii) common storage facilities at the rate of 8m³ for every 2 dwellings or students (iv) common on-site parking in accordance with Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas (v) bicycle parking at the rate of one space for every 2 students.
<p>PO 41.2</p> <p>Student accommodation is designed to provide easy adaptation of the building to accommodate an alternative use of the building in the event it is no longer required for student housing.</p>	<p>DTS/DPF 41.2</p> <p>None are applicable.</p>
All non-residential development	
Water Sensitive Design	

<p>PO 42.1</p> <p>Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.</p>	<p>DTS/DPF 42.1</p> <p>None are applicable.</p>
<p>PO 42.2</p> <p>Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.</p>	<p>DTS/DPF 42.2</p> <p>None are applicable.</p>
<p>PO 42.3</p> <p>Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.</p>	<p>DTS/DPF 42.3</p> <p>None are applicable.</p>
<p>Wash-down and Waste Loading and Unloading</p>	
<p>PO 43.1</p> <p>Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, plant or equipment are:</p> <ul style="list-style-type: none"> (a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off (b) paved with an impervious material to facilitate wastewater collection (c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area (d) are designed to drain wastewater to either: <ul style="list-style-type: none"> (i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or (ii) a holding tank and its subsequent removal off-site on a regular basis. 	<p>DTS/DPF 43.1</p> <p>None are applicable.</p>
<p>Laneway Development</p>	
<p>Infrastructure and Access</p>	
<p>PO 44.1</p> <p>Development with a primary street comprising a laneway, alley, lane, right of way or similar minor thoroughfare only occurs where:</p> <ul style="list-style-type: none"> (a) existing utility infrastructure and services are capable of accommodating the development (b) the primary street can support access by emergency and regular service vehicles (such as waste collection) (c) it does not require the provision or upgrading of infrastructure on public land (such as footpaths and stormwater management systems) (d) safety of pedestrians or vehicle movement is maintained (e) any necessary grade transition is accommodated within the site of the development to support an appropriate development intensity and orderly development of land fronting minor thoroughfares. 	<p>DTS/DPF 44.1</p> <p>Development with a primary street frontage that is not an alley, lane, right of way or similar public thoroughfare.</p>
<p>Decks</p>	
<p>Design and Siting</p>	
<p>PO 45.1</p> <p>Decks are designed and sited to:</p> <ul style="list-style-type: none"> (a) complement the associated building form (b) minimise impacts on the streetscape through siting behind the building line of the principal building (unless on a significant allotment or open space) (c) minimise cut and fill and overall massing when viewed from adjacent land. 	<p>DTS/DPF 45.1</p> <p>Decks:</p> <ul style="list-style-type: none"> (a) where ancillary to a dwelling: <ul style="list-style-type: none"> (i) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> A. in front of any part of the building line of the dwelling to which it is ancillary or B. within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (ii) are set back at least 900mm from side or rear allotment boundaries

	<p>(iii) when attached to the dwelling, has a finished floor level consistent with the finished ground floor level of the dwelling</p> <p>(iv) where associated with a residential use, retains a total area of soft landscaping for the entire development site, including any common property, with a minimum dimension of 700mm in accordance with (A) or (B), whichever is less:</p> <p>A. a total area is determined by the following table:</p> <table border="1" data-bbox="1002 226 1520 1072"> <thead> <tr> <th>Site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th>Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td>150-200</td> <td>15%</td> </tr> <tr> <td>>200-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table> <p>B. the amount of existing soft landscaping prior to the development occurring.</p> <p>(b) where in association with a non-residential use:</p> <p>(i) are set back at least 2 metres from the boundary of an allotment used for residential purposes.</p> <p>(ii) are set back at least 2 metres from a public road.</p> <p>(iii) have a floor area not exceeding 25m²</p> <p>(c) in all cases, has a finished floor level not exceeding 1 metre above natural ground level at any point.</p>	Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	>200-450	20%	>450	25%
Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
>200-450	20%										
>450	25%										
<p>PO 45.2</p> <p>Decks are designed and sited to minimise direct overlooking of habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones through suitable floor levels, screening and siting taking into account the slope of the subject land, existing vegetation on the subject land, and fencing.</p>	<p>DTS/DPF 45.2</p> <p>Decks with a finished floor level/s 500mm or more above natural ground level facing side or rear boundaries shared with a residential use in a neighbourhood-type zone incorporate screening with a maximum of 25% transparency/openings, permanently fixed to the outer edge of the deck not less than 1.5 m above the finished floor level/s.</p>										
<p>PO 45.3</p> <p>Decks used for outdoor dining, entertainment or other commercial uses provide carparking in accordance with the primary use of the deck.</p>	<p>DTS/DPF 45.3</p> <p>Decks used for commercial purposes do not result in less on-site car parking for the primary use of the subject land than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</p>										

Table 1 - Private Open Space

Dwelling Type	Dwelling / Site Configuration	Minimum Rate
Dwelling (at ground level, other than a residential flat building that includes above ground dwellings)		<p>Total private open space area:</p> <p>(a) Site area <301m²: 24m² located behind the building line.</p> <p>(b) Site area ≥ 301m²: 60m² located behind the building line.</p> <p>Minimum directly accessible from a living room: 16m² /</p>

		with a minimum dimension 3m.
Cabin or caravan (permanently fixed to the ground) in a residential park or caravan and tourist park		Total area: 16m ² , which may be uses as second car parking space, provided on each site intended for residential occupation.
Dwelling in a residential flat building or mixed use building which incorporate above ground level dwellings	Dwellings at ground level:	15m ² / minimum dimension 3m
	Dwellings above ground level:	
	Studio (no separate bedroom)	4m ² / minimum dimension 1.8m
	One bedroom dwelling	8m ² / minimum dimension 2.1m
	Two bedroom dwelling	11m ² / minimum dimension 2.4m
	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m

Forestry

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Commercial forestry is designed and sited to maximise economic benefits whilst managing potential negative impacts on the environment, transport networks, surrounding land uses and landscapes.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting	
PO 1.1 Commercial forestry plantations are established where there is no detrimental effect on the physical environment or scenic quality of the rural landscape.	DTS/DPF 1.1 None are applicable.
PO 1.2 Commercial forestry plantations are established on slopes that are stable to minimise the risk of soil erosion.	DTS/DPF 1.2 Commercial forestry plantations are not located on land with a slope exceeding 20% (1-in-5).
PO 1.3 Commercial forestry plantations and operations associated with their establishment, management and harvesting are appropriately set back from any sensitive receiver to minimise fire risk and noise disturbance.	DTS/DPF 1.3 Commercial forestry plantations and operations associated with their establishment, management and harvesting are set back 50m or more from any sensitive receiver.
Water Protection	
PO 2.1	DTS/DPF 2.1

Commercial forestry plantations incorporate artificial drainage lines (i.e. culverts, runoffs and constructed drains) integrated with natural drainage lines to minimise concentrated water flows onto or from plantation areas.	None are applicable.																					
PO 2.2 Appropriate siting, layout and design measures are adopted to minimise the impact of commercial forestry plantations on surface water resources.	DTS/DPF 2.2 Commercial forestry plantations: <ul style="list-style-type: none"> (a) do not involve cultivation (excluding spot cultivation) in drainage lines (b) are set back 20m or more from the banks of any major watercourse (a third order or higher watercourse), lake, reservoir, wetland or sinkhole (with direct connection to an aquifer) (c) are set back 10m or more from the banks of any first or second order watercourse or sinkhole (with no direct connection to an aquifer). 																					
Fire Management																						
PO 3.1 Commercial forestry plantations incorporate appropriate firebreaks and fire management design elements.	DTS/DPF 3.1 Commercial forestry plantations provide: <ul style="list-style-type: none"> (a) 7m or more wide external boundary firebreaks for plantations of 40ha or less (b) 10m or more wide external boundary firebreaks for plantations of between 40ha and 100ha (c) 20m or more wide external boundary firebreaks, or 10m with an additional 10m or more of fuel-reduced plantation, for plantations of 100ha or greater. Note: Firebreaks prescribed above (as well as access tracks) may be included within the setback buffer distances prescribed by other policies of the Code.																					
PO 3.2 Commercial forestry plantations incorporate appropriate fire management access tracks.	DTS/DPF 3.2 Commercial forestry plantation fire management access tracks: <ul style="list-style-type: none"> (a) are incorporated within all firebreaks (b) are 7m or more wide with a vertical clearance of 4m or more (c) are aligned to provide straight through access at junctions, or if they are a no through access track are appropriately signposted and provide suitable turnaround areas for fire-fighting vehicles (d) partition the plantation into units of 40ha or less in area. 																					
Power-line Clearances																						
PO 4.1 Commercial forestry plantations achieve and maintain appropriate clearances from aboveground powerlines.	DTS/DPF 4.1 Commercial forestry plantations incorporating trees with an expected mature height of greater than 6m meet the clearance requirements listed in the following table: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 33%;">Voltage of transmission line</th> <th style="width: 15%;">Tower or Pole</th> <th style="width: 52%;">Minimum horizontal clearance distance between plantings and transmission lines</th> </tr> </thead> <tbody> <tr> <td>500 kV</td> <td>Tower</td> <td>38m</td> </tr> <tr> <td>275 kV</td> <td>Tower</td> <td>25m</td> </tr> <tr> <td>132 kV</td> <td>Tower</td> <td>30m</td> </tr> <tr> <td>132 kV</td> <td>Pole</td> <td>20m</td> </tr> <tr> <td>66 kV</td> <td>Pole</td> <td>20m</td> </tr> <tr> <td>Less than 66 kV</td> <td>Pole</td> <td>20m</td> </tr> </tbody> </table>	Voltage of transmission line	Tower or Pole	Minimum horizontal clearance distance between plantings and transmission lines	500 kV	Tower	38m	275 kV	Tower	25m	132 kV	Tower	30m	132 kV	Pole	20m	66 kV	Pole	20m	Less than 66 kV	Pole	20m
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Less than 66 kV	Pole	20m																				

Housing Renewal

The Housing Renewal General Development Policies are only applicable to dwellings or residential flat building undertaken by:

- (a) the South Australian Housing Trust either individually or jointly with other persons or bodies
or
(b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust.

Desired Outcome (DO)

Desired Outcome	
DO 1	Renewed residential environments replace older social housing and provide new social housing infrastructure and other housing options and tenures to enhance the residential amenity of the local area.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<small>Land Use and Intensity</small>	
<p>PO 1.1</p> <p>Residential development provides a range of housing choices.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) detached dwellings (b) semi-detached dwellings (c) row dwellings (d) group dwellings (e) residential flat buildings.
<p>PO 1.2</p> <p>Medium-density housing options or higher are located in close proximity to public transit, open space and/or activity centres.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<small>Building Height</small>	
<p>PO 2.1</p> <p>Buildings generally do not exceed 3 building levels unless in locations close to public transport, centres and/or open space.</p>	<p>DTS/DPF 2.1</p> <p>Building height (excluding garages, carports and outbuildings) does not exceed 3 building levels and 12m and wall height does not exceed 9m (not including a gable end).</p>
<p>PO 2.2</p> <p>Medium or high rise residential flat buildings located within or at the interface with zones which restrict heights to a maximum of 2 building levels transition down in scale and height towards the boundary of that zone, other than where it is a street boundary.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<small>Primary Street Setback</small>	
<p>PO 3.1</p> <p>Buildings are set back from the primary street boundary to contribute to an attractive streetscape character.</p>	<p>DTS/DPF 3.1</p> <p>Buildings are no closer to the primary street (excluding any balcony, verandah, porch, awning or similar structure) than 3m.</p>
<small>Secondary Street Setback</small>	
<p>PO 4.1</p> <p>Buildings are set back from secondary street boundaries to maintain separation between building walls and public streets and contribute to a suburban streetscape character.</p>	<p>DTS/DPF 4.1</p> <p>Buildings are set back at least 900mm from the boundary of the allotment with a secondary street frontage.</p>

Boundary Walls	
<p>PO 5.1</p> <p>Boundary walls are limited in height and length to manage visual impacts and access to natural light and ventilation.</p>	<p>DTS/DPF 5.1</p> <p>Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, dwellings with side boundary walls are sited on only one side boundary and satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) adjoin or abut a boundary wall of a building on adjoining land for the same length and height (b) do not: <ul style="list-style-type: none"> (i) exceed 3.2m in height from the lower of the natural or finished ground level (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, a maximum 45% of the length of the boundary (iv) encroach within 3 metres of any other existing or proposed boundary walls on the subject land.
<p>PO 5.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a suburban streetscape character.</p>	<p>DTS/DPF 5.2</p> <p>Dwellings in a semi-detached or row arrangement are set back 900mm or more from side boundaries shared with allotments outside the development site, except for a carport or garage.</p>
Side Boundary Setback	
<p>PO 6.1</p> <p>Buildings are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that contributes to a suburban character (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 6.1</p> <p>Other than walls located on a side boundary, buildings are set back from side boundaries in accordance with the following:</p> <ul style="list-style-type: none"> (a) where the wall height does not exceed 3m - at least 900mm (b) for a wall that is not south facing and the wall height exceeds 3m - at least 900mm from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the top of the footings (c) for a wall that is south facing and the wall height exceeds 3m - at least 1.9m from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the top of the footings.
Rear Boundary Setback	
<p>PO 7.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that contributes to a suburban character (b) access to natural light and ventilation for neighbours (c) private open space (d) space for landscaping and vegetation. 	<p>DTS/DPF 7.1</p> <p>Dwellings are set back from the rear boundary:</p> <ul style="list-style-type: none"> (a) 3m or more for the first building level (b) 5m or more for any subsequent building level.
Buildings elevation design	
<p>PO 8.1</p> <p>Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and common driveway areas.</p>	<p>DTS/DPF 8.1</p> <p>Each dwelling includes at least 3 of the following design features within the building elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:</p> <ul style="list-style-type: none"> (a) a minimum of 30% of the building elevation is set back an additional 300mm from the building line (b) a porch or portico projects at least 1m from the building elevation (c) a balcony projects from the building elevation (d) a verandah projects at least 1m from the building elevation (e) eaves of a minimum 400mm width extend along the width of the front elevation (f) a minimum 30% of the width of the upper level projects forward from the lower level primary building line by at least 300mm. (g) a minimum of two different materials or finishes are incorporated on the walls of the building elevation, with a maximum of 80% of the building elevation in a single material or finish.
<p>PO 8.2</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive</p>	<p>DTS/DPF 8.2</p> <p>Each dwelling with a frontage to a public street:</p>

surveillance and make a positive contribution to the streetscape.	<p>(a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m</p> <p>(b) has an aggregate window area of at least 2m² facing the primary street</p>															
<p>PO 8.3</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>															
<p>PO 8.4</p> <p>Built form considers local context and provides a quality design response through scale, massing, materials, colours and architectural expression.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>															
<p>PO 8.5</p> <p>Entrances to multi-storey buildings are:</p> <p>(a) oriented towards the street</p> <p>(b) visible and easily identifiable from the street</p> <p>(c) designed to include a common mail box structure.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>															
<p>Outlook and amenity</p>																
<p>PO 9.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 9.1</p> <p>A living room of a dwelling incorporates a window with an external outlook towards the street frontage or private open space.</p>															
<p>PO 9.2</p> <p>Bedrooms are separated or shielded from active communal recreation areas, common access areas and vehicle parking areas and access ways to mitigate noise and artificial light intrusion.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>															
<p>Private Open Space</p>																
<p>PO 10.1</p> <p>Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.</p>	<p>DTS/DPF 10.1</p> <p>Private open space is provided in accordance with the following table:</p> <table border="1" data-bbox="821 1352 1536 2074"> <thead> <tr> <th>Dwelling Type</th> <th>Dwelling / Site Configuration</th> <th>Minimum Rate</th> </tr> </thead> <tbody> <tr> <td>Dwelling (at ground level)</td> <td></td> <td>Total area: 24m² located behind the building line Minimum adjacent to a living room: 16m² with a minimum dimension 3m</td> </tr> <tr> <td rowspan="4">Dwelling (above ground level)</td> <td>Studio</td> <td>4m² / minimum dimension 1.8m</td> </tr> <tr> <td>One bedroom dwelling</td> <td>8m² / minimum dimension 2.1m</td> </tr> <tr> <td>Two bedroom dwelling</td> <td>11m² / minimum dimension 2.4m</td> </tr> <tr> <td>Three + bedroom dwelling</td> <td>15 m² / minimum dimension 2.6m</td> </tr> </tbody> </table>	Dwelling Type	Dwelling / Site Configuration	Minimum Rate	Dwelling (at ground level)		Total area: 24m ² located behind the building line Minimum adjacent to a living room: 16m ² with a minimum dimension 3m	Dwelling (above ground level)	Studio	4m ² / minimum dimension 1.8m	One bedroom dwelling	8m ² / minimum dimension 2.1m	Two bedroom dwelling	11m ² / minimum dimension 2.4m	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m
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	Two bedroom dwelling	11m ² / minimum dimension 2.4m														
	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m														

<p>PO 10.2</p> <p>Private open space positioned to provide convenient access from internal living areas.</p>	<p>DTS/DPF 10.2</p> <p>At least 50% of the required area of private open space is accessible from a habitable room.</p>										
<p>PO 10.3</p> <p>Private open space is positioned and designed to:</p> <p>(a) provide useable outdoor space that suits the needs of occupants;</p> <p>(b) take advantage of desirable orientation and vistas; and</p> <p>(c) adequately define public and private space.</p>	<p>DTS/DPF 10.3</p> <p>None are applicable.</p>										
<p>Visual privacy</p>											
<p>PO 11.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.</p>	<p>DTS/DPF 11.1</p> <p>Upper level windows facing side or rear boundaries shared with another residential allotment/site satisfy one of the following:</p> <p>(a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm</p> <p>(b) have sill heights greater than or equal to 1.5m above finished floor level</p> <p>(c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5m above the finished floor.</p>										
<p>PO 11.2</p> <p>Development mitigates direct overlooking from upper level balconies and terraces to habitable rooms and private open space of adjoining residential uses.</p>	<p>DTS/DPF 11.2</p> <p>One of the following is satisfied:</p> <p>(a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or</p> <p>(b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of:</p> <p style="margin-left: 20px;">(i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or</p> <p style="margin-left: 20px;">(ii) 1.7m above finished floor level in all other cases</p>										
<p>Landscaping</p>											
<p>PO 12.1</p> <p>Soft landscaping is incorporated into development to:</p> <p>(a) minimise heat absorption and reflection</p> <p>(b) maximise shade and shelter</p> <p>(c) maximise stormwater infiltration and biodiversity</p> <p>(d) enhance the appearance of land and streetscapes.</p>	<p>DTS/DPF 12.1</p> <p>Residential development incorporates pervious areas for soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b):</p> <p>(a) a total area as determined by the following table:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="text-align: left;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td><200</td> <td>15%</td> </tr> <tr> <td>200-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table> <p>(b) at least 30% of land between the road boundary and the building line.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	<200	15%	200-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
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200-450	20%										
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<p>Water Sensitive Design</p>											
<p>PO 13.1</p> <p>Residential development is designed to capture and use stormwater to:</p> <p>(a) maximise efficient use of water resources</p> <p>(b) manage peak stormwater runoff flows and volume to ensure the carrying capacities of downstream systems are not overloaded</p> <p>(c) manage runoff quality to maintain, as close as practical, pre-development conditions.</p>	<p>DTS/DPF 13.1</p> <p>None are applicable.</p>										
<p>Car Parking</p>											
<p>PO 14.1</p>	<p>DTS/DPF 14.1</p>										

<p>On-site car parking is provided to meet the anticipated demand of residents, with less on-site parking in areas in close proximity to public transport.</p>	<p>On-site car parking is provided at the following rates per dwelling:</p> <ul style="list-style-type: none"> (a) 2 or fewer bedrooms - 1 car parking space (b) 3 or more bedrooms - 2 car parking spaces.
<p>PO 14.2</p> <p>Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 14.2</p> <p>Residential parking spaces enclosed by fencing, walls or other obstructions with the following internal dimensions (separate from any waste storage area):</p> <ul style="list-style-type: none"> (a) single parking spaces: <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 3.0m (iii) a minimum garage door width of 2.4m (b) double parking spaces (side by side): <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 5.5m (iii) minimum garage door width of 2.4m per space.
<p>PO 14.3</p> <p>Uncovered car parking spaces are of dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 14.3</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> (a) a minimum length of 5.4m (b) a minimum width of 2.4m (c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m.
<p>PO 14.4</p> <p>Residential flat buildings and group dwelling developments provide sufficient on-site visitor car parking to cater for anticipated demand.</p>	<p>DTS/DPF 14.4</p> <p>Visitor car parking for group and residential flat buildings incorporating 4 or more dwellings is provided on-site at a minimum ratio of 0.25 car parking spaces per dwelling.</p>
<p>PO 14.5</p> <p>Residential flat buildings provide dedicated areas for bicycle parking.</p>	<p>DTS/DPF 14.5</p> <p>Residential flat buildings provide one bicycle parking space per dwelling.</p>
<p>Overshadowing</p>	
<p>PO 15.1</p> <p>Development minimises overshadowing of the private open spaces of adjoining land by ensuring that ground level open space associated with residential buildings receive direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June.</p>	<p>DTS/DPF 15.1</p> <p>None are applicable.</p>
<p>Waste</p>	
<p>PO 16.1</p> <p>Provision is made for the convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 16.1</p> <p>A waste bin storage area is provided behind the primary building line that:</p> <ul style="list-style-type: none"> (a) has a minimum area of 2m² with a minimum dimension of 900mm (separate from any designated car parking spaces or private open space).; and (b) has a continuous unobstructed path of travel (excluding moveable objects like gates, vehicles and roller doors) with a minimum width of 800mm between the waste bin storage area and the street.
<p>PO 16.2</p> <p>Residential flat buildings provide a dedicated area for the on-site storage of waste which is:</p> <ul style="list-style-type: none"> (a) easily and safely accessible for residents and for collection vehicles (b) screened from adjoining land and public roads (c) of sufficient dimensions to be able to accommodate the waste storage needs of the development considering the intensity and nature of the development and the frequency of collection. 	<p>DTS/DPF 16.2</p> <p>None are applicable.</p>
<p>Vehicle Access</p>	

<p>PO 17.1</p> <p>Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 17.1</p> <p>None are applicable.</p>
<p>PO 17.2</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 17.2</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 17.3</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 17.3</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping (b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram: <div style="text-align: center; margin: 10px 0;"> <p style="text-align: center;">CENTRE LINE OF DRIVEWAY TO BE BETWEEN 70° TO 110° OFF THE STREET BOUNDARY</p> </div> <ul style="list-style-type: none"> (c) if located to provide access from an alley, lane or right of way - the alley, land or right of way is at least 6.2m wide along the boundary of the allotment / site.
<p>PO 17.4</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street parking.</p>	<p>DTS/DPF 17.4</p> <p>Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:</p> <ul style="list-style-type: none"> (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
<p>PO 17.5</p>	<p>DTS/DPF 17.5</p>

Residential driveways that service more than one dwelling of a dimension to allow safe and convenient movement.	Driveways that service more than 1 dwelling or a dwelling on a battle-axe site: <ul style="list-style-type: none"> (a) have a minimum width of 3m (b) for driveways servicing more than 3 dwellings: <ul style="list-style-type: none"> (i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street (ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m.
PO 17.6 Residential driveways that service more than one dwelling are designed to allow passenger vehicles to enter and exit the site and manoeuvre within the site in a safe and convenient manner.	DTS/DPF 17.6 Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre
PO 17.7 Dwellings are adequately separated from common driveways and manoeuvring areas.	DTS/DPF 17.7 Dwelling walls with entry doors or ground level habitable room windows are set back at least 1.5m from any driveway or area designated for the movement and manoeuvring of vehicles.
Storage	
PO 18.1 Dwellings are provided with sufficient and accessible space for storage to meet likely occupant needs.	DTS/DPF 18.1 Dwellings are provided with storage at the following rates and 50% or more of the storage volume is provided within the dwelling: <ul style="list-style-type: none"> (a) studio: not less than 6m³ (b) 1 bedroom dwelling / apartment: not less than 8m³ (c) 2 bedroom dwelling / apartment: not less than 10m³ (d) 3+ bedroom dwelling / apartment: not less than 12m³.
Earthworks	
PO 19.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.	DTS/DPF 19.1 The development does not involve: <ul style="list-style-type: none"> (a) excavation exceeding a vertical height of 1m or (b) filling exceeding a vertical height of 1m or (c) a total combined excavation and filling vertical height exceeding 2m.
Service connections and infrastructure	
PO 20.1 Dwellings are provided with appropriate service connections and infrastructure.	DTS/DPF 20.1 The site and building: <ul style="list-style-type: none"> (a) have the ability to be connected to a permanent potable water supply (b) have the ability to be connected to a sewerage system, or a wastewater system approved under the <i>South Australian Public Health Act 2011</i> (c) have the ability to be connected to electricity supply (d) have the ability to be connected to an adequate water supply (and pressure) for fire-fighting purposes (e) would not be contrary to the Regulations prescribed for the purposes of Section 86 of the <i>Electricity Act 1996</i>.
Site contamination	
PO 21.1 Land that is suitable for sensitive land uses to provide a safe environment.	DTS/DPF 21.1 Development satisfies (a), (b), (c) or (d): <ul style="list-style-type: none"> (a) does not involve a change in the use of land (b) involves a change in the use of land that does not constitute a change to a <u>more sensitive use</u> (c) involves a change in the use of land to a <u>more sensitive use</u> on land at which <u>site contamination</u> does not exist (as demonstrated in a <u>site contamination declaration form</u>) (d) involves a change in the use of land to a <u>more sensitive use</u> on land at which <u>site contamination</u> exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following: <ul style="list-style-type: none"> (i) a <u>site contamination audit report</u> has been prepared under Part 10A of the <i>Environment Protection Act 1993</i> in relation to the land within the previous 5 years which states that

	<p>A. <u>site contamination</u> does not exist (or no longer exists) at the land or</p> <p>B. the land is suitable for the proposed use or range of uses (without the need for any further <u>remediation</u>) or</p> <p>C. where <u>remediation</u> is, or remains, necessary for the proposed use (or range of uses), <u>remediation work</u> has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development)</p> <p>and</p> <p>(ii) no other <u>class 1 activity</u> or <u>class 2 activity</u> has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a <u>site contamination declaration form</u>).</p>
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Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<small>General</small>	
<p>PO 1.1</p> <p>Development is located and designed to minimise hazard or nuisance to adjacent development and land uses.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<small>Visual Amenity</small>	
<p>PO 2.1</p> <p>The visual impact of above-ground infrastructure networks and services (excluding high voltage transmission lines), renewable energy facilities (excluding wind farms), energy storage facilities and ancillary development is minimised from townships, scenic routes and public roads by:</p> <p>(a) utilising features of the natural landscape to obscure views where practicable</p> <p>(b) siting development below ridgelines where practicable</p> <p>(c) avoiding visually sensitive and significant landscapes</p> <p>(d) using materials and finishes with low-reflectivity and colours that complement the surroundings</p> <p>(e) using existing vegetation to screen buildings</p> <p>(f) incorporating landscaping or landscaped mounding around the perimeter of a site and between adjacent allotments accommodating or zoned to primarily accommodate sensitive receivers.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Pumping stations, battery storage facilities, maintenance sheds and other ancillary structures incorporate vegetation buffers to reduce adverse visual impacts on adjacent land.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p>	<p>DTS/DPF 2.3</p>

Surfaces exposed by earthworks associated with the installation of storage facilities, pipework, penstock, substations and other ancillary plant are reinstated and revegetated to reduce adverse visual impacts on adjacent land.	None are applicable.
Rehabilitation	
PO 3.1 Progressive rehabilitation (incorporating revegetation) of disturbed areas, ahead of or upon decommissioning of areas used for renewable energy facilities and transmission corridors.	DTS/DPF 3.1 None are applicable.
Hazard Management	
PO 4.1 Infrastructure and renewable energy facilities and ancillary development located and operated to not adversely impact maritime or air transport safety, including the operation of ports, airfields and landing strips.	DTS/DPF 4.1 None are applicable.
PO 4.2 Facilities for energy generation, power storage and transmission are separated as far as practicable from dwellings, tourist accommodation and frequently visited public places (such as viewing platforms / lookouts) to reduce risks to public safety from fire or equipment malfunction.	DTS/DPF 4.2 None are applicable.
PO 4.3 Bushfire hazard risk is minimised for renewable energy facilities by providing appropriate access tracks, safety equipment and water tanks and establishing cleared areas around substations, battery storage and operations compounds.	DTS/DPF 4.3 None are applicable.
Electricity Infrastructure and Battery Storage Facilities	
PO 5.1 Electricity infrastructure is located to minimise visual impacts through techniques including: (a) siting utilities and services: (i) on areas already cleared of native vegetation (ii) where there is minimal interference or disturbance to existing native vegetation or biodiversity (b) grouping utility buildings and structures with non-residential development, where practicable.	DTS/DPF 5.1 None are applicable.
PO 5.2 Electricity supply (excluding transmission lines) serving new development in urban areas and townships installed underground, excluding lines having a capacity exceeding or equal to 33kV.	DTS/DPF 5.2 None are applicable.
PO 5.3 Battery storage facilities are co-located with substation infrastructure where practicable to minimise the development footprint and reduce environmental impacts.	DTS/DPF 5.3 None are applicable.
Telecommunication Facilities	
PO 6.1 The proliferation of telecommunications facilities in the form of towers/monopoles in any one locality is managed, where technically feasible, by co-locating a facility with other communications facilities to mitigate impacts from clutter on visual amenity.	DTS/DPF 6.1 None are applicable.

<p>PO 6.2</p> <p>Telecommunications antennae are located as close as practicable to support structures to manage overall bulk and mitigate impacts on visual amenity.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
<p>PO 6.3</p> <p>Telecommunications facilities, particularly towers/monopoles, are located and sized to mitigate visual impacts by the following methods:</p> <p>(a) where technically feasible, incorporating the facility within an existing structure that may serve another purpose</p> <p>or all of the following:</p> <p>(b) using existing buildings and landscape features to obscure or interrupt views of a facility from nearby public roads, residential areas and places of high public amenity to the extent practical without unduly hindering the effective provision of telecommunications services</p> <p>(c) using materials and finishes that complement the environment</p> <p>(d) screening using landscaping and vegetation, particularly for equipment shelters and huts.</p>	<p>DTS/DPF 6.3</p> <p>None are applicable.</p>
Renewable Energy Facilities	
<p>PO 7.1</p> <p>Renewable energy facilities are located as close as practicable to existing transmission infrastructure to facilitate connections and minimise environmental impacts as a result of extending transmission infrastructure.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
Renewable Energy Facilities (Wind Farm)	
<p>PO 8.1</p> <p>Visual impact of wind turbine generators on the amenity of residential and tourist development is reduced through appropriate separation.</p>	<p>DTS/DPF 8.1</p> <p>Wind turbine generators are:</p> <p>(a) set back at least 2000m from the base of a turbine to any of the following zones:</p> <ul style="list-style-type: none"> (i) Rural Settlement Zone (ii) Township Zone (iii) Rural Living Zone (iv) Rural Neighbourhood Zone <p>with an additional 10m setback per additional metre over 150m overall turbine height (measured from the base of the turbine).</p> <p>(b) set back at least 1500m from the base of the turbine to non-associated (non-stakeholder) dwellings and tourist accommodation</p>
<p>PO 8.2</p> <p>The visual impact of wind turbine generators on natural landscapes is managed by:</p> <p>(a) designing wind turbine generators to be uniform in colour, size and shape</p> <p>(b) coordinating blade rotation and direction</p> <p>(c) mounting wind turbine generators on tubular towers as opposed to lattice towers.</p>	<p>DTS/DPF 8.2</p> <p>None are applicable.</p>
<p>PO 8.3</p> <p>Wind turbine generators and ancillary development minimise potential for bird and bat strike.</p>	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Wind turbine generators incorporate recognition systems or physical markers to minimise the risk to aircraft operations.</p>	<p>DTS/DPF 8.4</p> <p>No Commonwealth air safety (CASA / ASA) or Defence requirement is applicable.</p>
<p>PO 8.5</p> <p>Meteorological masts and guidewires are identifiable to aircraft through the use of colour bands, marker balls, high visibility sleeves or flashing strobes.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
Renewable Energy Facilities (Solar Power)	

<p>PO 9.1</p> <p>Ground mounted solar power facilities generating 5MW or more are not located on land requiring the clearance of areas of intact native vegetation or on land of high environmental, scenic or cultural value.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>																																			
<p>PO 9.2</p> <p>Ground mounted solar power facilities allow for movement of wildlife by:</p> <p>(a) incorporating wildlife corridors and habitat refuges (b) avoiding the use of extensive security or perimeter fencing or incorporating fencing that enables the passage of small animals without unreasonably compromising the security of the facility.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>																																			
<p>PO 9.3</p> <p>Amenity impacts of solar power facilities are minimised through separation from conservation areas and sensitive receivers in other ownership.</p>	<p>DTS/DPF 9.3</p> <p>Ground mounted solar power facilities are set back from land boundaries, conservation areas and relevant zones in accordance with the following criteria:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: center;">Generation Capacity</th> <th style="text-align: center;">Approximate size of array</th> <th style="text-align: center;">Setback from adjoining land boundary</th> <th style="text-align: center;">Setback from conservation areas</th> <th style="text-align: center;">Setback from Township, Rural Settlement, Rural Neighbourhood and Rural Living Zones¹</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">50MW></td> <td style="text-align: center;">80ha+</td> <td style="text-align: center;">30m</td> <td style="text-align: center;">500m</td> <td style="text-align: center;">2km</td> </tr> <tr> <td style="text-align: center;">10MW<50MW</td> <td style="text-align: center;">16ha-<80ha</td> <td style="text-align: center;">25m</td> <td style="text-align: center;">500m</td> <td style="text-align: center;">1.5km</td> </tr> <tr> <td style="text-align: center;">5MW<10MW</td> <td style="text-align: center;">8ha to <16ha</td> <td style="text-align: center;">20m</td> <td style="text-align: center;">500m</td> <td style="text-align: center;">1km</td> </tr> <tr> <td style="text-align: center;">1MW<5MW</td> <td style="text-align: center;">1.6ha to <8ha</td> <td style="text-align: center;">15m</td> <td style="text-align: center;">500m</td> <td style="text-align: center;">500m</td> </tr> <tr> <td style="text-align: center;">100kW<1MW</td> <td style="text-align: center;">0.5ha<1.6ha</td> <td style="text-align: center;">10m</td> <td style="text-align: center;">500m</td> <td style="text-align: center;">100m</td> </tr> <tr> <td style="text-align: center;"><100kW</td> <td style="text-align: center;"><0.5ha</td> <td style="text-align: center;">5m</td> <td style="text-align: center;">500m</td> <td style="text-align: center;">25m</td> </tr> </tbody> </table> <p>Notes:</p> <p>1. Does not apply when the site of the proposed ground mounted solar power facility is located within one of these zones.</p>	Generation Capacity	Approximate size of array	Setback from adjoining land boundary	Setback from conservation areas	Setback from Township, Rural Settlement, Rural Neighbourhood and Rural Living Zones ¹	50MW>	80ha+	30m	500m	2km	10MW<50MW	16ha-<80ha	25m	500m	1.5km	5MW<10MW	8ha to <16ha	20m	500m	1km	1MW<5MW	1.6ha to <8ha	15m	500m	500m	100kW<1MW	0.5ha<1.6ha	10m	500m	100m	<100kW	<0.5ha	5m	500m	25m
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<p>PO 9.4</p> <p>Ground mounted solar power facilities incorporate landscaping within setbacks from adjacent road frontages and boundaries of adjacent allotments accommodating non-host dwellings, where balanced with infrastructure access and bushfire safety considerations.</p>	<p>DTS/DPF 9.4</p> <p>None are applicable.</p>																																			
<p><small>Hydropower / Pumped Hydropower Facilities</small></p>																																				
<p>PO 10.1</p> <p>Hydropower / pumped hydropower facility storage is designed and operated to minimise the risk of storage dam failure.</p>	<p>DTS/DPF 10.1</p> <p>None are applicable.</p>																																			
<p>PO 10.2</p> <p>Hydropower / pumped hydropower facility storage is designed and operated to minimise water loss through increased evaporation or system leakage, with the incorporation of appropriate liners, dam covers, operational measures or detection systems.</p>	<p>DTS/DPF 10.2</p> <p>None are applicable.</p>																																			
<p>PO 10.3</p>	<p>DTS/DPF 10.3</p>																																			

Hydropower / pumped hydropower facilities on existing or former mine sites minimise environmental impacts from site contamination, including from mine operations or water sources subject to such processes, now or in the future.	None are applicable.
Water Supply	
<p>PO 11.1</p> <p>Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.</p>	<p>DTS/DPF 11.1</p> <p>Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.</p>
<p>PO 11.2</p> <p>Dwellings are connected to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the intended use. Where this is not available an appropriate rainwater tank or storage system for domestic use is provided.</p>	<p>DTS/DPF 11.2</p> <p>A dwelling is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the development. Where this is not available it is serviced by a rainwater tank or tanks capable of holding at least 50,000 litres of water which is:</p> <p>(a) exclusively for domestic use (b) connected to the roof drainage system of the dwelling.</p>
Wastewater Services	
<p>PO 12.1</p> <p>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:</p> <p>(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.</p>	<p>DTS/DPF 12.1</p> <p>Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development. Where this is not available it is instead capable of being serviced by an on-site waste water treatment system in accordance with the following:</p> <p>(a) the system is wholly located and contained within the allotment of development it will service; and (b) the system will comply with the requirements of the South Australian Public Health Act 2011.</p>
<p>PO 12.2</p> <p>Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.</p>	<p>DTS/DPF 12.2</p> <p>Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.</p>
Temporary Facilities	
<p>PO 13.1</p> <p>In rural and remote locations, development that is likely to generate significant waste material during construction, including packaging waste, makes provision for a temporary on-site waste storage enclosure to minimise the incidence of wind-blown litter.</p>	<p>DTS/DPF 13.1</p> <p>A waste collection and disposal service is used to dispose of the volume of waste at the rate it is generated.</p>
<p>PO 13.2</p> <p>Temporary facilities to support the establishment of renewable energy facilities (including borrow pits, concrete batching plants, laydown, storage, access roads and worker amenity areas) are sited and operated to minimise environmental impact.</p>	<p>DTS/DPF 13.2</p> <p>None are applicable.</p>

Intensive Animal Husbandry and Dairies

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development of intensive animal husbandry and dairies in locations that are protected from encroachment by sensitive receivers and in a manner that minimises their adverse effects on amenity and the environment.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting and Design	
<p>PO 1.1</p> <p>Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to not unreasonably impact on the environment or amenity of the locality.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Intensive animal husbandry, dairies and associated activities are sited, designed, constructed and managed to prevent the potential transmission of disease to other operations where animals are kept.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Intensive animal husbandry and associated activities such as wastewater lagoons and liquid/solid waste disposal areas are sited, designed, constructed and managed to not unreasonably impact on sensitive receivers in other ownership in terms of noise and air emissions.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Dairies and associated activities such as wastewater lagoons and liquid/solid waste disposal areas are sited, designed, constructed and managed to not unreasonably impact on sensitive receivers in other ownership in terms of noise and air emissions.</p>	<p>DTS/DPF 1.4</p> <p>Dairies, associated wastewater lagoon(s) and liquid/solid waste storage and disposal facilities are located 500m or more from the nearest sensitive receiver in other ownership.</p>
<p>PO 1.5</p> <p>Lagoons for the storage or treatment of milking shed effluent is adequately separated from roads to minimise impacts from odour on the general public.</p>	<p>DTS/DPF 1.5</p> <p>Lagoons for the storage or treatment of milking shed effluent are set back 20m or more from public roads.</p>
Waste	
<p>PO 2.1</p> <p>Storage of manure, used litter and other wastes (other than waste water lagoons) is sited, designed, constructed and managed to:</p> <p>(a) avoid attracting and harbouring vermin (b) avoid polluting water resources (c) be located outside 1% AEP flood event areas.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
Soil and Water Protection	
<p>PO 3.1</p> <p>To avoid environmental harm and adverse effects on water resources, intensive animal husbandry operations are appropriately set back from:</p>	<p>DTS/DPF 3.1</p> <p>Intensive animal husbandry operations are set back:</p> <p>(a) 800m or more from a public water supply reservoir</p>

<p>(a) public water supply reservoirs (b) major watercourses (third order or higher stream) (c) any other watercourse, bore or well used for domestic or stock water supplies.</p>	<p>(b) 200m or more from a major watercourse (third order or higher stream) (c) 100m or more from any other watercourse, bore or well used for domestic or stock water supplies.</p>
<p>PO 3.2</p> <p>Intensive animal husbandry operations and dairies incorporate appropriately designed effluent and run-off facilities that:</p> <p>(a) have sufficient capacity to hold effluent and runoff from the operations on site (b) ensure effluent does not infiltrate and pollute groundwater, soil or other water resources.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>

Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature								
<small>General Land Use Compatibility</small>									
<p>PO 1.1</p> <p>Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>								
<p>PO 1.2</p> <p>Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>								
<small>Hours of Operation</small>									
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <p>(a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.</p>	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 50%; text-align: center;">Class of Development</th> <th style="width: 50%; text-align: center;">Hours of operation</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Consulting room</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="padding: 5px;">Office</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="padding: 5px;">Shop, other than any one or</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or	7am to 9pm, Monday to Friday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any one or	7am to 9pm, Monday to Friday								

	combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	8am to 5pm, Saturday and Sunday
Overshadowing		
PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses in: a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight.	DTS/DPF 3.1 North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.	
PO 3.2 Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in: a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight.	DTS/DPF 3.2 Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following: a. for ground level private open space, the smaller of the following: i. half the existing ground level open space or ii. 35m ² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m) b. for ground level communal open space, at least half of the existing ground level open space.	
PO 3.3 Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account: (a) the form of development contemplated in the zone (b) the orientation of the solar energy facilities (c) the extent to which the solar energy facilities are already overshadowed.	DTS/DPF 3.3 None are applicable.	
PO 3.4 Development that incorporates moving parts, including windmills and wind farms, are located and operated to not cause unreasonable nuisance to nearby dwellings and tourist accommodation caused by shadow flicker.	DTS/DPF 3.4 None are applicable.	
Activities Generating Noise or Vibration		
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.	
PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including: (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (c) housing plant and equipment within an enclosed structure or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.	DTS/DPF 4.2 None are applicable.	

<p>PO 4.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.3</p> <p>The pump and/or filtration system ancillary to a dwelling erected on the same site is:</p> <p>(a) enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment or (b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>				
<p>PO 4.4</p> <p>External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.</p>	<p>DTS/DPF 4.4</p> <p>Adjacent land is used for residential purposes.</p>				
<p>PO 4.5</p> <p>Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5</p> <p>None are applicable.</p>				
<p>PO 4.6</p> <p>Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6</p> <p>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 50%; text-align: center;">Assessment location</th> <th style="width: 50%; text-align: center;">Music noise level</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Externally at the nearest existing or envisaged noise sensitive location</td> <td style="padding: 5px;">Less than 8dB above the level of background noise (L_{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)
Assessment location	Music noise level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)				
<small>Air Quality</small>					
<p>PO 5.1</p> <p>Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>				
<p>PO 5.2</p> <p>Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:</p> <p>(a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.</p>	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>				
<small>Light Spill</small>					
<p>PO 6.1</p> <p>External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>				
<p>PO 6.2</p> <p>External lighting is not hazardous to motorists and cyclists.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>				
<small>Solar Reflectivity / Glare</small>					

<p>PO 7.1</p> <p>Development is designed and comprised of materials and finishes that do not unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
Electrical Interference	
<p>PO 8.1</p> <p>Development in rural and remote areas does not unreasonably diminish or result in the loss of existing communication services due to electrical interference.</p>	<p>DTS/DPF 8.1</p> <p>The building or structure:</p> <p>(a) is no greater than 10m in height, measured from existing ground level or</p> <p>(b) is not within a line of sight between a fixed transmitter and fixed receiver (antenna) other than where an alternative service is available via a different fixed transmitter or cable.</p>
Interface with Rural Activities	
<p>PO 9.1</p> <p>Sensitive receivers are located and designed to mitigate impacts from lawfully existing horticultural and farming activities (or lawfully approved horticultural and farming activities), including spray drift and noise and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing intensive animal husbandry activities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>
<p>PO 9.3</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing land-based aquaculture activities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.3</p> <p>Sensitive receivers are located at least 200m from the boundary of a site used for land-based aquaculture and associated components in other ownership.</p>
<p>PO 9.4</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing dairies including associated wastewater lagoons and liquid/solid waste storage and disposal facilities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.4</p> <p>Sensitive receivers are sited at least 500m from the boundary of a site used for a dairy and associated wastewater lagoon(s) and liquid/solid waste storage and disposal facilities in other ownership.</p>
<p>PO 9.5</p> <p>Sensitive receivers are located and designed to mitigate the potential impacts from lawfully existing facilities used for the handling, transportation and storage of bulk commodities (recognising the potential for extended hours of operation) and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.5</p> <p>Sensitive receivers are located away from the boundary of a site used for the handling, transportation and/or storage of bulk commodities in other ownership in accordance with the following:</p> <p>(a) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility</p> <p>(b) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility (including sea-port grain terminals) where the handling of these materials into or from vessels does not exceed 100 tonnes per day</p> <p>(c) 500m or more, where it involves the storage of bulk petroleum in individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1000 cubic metres</p> <p>(d) 500m or more, where it involves the handling of coal with a capacity up to 1 tonne per day or a storage capacity up to 50 tonnes</p> <p>(e) 1000m or more, where it involves the handling of coal with a capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes.</p>
<p>PO 9.6</p> <p>Setbacks and vegetation plantings along allotment boundaries should be incorporated to mitigate the potential impacts of spray drift and other impacts associated with agricultural and horticultural activities.</p>	<p>DTS/DPF 9.6</p> <p>None are applicable.</p>

<p>PO 9.7</p> <p>Urban development does not prejudice existing agricultural and horticultural activities through appropriate separation and design techniques.</p>	<p>DTS/DPF 9.7</p> <p>None are applicable.</p>
<p>Interface with Mines and Quarries (Rural and Remote Areas)</p>	
<p>PO 10.1</p> <p>Sensitive receivers are separated from existing mines to minimise the adverse impacts from noise, dust and vibration.</p>	<p>DTS/DPF 10.1</p> <p>Sensitive receivers are located no closer than 500m from the boundary of a Mining Production Tenement under the <i>Mining Act 1971</i>.</p>

Land Division

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
<p>DO 1</p>	<p>Land division:</p> <ul style="list-style-type: none"> (a) creates allotments with the appropriate dimensions and shape for their intended use (b) allows efficient provision of new infrastructure and the optimum use of underutilised infrastructure (c) integrates and allocates adequate and suitable land for the preservation of site features of value, including significant vegetation, watercourses, water bodies and other environmental features (d) facilitates solar access through allotment orientation (e) creates a compact urban form that supports active travel, walkability and the use of public transport (f) avoids areas of high natural hazard risk.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>All land division</p>	
<p>Allotment configuration</p>	
<p>PO 1.1</p> <p>Land division creates allotments suitable for their intended use.</p>	<p>DTS/DPF 1.1</p> <p>Division of land satisfies (a) or (b):</p> <ul style="list-style-type: none"> (a) reflects the site boundaries illustrated and approved in an operative or existing development authorisation for residential development under the <i>Development Act 1993</i> or <i>Planning, Development and Infrastructure Act 2016</i> where the allotments are used or are proposed to be used solely for residential purposes (b) is proposed as part of a combined land division application with deemed-to-satisfy dwellings on the proposed allotments.
<p>PO 1.2</p> <p>Land division considers the physical characteristics of the land, preservation of environmental and cultural features of value and the prevailing context of the locality.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>Design and Layout</p>	
<p>PO 2.1</p> <p>Land division results in a pattern of development that minimises the likelihood of future earthworks and retaining walls.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>

PO 2.2 Land division enables the appropriate management of interface impacts between potentially conflicting land uses and/or zones.	DTS/DPF 2.2 None are applicable.
PO 2.3 Land division maximises the number of allotments that face public open space and public streets.	DTS/DPF 2.3 None are applicable.
PO 2.4 Land division is integrated with site features, adjacent land uses, the existing transport network and available infrastructure.	DTS/DPF 2.4 None are applicable.
PO 2.5 Development and infrastructure is provided and staged in a manner that supports an orderly and economic provision of land, infrastructure and services.	DTS/DPF 2.5 None are applicable.
PO 2.6 Land division results in watercourses being retained within open space and development taking place on land not subject to flooding.	DTS/DPF 2.6 None are applicable.
PO 2.7 Land division results in legible street patterns connected to the surrounding street network.	DTS/DPF 2.7 None are applicable.
PO 2.8 Land division is designed to preserve existing vegetation of value including native vegetation and regulated and significant trees.	DTS/DPF 2.8 None are applicable.
Roads and Access	
PO 3.1 Land division provides allotments with access to an all-weather public road.	DTS/DPF 3.1 None are applicable.
PO 3.2 Street patterns and intersections are designed to enable the safe and efficient movement of pedestrian, cycle and vehicular traffic.	DTS/DPF 3.2 None are applicable.
PO 3.3 Land division does not impede access to publicly owned open space and/or recreation facilities.	DTS/DPF 3.3 None are applicable.
PO 3.4 Road reserves provide for safe and convenient movement and parking of projected volumes of vehicles and allow for the efficient movement of service and emergency vehicles.	DTS/DPF 3.4 None are applicable.
PO 3.5 Road reserves are designed to accommodate pedestrian and cycling infrastructure, street tree planting, landscaping and street furniture.	DTS/DPF 3.5 None are applicable.
PO 3.6	DTS/DPF 3.6

Road reserves accommodate stormwater drainage and public utilities.	None are applicable.
PO 3.7 Road reserves provide unobstructed vehicular access and egress to and from individual allotments and sites.	DTS/DPF 3.7 None are applicable.
PO 3.8 Roads, open space and thoroughfares provide safe and convenient linkages to the surrounding open space and transport network.	DTS/DPF 3.8 None are applicable.
PO 3.9 Public streets are designed to enable tree planting to provide shade and enhance the amenity of streetscapes.	DTS/DPF 3.9 None are applicable.
PO 3.10 Local streets are designed to create low-speed environments that are safe for cyclists and pedestrians.	DTS/DPF 3.10 None are applicable.
Infrastructure	
PO 4.1 Land division incorporates public utility services within road reserves or dedicated easements.	DTS/DPF 4.1 None are applicable.
PO 4.2 Waste water, sewage and other effluent is capable of being disposed of from each allotment without risk to public health or the environment.	DTS/DPF 4.2 Each allotment can be connected to: (a) a waste water treatment plant that has the hydraulic volume and pollutant load treatment and disposal capacity for the maximum predicted wastewater volume generated by subsequent development of the proposed allotment or (b) a form of on-site waste water treatment and disposal that meets relevant public health and environmental standards.
PO 4.3 Septic tank effluent drainage fields and other waste water disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.	DTS/DPF 4.3 Development is not built on, or encroaches within, an area that is or will be, required for a sewerage system or waste control system.
PO 4.4 Constructed wetland systems, including associated detention and retention basins, are sited and designed to ensure public health and safety is protected, including by minimising potential public health risks arising from the breeding of mosquitoes.	DTS/DPF 4.4 None are applicable.
PO 4.5 Constructed wetland systems, including associated detention and retention basins, are sited and designed to allow sediments to settle prior to discharge into watercourses or the marine environment.	DTS/DPF 4.5 None are applicable.
PO 4.6 Constructed wetland systems, including associated detention and retention basins, are sited and designed to function as a landscape feature.	DTS/DPF 4.6 None are applicable.
Minor Land Division (Under 20 Allotments)	
Open Space	

<p>PO 5.1</p> <p>Land division proposing an additional allotment under 1 hectare provides or supports the provision of open space.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
Solar Orientation	
<p>PO 6.1</p> <p>Land division for residential purposes facilitates solar access through allotment orientation.</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>
Water Sensitive Design	
<p>PO 7.1</p> <p>Land division creating a new road or common driveway includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>Land division designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
Battle-Axe Development	
<p>PO 8.1</p> <p>Battle-axe development appropriately responds to the existing neighbourhood context.</p>	<p>DTS/DPF 8.1</p> <p>Allotments are not in the form of a battle-axe arrangement.</p>
<p>PO 8.2</p> <p>Battle-axe development designed to allow safe and convenient movement.</p>	<p>DTS/DPF 8.2</p> <p>The handle of a battle-axe development:</p> <ul style="list-style-type: none"> (a) has a minimum width of 4m or (b) where more than 3 allotments are proposed, a minimum width of 5.5m.
<p>PO 8.3</p> <p>Battle-axe allotments and/or common land are of a suitable size and dimension to allow passenger vehicles to enter and exit and manoeuvre within the site in a safe and convenient manner.</p>	<p>DTS/DPF 8.3</p> <p>Battle-axe development allows a B85 passenger vehicle to enter and exit parking spaces in no more than a three-point turn manoeuvre.</p>
<p>PO 8.4</p> <p>Battle-axe or common driveways incorporate landscaping and permeability to improve appearance and assist in stormwater management.</p>	<p>DTS/DPF 8.4</p> <p>Battle-axe or common driveways satisfy (a) and (b):</p> <ul style="list-style-type: none"> (a) are constructed of a minimum of 50% permeable or porous material (b) where the driveway is located directly adjacent the side or rear boundary of the site, soft landscaping with a minimum dimension of 1m is provided between the driveway and site boundary (excluding along the perimeter of a passing point).
Major Land Division (20+ Allotments)	
Open Space	
<p>PO 9.1</p> <p>Land division allocates or retains evenly distributed, high quality areas of open space to improve residential amenity and provide urban heat amelioration.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Land allocated for open space is suitable for its intended active and passive recreational use considering gradient and potential for inundation.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>

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PO 9.3	Land allocated for active recreation has dimensions capable of accommodating a range of active recreational activities.	DTS/DPF 9.3	None are applicable.
Water Sensitive Design			
PO 10.1	Land division creating 20 or more allotments includes a stormwater management system designed to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that the development does not increase the peak flows in downstream systems.	DTS/DPF 10.1	None are applicable.
PO 10.2	Land division creating 20 or more allotments includes stormwater management systems that minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system, watercourses or other water bodies.	DTS/DPF 10.2	None are applicable.
Solar Orientation			
PO 11.1	Land division creating 20 or more allotments for residential purposes facilitates solar access through allotment orientation and allotment dimensions.	DTS/DPF 11.1	None are applicable.

Marinas and On-Water Structures

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Marinas and on-water structures are located and designed to minimise the impairment of commercial, recreational and navigational activities and adverse impacts on the environment.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Navigation and Safety	
PO 1.1	DTS/DPF 1.1
Safe public access is provided or maintained to the waterfront, public infrastructure and recreation areas.	None are applicable.
PO 1.2	DTS/DPF 1.2
The operation of wharves is not impaired by marinas and on-water structures.	None are applicable.
PO 1.3	DTS/DPF 1.3
Navigation and access channels are not impaired by marinas and on-water	None are applicable.

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structures.			
PO 1.4 Commercial shipping lanes are not impaired by marinas and on-water structures.	DTS/DPF 1.4 Marinas and on-water structures are set back 250m or more from commercial shipping lanes.		
PO 1.5 Marinas and on-water structures are located to avoid interfering with the operation or function of a water supply pumping station.	DTS/DPF 1.5 On-water structures are set back: (a) 3km or more from upstream water supply pumping station take-off points (b) 500m or more from downstream water supply pumping station take-off points.		
PO 1.6 Maintenance of on-water infrastructure, including revetment walls, is not impaired by marinas and on-water structures.	DTS/DPF 1.6 None are applicable.		
Environmental Protection			
PO 2.1 Development is sited and designed to facilitate water circulation and exchange.	DTS/DPF 2.1 None are applicable.		

Open Space and Recreation

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Pleasant, functional and accessible open space and recreation facilities are provided at State, regional, district, neighbourhood and local levels for active and passive recreation, biodiversity, community health, urban cooling, tree canopy cover, visual amenity, gathering spaces, wildlife and waterway corridors, and a range of other functions and at a range of sizes that reflect the purpose of that open space.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Recreation facilities are compatible with surrounding land uses and activities.	DTS/DPF 1.1 None are applicable.
PO 1.2 Open space areas include natural or landscaped areas using locally indigenous plant species and large trees.	DTS/DPF 1.2 None are applicable.
Design and Siting	
PO 2.1	DTS/DPF 2.1

Open space and recreation facilities address adjacent public roads to optimise pedestrian access and visibility.	None are applicable.
PO 2.2 Open space and recreation facilities incorporate park furniture, shaded areas and resting places.	DTS/DPF 2.2 None are applicable.
PO 2.3 Open space and recreation facilities link habitats, wildlife corridors and existing open spaces and recreation facilities.	DTS/DPF 2.3 None are applicable.
Pedestrians and Cyclists	
PO 3.1 Open space incorporates: (a) pedestrian and cycle linkages to other open spaces, centres, schools and public transport nodes; (b) safe crossing points where pedestrian routes intersect the road network; (c) easily identified access points.	DTS/DPF 3.1 None are applicable.
Usability	
PO 4.1 Land allocated for open space is suitable for its intended active and passive recreational use taking into consideration its gradient and potential for inundation.	DTS/DPF 4.1 None are applicable.
Safety and Security	
PO 5.1 Open space is overlooked by housing, commercial or other development to provide casual surveillance where possible.	DTS/DPF 5.1 None are applicable.
PO 5.2 Play equipment is located to maximise opportunities for passive surveillance.	DTS/DPF 5.2 None are applicable.
PO 5.3 Landscaping provided in open space and recreation facilities maximises opportunities for casual surveillance throughout the park.	DTS/DPF 5.3 None are applicable.
PO 5.4 Fenced parks and playgrounds have more than one entrance or exit to minimise potential entrapment.	DTS/DPF 5.4 None are applicable.
PO 5.5 Adequate lighting is provided around toilets, telephones, seating, litter bins, bicycle storage, car parks and other such facilities.	DTS/DPF 5.5 None are applicable.
PO 5.6 Pedestrian and bicycle movement after dark is focused along clearly defined, adequately lit routes with observable entries and exits.	DTS/DPF 5.6 None are applicable.
Signage	
PO 6.1 Signage is provided at entrances to and within the open space and recreation	DTS/DPF 6.1 None are applicable.

facilities to provide clear orientation to major points of interest such as the location of public toilets, telephones, safe routes, park activities and the like.	
Buildings and Structures	
PO 7.1 Buildings and car parking areas in open space areas are designed, located and of a scale to be unobtrusive.	DTS/DPF 7.1 None are applicable.
PO 7.2 Buildings and structures in open space areas are clustered where practical to ensure that the majority of the site remains open.	DTS/DPF 7.2 None are applicable.
PO 7.3 Development in open space is constructed to minimise the extent of impervious surfaces.	DTS/DPF 7.3 None are applicable.
PO 7.4 Development that abuts or includes a coastal reserve or Crown land used for scenic, conservation or recreational purposes is located and designed to have regard to the purpose, management and amenity of the reserve.	DTS/DPF 7.4 None are applicable.
Landscaping	
PO 8.1 Open space and recreation facilities provide for the planting and retention of large trees and vegetation.	DTS/DPF 8.1 None are applicable.
PO 8.2 Landscaping in open space and recreation facilities provides shade and windbreaks: (a) along cyclist and pedestrian routes; (b) around picnic and barbecue areas; (c) in car parking areas.	DTS/DPF 8.2 None are applicable.
PO 8.3 Landscaping in open space facilitates habitat for local fauna and facilitates biodiversity.	DTS/DPF 8.3 None are applicable.
PO 8.4 Landscaping including trees and other vegetation passively watered with local rainfall run-off, where practicable.	DTS/DPF 8.4 None are applicable.

Out of Activity Centre Development

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO1	The role of Activity Centres in contributing to the form and pattern of development and enabling equitable and convenient access to a range of shopping, administrative, cultural, entertainment and other facilities in a single trip is maintained and reinforced.

Performance Outcomes and Deemed to Satisfy / Designated Performance Outcome Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Non-residential development outside Activity Centres of a scale and type that does not diminish the role of Activity Centres:</p> <p>(a) as primary locations for shopping, administrative, cultural, entertainment and community services</p> <p>(b) as a focus for regular social and business gatherings</p> <p>(c) in contributing to or maintaining a pattern of development that supports equitable community access to services and facilities.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Out-of-activity centre non-residential development complements Activity Centres through the provision of services and facilities:</p> <p>(a) that support the needs of local residents and workers, particularly in underserved locations</p> <p>(b) at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>

Resource Extraction

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Resource extraction activities are developed in a manner that minimises human and environmental impacts.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<small>Land Use and Intensity</small>	
<p>PO 1.1</p> <p>Resource extraction activities minimise landscape damage outside of those areas unavoidably disturbed to access and exploit a resource and provide for the progressive reclamation and betterment of disturbed areas.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Resource extraction activities avoid damage to cultural sites or artefacts.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<small>Water Quality</small>	
<p>PO 2.1</p> <p>Stormwater and/or wastewater from resource extraction activities is diverted into appropriately sized treatment and retention systems to enable reuse on site.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<small>Separation Treatments, Buffers and Landscaping</small>	

<p>PO 3.1</p> <p>Resource extraction activities minimise adverse impacts upon sensitive receivers through incorporation of separation distances and/or mounding/vegetation.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Resource extraction activities are screened from view from adjacent land by perimeter landscaping and/or mounding.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>

Site Contamination

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more sensitive use.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <ul style="list-style-type: none"> (a) does not involve a change in the use of land (b) involves a change in the use of land that does not constitute a change to a more sensitive use (c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form) (d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following: <ul style="list-style-type: none"> (i) a site contamination audit report has been prepared under Part 10A of the <i>Environment Protection Act 1993</i> in relation to the land within the previous 5 years which states that- <ul style="list-style-type: none"> A. site contamination does not exist (or no longer exists) at the land or B. the land is suitable for the proposed use or range of uses (without the need for any further remediation) or C. where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development) and (ii) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a site contamination declaration form).

Tourism Development

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Tourism development is built in locations that cater to the needs of visitors and positively contributes to South Australia's visitor economy.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
General	
<p>PO 1.1</p> <p>Tourism development complements and contributes to local, natural, cultural or historical context where:</p> <p>(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.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Tourism development comprising multiple accommodation units (including any facilities and activities for use by guests and visitors) is clustered to minimise environmental and contextual impact.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
Caravan and Tourist Parks	
<p>PO 2.1</p> <p>Potential conflicts between long-term residents and short-term tourists are minimised through suitable siting and design measures.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Occupants are provided privacy and amenity through landscaping and fencing.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>Communal open space and centrally located recreation facilities are provided for guests and visitors.</p>	<p>DTS/DPF 2.3</p> <p>12.5% or more of a caravan park comprises clearly defined communal open space, landscaped areas and areas for recreation.</p>
<p>PO 2.4</p> <p>Perimeter landscaping is used to enhance the amenity of the locality.</p>	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>
<p>PO 2.5</p> <p>Amenity blocks (showers, toilets, laundry and kitchen facilities) are sufficient to serve the full occupancy of the development.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
<p>PO 2.6</p> <p>Long-term occupation does not displace tourist accommodation, particularly in important tourist destinations such as coastal and riverine locations.</p>	<p>DTS/DPF 2.6</p> <p>None are applicable.</p>
Tourist accommodation in areas constituted under the National Parks and Wildlife Act 1972	
<p>PO 3.1</p> <p>Tourist accommodation avoids delicate or environmentally sensitive areas such as sand dunes, cliff tops, estuaries, wetlands or substantially intact strata of native vegetation (including regenerated areas of native vegetation lost through bushfire).</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p>	<p>DTS/DPF 3.2</p>

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Tourist accommodation is sited and designed in a manner that is subservient to the natural environment and where adverse impacts on natural features, landscapes, habitats and cultural assets are avoided.	None are applicable.
<p>PO 3.3</p> <p>Tourist accommodation and recreational facilities, including associated access ways and ancillary structures, are located on cleared (other than where cleared as a result of bushfire) or degraded areas or where environmental improvements can be achieved.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Tourist accommodation is designed to prevent conversion to private dwellings through:</p> <ul style="list-style-type: none"> (a) comprising a minimum of 10 accommodation units (b) clustering separated individual accommodation units (c) being of a size unsuitable for a private dwelling (d) ensuring functional areas that are generally associated with a private dwelling such as kitchens and laundries are excluded from, or physically separated from individual accommodation units, or are of a size unsuitable for a private dwelling. 	<p>DTS/DPF 3.4</p> <p>None are applicable.</p>

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
<p>PO 1.1</p> <p>Development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Development is sited and designed so that loading, unloading and turning of all</p>	<p>DTS/DPF 1.4</p> <p>All vehicle manoeuvring occurs onsite.</p>

traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.	
Sightlines	
PO 2.1 Sightlines at intersections, pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.	DTS/DPF 2.1 None are applicable.
PO 2.2 Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.	DTS/DPF 2.2 None are applicable.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/DPF 3.1 The access is: (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
PO 3.2 Development incorporating vehicular access ramps ensures vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.	DTS/DPF 3.2 None are applicable.
PO 3.3 Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.	DTS/DPF 3.3 None are applicable.
PO 3.4 Access points are sited and designed to minimise any adverse impacts on neighbouring properties.	DTS/DPF 3.4 None are applicable.
PO 3.5 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.	DTS/DPF 3.5 Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
PO 3.6 Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).	DTS/DPF 3.6 Driveways and access points: (a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided (b) for sites with a frontage to a public road greater than 20m: (i) a single access point no greater than 6m in width is provided or (ii) not more than two access points with a width of 3.5m each are provided.
PO 3.7	DTS/DPF 3.7

<p>Access points are appropriately separated from level crossings to avoid interference and ensure their safe ongoing operation.</p>	<p>Development does not involve a new or modified access or cause an increase in traffic through an existing access that is located within the following distance from a railway crossing:</p> <ul style="list-style-type: none"> (a) 80 km/h road - 110m (b) 70 km/h road - 90m (c) 60 km/h road - 70m (d) 50km/h or less road - 50m.
<p>PO 3.8</p> <p>Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.</p>	<p>DTS/DPF 3.8</p> <p>None are applicable.</p>
<p>PO 3.9</p> <p>Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.</p>	<p>DTS/DPF 3.9</p> <p>None are applicable.</p>
<p>Access for People with Disabilities</p>	
<p>PO 4.1</p> <p>Development is sited and designed to provide safe, dignified and convenient access for people with a disability.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>Vehicle Parking Rates</p>	
<p>PO 5.1</p> <p>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:</p> <ul style="list-style-type: none"> (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. 	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area (b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
<p>Vehicle Parking Areas</p>	
<p>PO 6.1</p> <p>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.</p>	<p>DTS/DPF 6.1</p> <p>Movement between vehicle parking areas within the site can occur without the need to use a public road.</p>
<p>PO 6.2</p> <p>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.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
<p>PO 6.3</p> <p>Vehicle parking areas are designed to provide opportunity for integration and shared-use of adjacent car parking areas to reduce the total extent of vehicle parking areas and access points.</p>	<p>DTS/DPF 6.3</p> <p>None are applicable.</p>
<p>PO 6.4</p> <p>Pedestrian linkages between parking areas and the development are provided and are safe and convenient.</p>	<p>DTS/DPF 6.4</p> <p>None are applicable.</p>

<p>PO 6.5</p> <p>Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.</p>	<p>DTS/DPF 6.5</p> <p>None are applicable.</p>
<p>PO 6.6</p> <p>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</p>	<p>DTS/DPF 6.6</p> <p>Loading areas and designated parking spaces are wholly located within the site.</p>
<p>PO 6.7</p> <p>On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.</p>	<p>DTS/DPF 6.7</p> <p>None are applicable.</p>
<p>Undercroft and Below Ground Garaging and Parking of Vehicles</p>	
<p>PO 7.1</p> <p>Undercroft and below ground garaging of vehicles is designed to enable safe entry and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>Internal Roads and Parking Areas in Residential Parks and Caravan and Tourist Parks</p>	
<p>PO 8.1</p> <p>Internal road and vehicle parking areas are surfaced to prevent dust becoming a nuisance to park residents and occupants.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>
<p>PO 8.2</p> <p>Traffic circulation and movement within the park is pedestrian friendly and promotes low speed vehicle movement.</p>	<p>DTS/DPF 8.2</p> <p>None are applicable.</p>
<p>Bicycle Parking in Designated Areas</p>	
<p>PO 9.1</p> <p>The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.</p>	<p>DTS/DPF 9.1</p> <p>Areas and / or fixtures are provided for the parking and storage of bicycles at a rate not less than the amount calculated using Transport, Access and Parking Table 3 - Off Street Bicycle Parking Requirements.</p>
<p>PO 9.2</p> <p>Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>
<p>PO 9.3</p> <p>Non-residential development incorporates end-of-journey facilities for employees such as showers, changing facilities and secure lockers, and signage indicating the location of the facilities to encourage cycling as a mode of journey-to-work transport.</p>	<p>DTS/DPF 9.3</p> <p>None are applicable.</p>
<p>Corner Cut-Offs</p>	
<p>PO 10.1</p> <p>Development is located and designed to ensure drivers can safely turn into and out of public road junctions.</p>	<p>DTS/DPF 10.1</p> <p>Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:</p>

	<p>The diagram illustrates a corner cut-off area. A dashed line represents the 'Allotment Boundary'. A solid line represents the 'Road Reserve'. A red hatched area indicates the 'Corner Cut-Off Area'. Two dimensions of 4.5M are shown: one from the road reserve to the start of the cut-off area, and another from the cut-off area to the allotment boundary.</p>
<p>PO 11.1</p> <p>Heavy vehicle parking and access is designed and sited so that the activity does not result in nuisance to adjoining neighbours as a result of dust, fumes, vibration, odour or potentially hazardous loads.</p>	<p>DTS/DPF 11.1</p> <p>Heavy vehicle parking occurs in accordance with the following:</p> <ul style="list-style-type: none"> (a) the site is not located within a Neighbourhood-type zone (except a Rural Living Zone) (b) the site is a minimum of 0.4 ha (c) where the site is 2 ha or more, no more than 2 vehicles exceeding 3,000 kilograms each (and trailers) are to be parked on the allotment at any time (d) where the site is between 0.4 ha and 2 ha, only one vehicle exceeding 3,000 kilograms (and one trailer) are to be parking on the allotment at any time (e) the vehicle parking area achieves the following setbacks: <ul style="list-style-type: none"> (i) behind the building line or 30m, whichever is greater (ii) 20m from the secondary street if it is a State Maintained Road (iii) 10m from the secondary street if it is a local road (iv) 10m from side and rear boundaries (f) parking and access areas (including internal driveways) should be sealed or have a surface that can be treated and maintained to minimise dust and mud nuisance (g) does not include refrigerated trailers or vehicles (h) vehicles only enter and exit the property in accordance with the following hours: <ul style="list-style-type: none"> (i) Monday to Saturday 6:00am and 9:30pm (ii) Sunday and public holidays between 9:30 am and 7:00 pm (i) the handling or trans-shipment of freight is not carried out on the property.
<p>PO 11.2</p> <p>Heavy vehicle parking ensures that vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.</p>	<p>DTS/DPF 11.2</p> <p>Heavy vehicles:</p> <ul style="list-style-type: none"> (a) can enter and exit the site in a forward direction; and (b) operate within the statutory mass and dimension limited for General Access Vehicles (as prescribed by the National Heavy Vehicle Regulator).
<p>PO 11.3</p> <p>Heavy vehicle parking is screened through siting behind buildings, screening, landscaping or the like to obscure views from adjoining properties and public roads.</p>	<p>DTS/DPF 11.3</p> <p>None are applicable.</p>

Table 1 - General Off-Street Car Parking Requirements

The following parking rates apply and if located in an area where a lawfully established carparking fund operates, the number of spaces is reduced by an amount equal to the number of spaces offset by contribution to the fund.

Class of Development	Car Parking Rate (unless varied by Table 2 onwards)
<p>Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.</p>	
<p><small>Residential Development</small></p>	
<p>Detached Dwelling</p>	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
<p>Group Dwelling</p>	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>

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	0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Residential Flat Building	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Row Dwelling where vehicle access is from the primary street	0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings. Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Semi-Detached Dwelling	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Aged / Supported Accommodation	
Retirement facility	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling.
Supported accommodation	0.2 spaces per dwelling for visitor parking. 0.3 spaces per bed.
Residential Development (Other)	
Ancillary accommodation	No additional requirements beyond those associated with the main dwelling.
Residential park	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling. 0.2 spaces per dwelling for visitor parking.
Student accommodation	0.3 spaces per bed.
Workers' accommodation	0.5 spaces per bed plus 0.2 spaces per bed for visitor parking.
Tourist	
Caravan and tourist park	Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation. Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation. A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.
Tourist accommodation other than a caravan and tourist park	1 car parking space per accommodation unit / guest room.
Commercial Uses	
Auction room/ depot	1 space per 100m ² of building floor area plus an additional 2 spaces.
Automotive collision repair	3 spaces per service bay.
Motor repair station	3 spaces per service bay.
Office	For a call centre, 8 spaces per 100m ² of gross leasable floor area In all other cases, 4 spaces per 100m ² of gross leasable floor area.
Retail fuel outlet	3 spaces per 100m ² gross leasable floor area.
Service trade premises	2.5 spaces per 100m ² of gross leasable floor area 1 space per 100m ² of outdoor area used for display purposes.
Shop (no commercial kitchen)	5.5 spaces per 100m ² of gross leasable floor area where not located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared. 5 spaces per 100m ² of gross leasable floor area where located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.
Shop (in the form of a bulky goods outlet)	2.5 spaces per 100m ² of gross leasable floor area.
Shop (in the form of a restaurant or involving a commercial kitchen)	Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat. Premises with take-away service but with no seats - 12 spaces per 100m ² of total floor area plus a drive-through queue capacity of ten vehicles measured from the pick-up point. Premises with a dine-in and drive-through take-away service - 0.3 spaces per seat plus a drive through queue capacity of 10 vehicles measured from the pick-up point.
Community and Civic Uses	
Community facility	For a library, 4 spaces per 100m ² of total floor area. For a hall/meeting hall, 0.2 spaces per seat. In all other cases, 10 spaces per 100m ² of total floor area.
Educational facility	For a primary school - 1.1 space per full time equivalent employee plus 0.25 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site. For a secondary school - 1.1 per full time equivalent employee plus 0.1 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site. For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any

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		time.
Place of worship		1 space for every 3 visitor seats.
Child care facility		For a child care centre, 0.25 spaces per child In all other cases, 1 per employee plus 0.25 per child (drop off/pick up bays).
Health Related Uses		
Consulting room		4 spaces per consulting room excluding ancillary facilities.
Hospital		4.5 spaces per bed for a public hospital. 1.5 spaces per bed for a private hospital.
Recreational and Entertainment Uses		
Cinema complex		0.2 spaces per seat.
Concert hall / theatre		0.2 spaces per seat.
Hotel		1 space for every 2m ² of total floor area in a public bar plus 1 space for every 6m ² of total floor area available to the public in a lounge, beer garden plus 1 space per 2 gaming machines, plus 1 space per 3 seats in a restaurant.
Indoor recreation facility		6.5 spaces per 100m ² of total floor area for a Fitness Centre 4.5 spaces per 100m ² of total floor area for all other Indoor recreation facilities.
Industry/Employment Uses		
Fuel depot		1.5 spaces per 100m ² total floor area 1 spaces per 100m ² of outdoor area used for fuel depot activity purposes.
Industry		1.5 spaces per 100m ² of total floor area.
Store		0.5 spaces per 100m ² of total floor area.
Timber yard		1.5 spaces per 100m ² of total floor area 1 space per 100m ² of outdoor area used for display purposes.
Warehouse		0.5 spaces per 100m ² total floor area.
Other Uses		
Funeral Parlour		1 space per 5 seats in the chapel plus 1 space for each vehicle operated by the parlour.
Radio or Television Station		5 spaces per 100m ² of total building floor area.

Table 2 - Off-Street Car Parking Requirements in Designated Areas

The following parking rates apply in any zone, subzone or other area described in the 'Designated Areas' column.

Class of Development	Car Parking Rate		Designated Areas
	Minimum number of spaces	Maximum number of spaces	
<p>Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.</p>			
Development generally			
All classes of development	No minimum.	<p>No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:</p> <p>1 space for each dwelling with a total floor area less than 75 square metres</p> <p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than 150 square metres.</p> <p>Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.</p>	<p>Capital City Zone</p> <p>City Main Street Zone</p> <p>City Riverbank Zone</p> <p>Adelaide Park Lands Zone</p> <p>Business Neighbourhood Zone (within the City of Adelaide)</p> <p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	5 spaces per 100m ² of gross leasable floor area.	<p>City Living Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p>

			<p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone (except for Bowden)</p>
Non-residential development excluding tourist accommodation	3 spaces per 100m2 of gross leasable floor area.	6 spaces per 100m2 of gross leasable floor area.	<p>Strategic Innovation Zone in the City of Burnside, City of Marion or City of Mitcham</p> <p>Strategic Innovation Zone outside the City of Burnside, City of Marion or City of Mitcham when the site is also in a high frequency public transit area</p> <p>Suburban Activity Centre Zone when the site is also in a high frequency public transit area</p> <p>Suburban Business Zone when the site is also in a high frequency public transit area</p> <p>Business Neighbourhood Zone outside of the City of Adelaide when the site is also in a high frequency public transit area</p> <p>Suburban Main Street Zone when the site is also in a high frequency public transit area</p> <p>Urban Activity Centre Zone</p>
Non-residential development excluding tourist accommodation	<p>3 spaces per 100 square metres of gross leasable floor area</p> <p>1.5 spaces per 100 square metres of gross leasable floor area above ground floor level other than for a shop</p>	3 spaces per 100 square metres of gross leasable floor area	Urban Neighbourhood Zone in Bowden
Tourist accommodation	1 space for every 4 bedrooms up to 100 bedrooms plus 1 space for every 5 bedrooms over 100 bedrooms	1 space per 2 bedrooms up to 100 bedrooms and 1 space per 4 bedrooms over 100 bedrooms	<p>City Living Zone</p> <p>Urban Activity Centre Zone when the site is also in a high frequency public transit area</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone (except for Bowden)</p>
Residential development			
Residential component of a multi-storey building	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling</p> <p>1 bedroom dwelling - 0.75 spaces per dwelling</p> <p>2 bedroom dwelling - 1 space per dwelling</p> <p>3 or more bedroom dwelling - 1.25 spaces per dwelling</p> <p>0.25 spaces per dwelling for visitor parking.</p>	None specified.	<p>City Living Zone</p> <p>Strategic Innovation Zone in the City of Burnside, City of Marion or City of Mitcham</p> <p>Strategic Innovation Zone outside the City of Burnside, City of Marion or City of Mitcham when the site is also in a high frequency public transit area</p> <p>Urban Activity Centre Zone when the site is also in a high frequency public transit area</p> <p>Urban Corridor (Boulevard) Zone</p>

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			Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone (except for Bowden)
Residential component of a multi-storey building	0.75 per dwelling	None specified	Urban Neighbourhood Zone in Bowden
Residential flat building	Dwelling with no separate bedroom -0.25 spaces per dwelling 1 bedroom dwelling - 0.75 spaces per dwelling 2 bedroom dwelling - 1 space per dwelling 3 or more bedroom dwelling - 1.25 spaces per dwelling 0.25 spaces per dwelling for visitor parking.	None specified.	City Living Zone Urban Activity Centre Zone when the site is also in a high frequency public transit area Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone (except for Bowden)
Residential flat building	0.75 per dwelling	None specified	Urban Neighbourhood Zone in Bowden
Detached dwelling	0.75 per dwelling	None specified	Urban Neighbourhood Zone in Bowden
Row dwelling	0.75 per dwelling	None specified	Urban Neighbourhood Zone in Bowden
Semi-detached dwelling	0.75 per dwelling	None specified	Urban Neighbourhood Zone in Bowden

Table 3 - Off-Street Bicycle Parking Requirements

The bicycle parking rates apply within designated areas located within parts of the State identified in the Schedule to Table 3.

Class of Development	Bicycle Parking Rate	
	Where a development comprises more than one development type, then the overall bicycle parking rate will be taken to be the sum of the bicycle parking rates for each development type.	
Consulting room	1 space per 20 employees plus 1 space per 20 consulting rooms for customers.	
Educational facility	For a secondary school - 1 space per 20 full-time time employees plus 10 percent of the total number of employee spaces for visitors. For tertiary education - 1 space per 20 employees plus 1 space per 10 full time students.	
Hospital	1 space per 15 beds plus 1 space per 30 beds for visitors.	
Indoor recreation facility	1 space per 4 employees plus 1 space per 200m ² of gross leasable floor area for visitors.	
Licensed Premises	1 per 20 employees, plus 1 per 60 square metres total floor area, plus 1 per 40 square metres of bar floor area, plus 1 per 120 square metres lounge and beer garden floor area, plus 1 per 60 square metres dining floor area, plus 1 per 40 square metres gaming room floor area.	
Office	1 space for every 200m ² of gross leasable floor area plus 2 spaces plus 1 space per 1000m ² of gross leasable floor area for visitors.	
Child care facility	1 space per 20 full time employees plus 1 space per 40 full time children.	
Recreation area	1 per 1500 spectator seats for employees plus 1 per 250 visitor and customers.	
Residential flat building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 for every 10 dwellings for visitors.	
Residential component of a multi-storey building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 space for every 10 dwellings for visitors.	
Shop	1 space for every 300m ² of gross leasable floor area plus 1 space for every 600m ² of gross leasable floor area for customers.	
Tourist accommodation	1 space for every 20 employees plus 2 for the first 40 rooms and 1 for every additional 40 rooms for visitors.	
Schedule to Table 3	Designated Area	Relevant part of the State The bicycle parking rate applies to a designated area located in a relevant part of the State described below.
	All zones	City of Adelaide

	Business Neighbourhood Zone Strategic Innovation Zone Suburban Activity Centre Zone Suburban Business Zone Suburban Main Street Zone Urban Activity Centre Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone	Metropolitan Adelaide
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Waste Treatment and Management Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Mitigation of the potential environmental and amenity impacts of waste treatment and management facilities.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Siting	
PO 1.1 Waste treatment and management facilities incorporate separation distances and attenuation measures within the site between waste operations areas (including all closed, operating and future cells) and sensitive receivers and sensitive environmental features to mitigate off-site impacts from noise, air and dust emissions.	DTS/DPF 1.1 None are applicable.
Soil and Water Protection	
PO 2.1 Soil, groundwater and surface water are protected from contamination from waste treatment and management facilities through measures such as: <ul style="list-style-type: none"> (a) containing potential groundwater and surface water contaminants within waste operations areas (b) diverting clean stormwater away from waste operations areas and potentially contaminated areas (c) providing a leachate barrier between waste operations areas and underlying soil and groundwater. 	DTS/DPF 2.1 None are applicable.
PO 2.2	DTS/DPF 2.2

Wastewater lagoons are set back from watercourses to minimise environmental harm and adverse effects on water resources.	Wastewater lagoons are set back 50m or more from watercourse banks.
<p>PO 2.3</p> <p>Wastewater lagoons are designed and sited to:</p> <p>(a) avoid intersecting underground waters; (b) avoid inundation by flood waters; (c) ensure lagoon contents do not overflow; (d) include a liner designed to prevent leakage.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Waste operations areas of landfills and organic waste processing facilities are set back from watercourses to minimise adverse impacts on water resources.</p>	<p>DTS/DPF 2.4</p> <p>Waste operations areas are set back 100m or more from watercourse banks.</p>
Amenity	
<p>PO 3.1</p> <p>Waste treatment and management facilities are screened, located and designed to minimise adverse visual impacts on amenity.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Access routes to waste treatment and management facilities via residential streets is avoided.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>PO 3.3</p> <p>Litter control measures minimise the incidence of windblown litter.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Waste treatment and management facilities are designed to minimise adverse impacts on both the site and surrounding areas from weed and vermin infestation.</p>	<p>DTS/DPF 3.4</p> <p>None are applicable.</p>
Access	
<p>PO 4.1</p> <p>Traffic circulation movements within any waste treatment or management site are designed to enable vehicles to enter and exit the site in a forward direction.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>PO 4.2</p> <p>Suitable access for emergency vehicles is provided to and within waste treatment or management sites.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
Fencing and Security	
<p>PO 5.1</p> <p>Security fencing provided around waste treatment and management facilities prevents unauthorised access to operations and potential hazard to the public.</p>	<p>DTS/DPF 5.1</p> <p>Chain wire mesh or pre-coated painted metal fencing 2m or more in height is erected along the perimeter of the waste treatment or waste management facility site.</p>
Landfill	
<p>PO 6.1</p> <p>Landfill gas emissions are managed in an environmentally acceptable manner.</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>

<p>PO 6.2</p> <p>Landfill facilities are separated from areas of environmental significance and land used for public recreation and enjoyment.</p>	<p>DTS/DPF 6.2</p> <p>Landfill facilities are set back 250m or more from a public open space reserve, forest reserve, national park or Conservation Zone.</p>
<p>PO 6.3</p> <p>Landfill facilities are located on land that is not subject to land slip.</p>	<p>DTS/DPF 6.3</p> <p>None are applicable.</p>
<p>PO 6.4</p> <p>Landfill facilities are separated from areas subject to flooding.</p>	<p>DTS/DPF 6.4</p> <p>Landfill facilities are set back 500m or more from land inundated in a 1% AEP flood event.</p>
<p>Organic Waste Processing Facilities</p>	
<p>PO 7.1</p> <p>Organic waste processing facilities are separated from the coast to avoid potential environment harm.</p>	<p>DTS/DPF 7.1</p> <p>Organic waste processing facilities are set back 500m or more from the coastal high water mark.</p>
<p>PO 7.2</p> <p>Organic waste processing facilities are located on land where the engineered liner and underlying seasonal water table cannot intersect.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Organic waste processing facilities are sited away from areas of environmental significance and land used for public recreation and enjoyment.</p>	<p>DTS/DPF 7.3</p> <p>Organic waste processing facilities are set back 250m or more from a public open space reserve, forest reserve, national park or a Conservation Zone.</p>
<p>PO 7.4</p> <p>Organic waste processing facilities are located on land that is not subject to land slip.</p>	<p>DTS/DPF 7.4</p> <p>None are applicable.</p>
<p>PO 7.5</p> <p>Organic waste processing facilities separated from areas subject to flooding.</p>	<p>DTS/DPF 7.5</p> <p>Organic waste processing facilities are set back 500m or more from land inundated in a 1% AEP flood event.</p>
<p>Major Wastewater Treatment Facilities</p>	
<p>PO 8.1</p> <p>Major wastewater treatment and disposal systems, including lagoons, are designed to minimise potential adverse odour impacts on sensitive receivers, minimise public and environmental health risks and protect water quality.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>
<p>PO 8.2</p> <p>Artificial wetland systems for the storage of treated wastewater are designed and sited to minimise potential public health risks arising from the breeding of mosquitoes.</p>	<p>DTS/DPF 8.2</p> <p>None are applicable.</p>

Workers' accommodation and Settlements

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
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DO 1	Appropriately designed and located accommodation for seasonal and short-term workers in rural areas that minimises environmental and social impacts.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

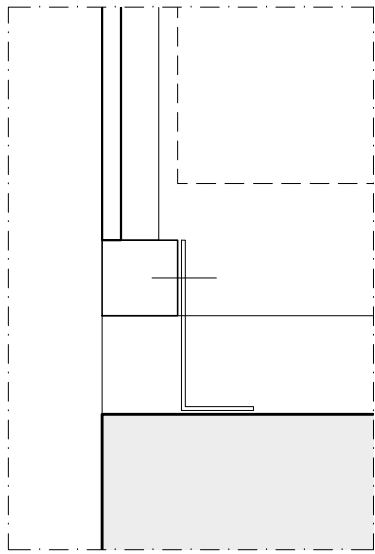
Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Workers' accommodation and settlements are obscured from scenic routes, tourist destinations and areas of conservation significance or otherwise designed to complement the surrounding landscape.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Workers' accommodation and settlements are sited and designed to minimise nuisance impacts on the amenity of adjacent users of land.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Workers' accommodation and settlements are built with materials and colours that blend with the landscape.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Workers' accommodation and settlements are supplied with service infrastructure such as power, water and effluent disposal sufficient to satisfy the living requirements of workers.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

Admin - No criteria applies to this land use

No criteria applies to this land use. Please check the definition of the land use for further detail.

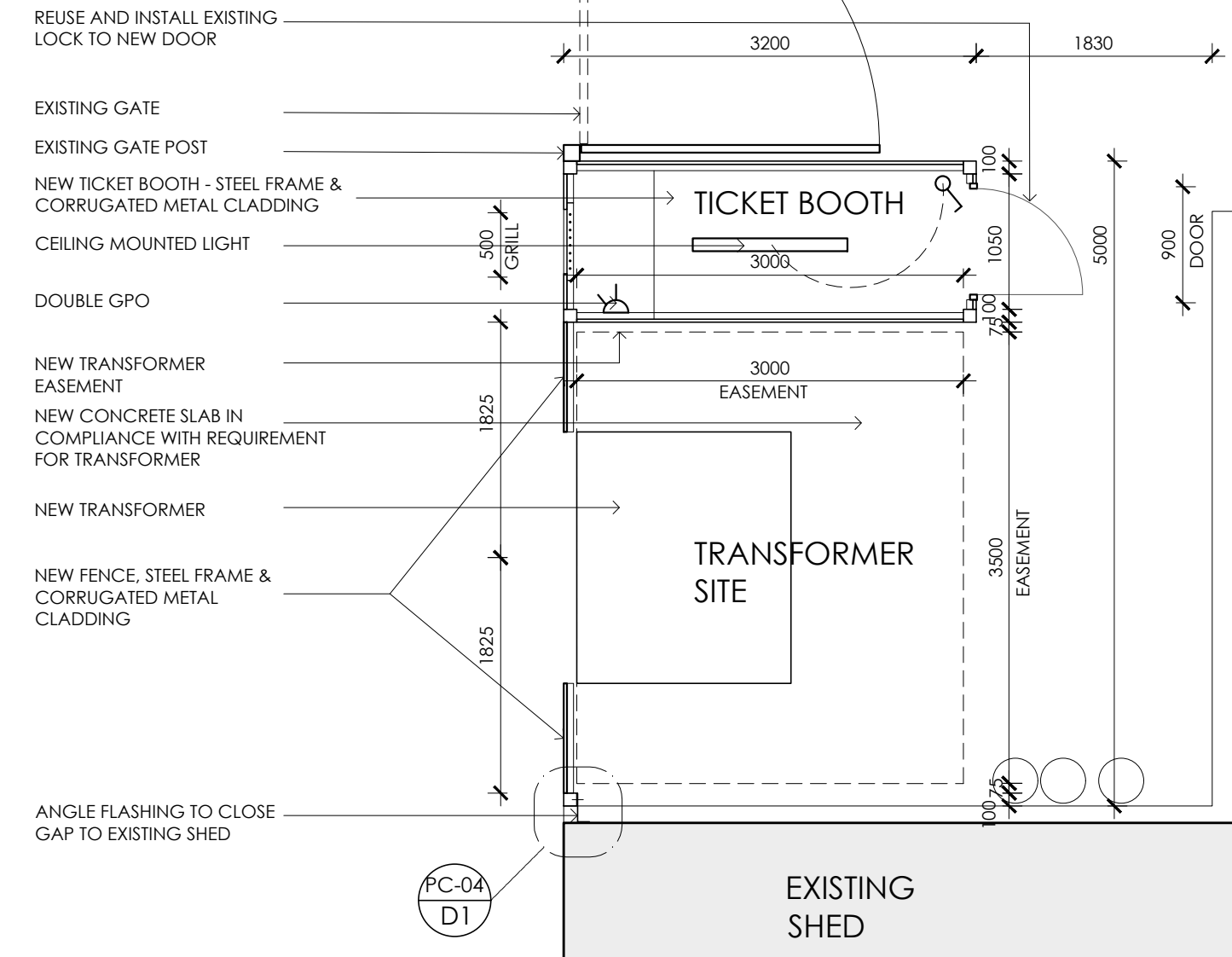


EXISTING TICKET BOOTH



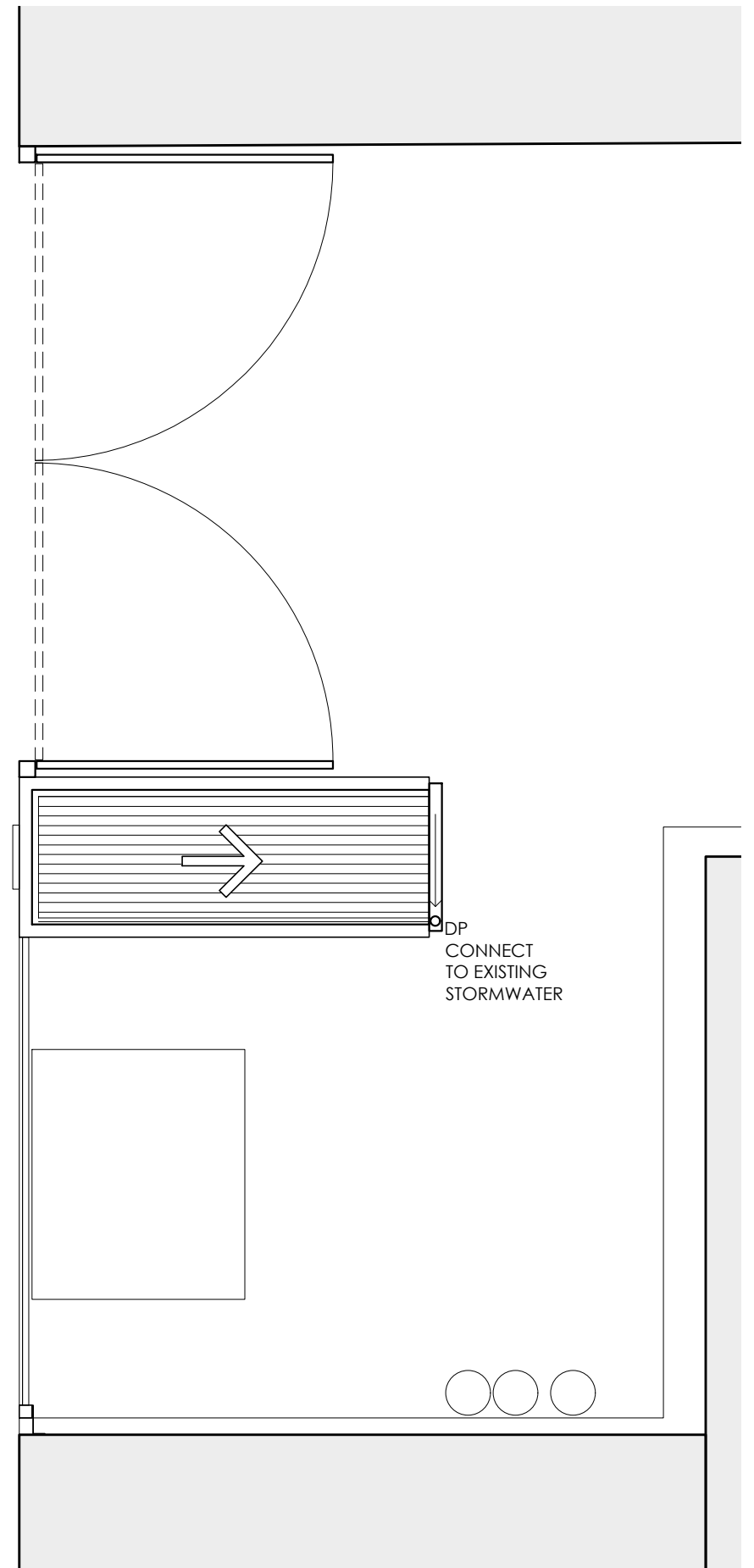
PROPOSED DETAIL 1
scale 1:10@A3

PC-04
D1



PROPOSED FLOOR PLAN
scale 1:50@A3

PROJECT: NORWOOD OVAL TRANSFORMER
DRAWING: PROPOSED FLOOR & ROOF PLAN

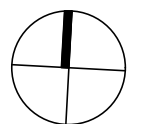


PROPOSED ROOF PLAN
scale 1:50@A3

DATE: 22.09.23
PROJECT NO: 23.27
DRAWING NO. PC-04

217 Gilbert Street p 08 8410 9500
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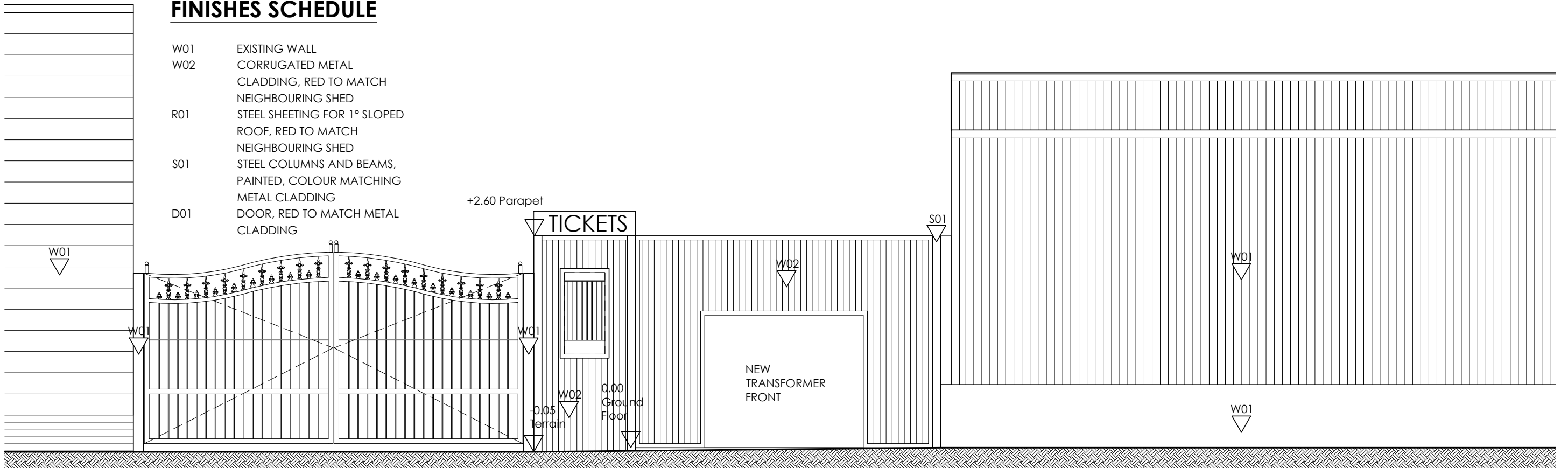
BUTCHER BROWN ARCHITECTS PTY LTD ACN 100 923 742 TRADING AS BB ARCHITECTS



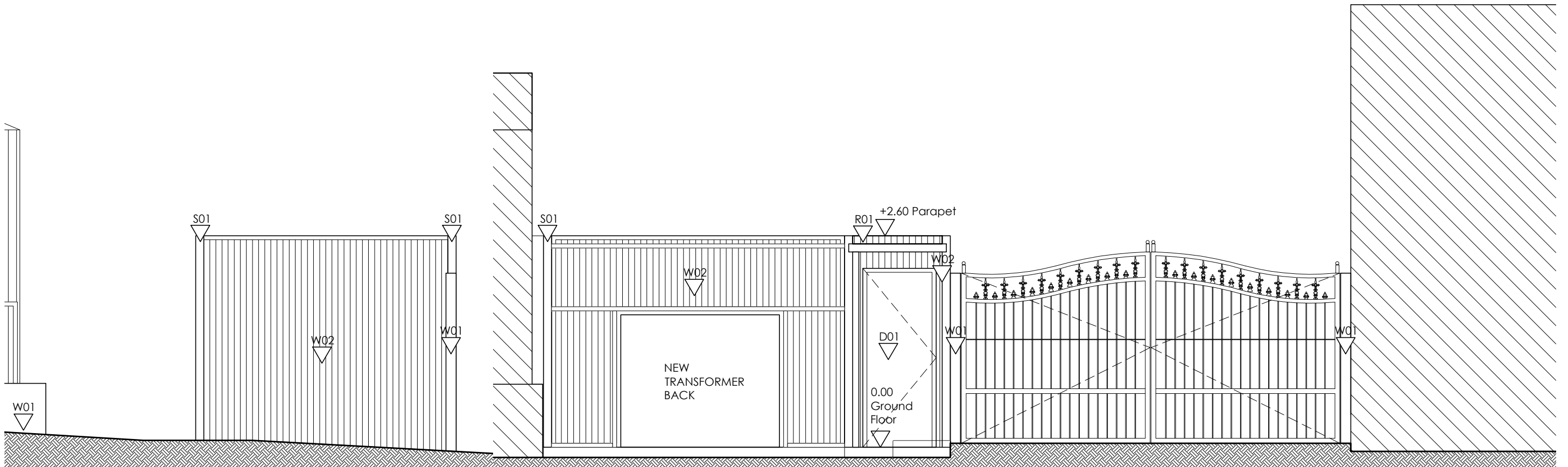
bbarchitects

FINISHES SCHEDULE

- W01 EXISTING WALL
- W02 CORRUGATED METAL CLADDING, RED TO MATCH NEIGHBOURING SHED
- R01 STEEL SHEETING FOR 1° SLOPED ROOF, RED TO MATCH NEIGHBOURING SHED
- S01 STEEL COLUMNS AND BEAMS, PAINTED, COLOUR MATCHING
- D01 DOOR, RED TO MATCH METAL CLADDING



PROPOSED FRONT ELEVATION (WEST)
scale 1:50@A3



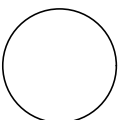
PROPOSED SIDE ELEVATION (NORTH)
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PROPOSED BACK ELEVATION (EAST)
scale 1:50@A3

PROJECT: **NORWOOD OVAL TRANSFORMER**
DRAWING: PROPOSED ELEVATIONS

DATE: 22.09.23
PROJECT NO: 23.27
DRAWING NO. **PC-O5**

217 Gilbert Street p 08 8410 9500
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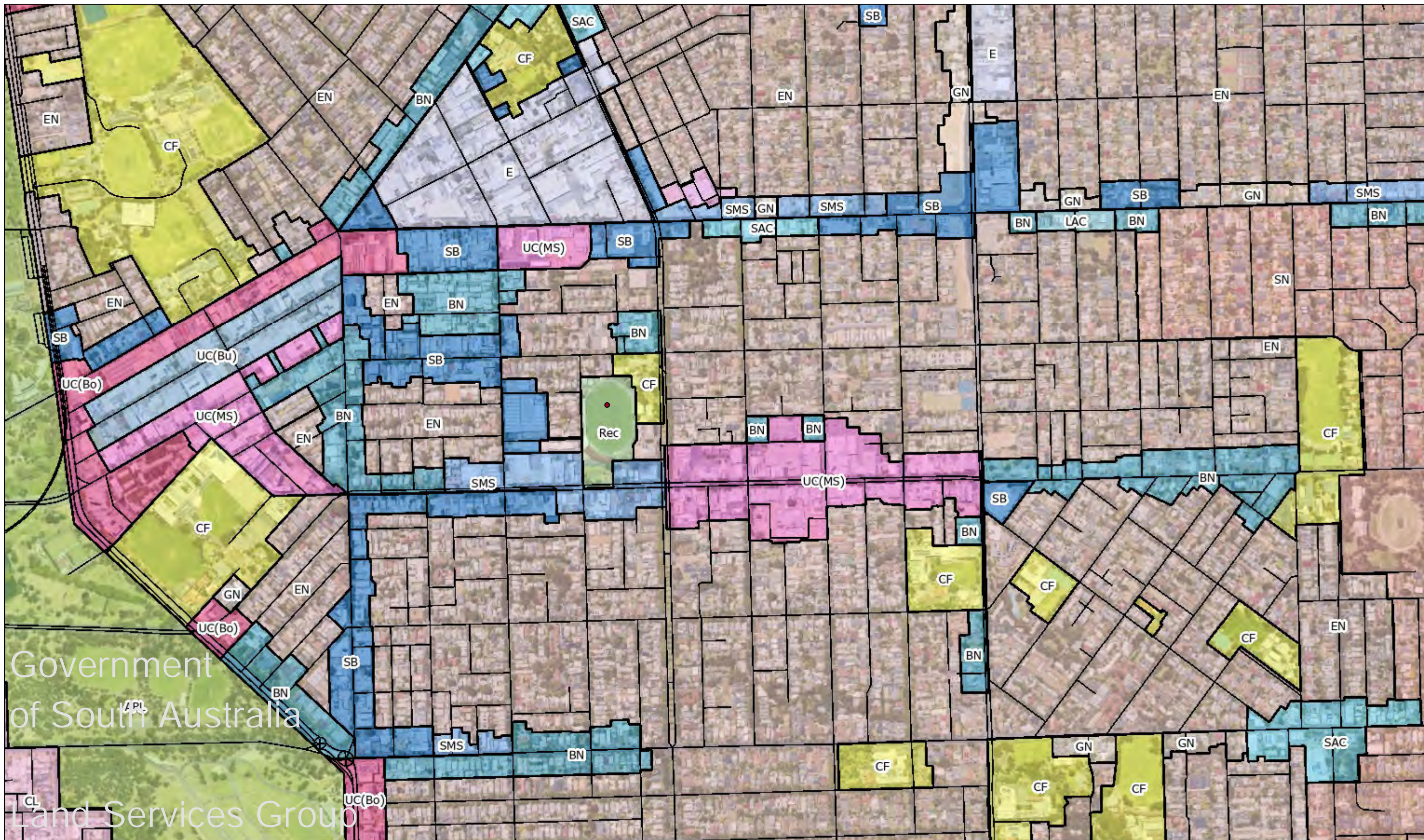
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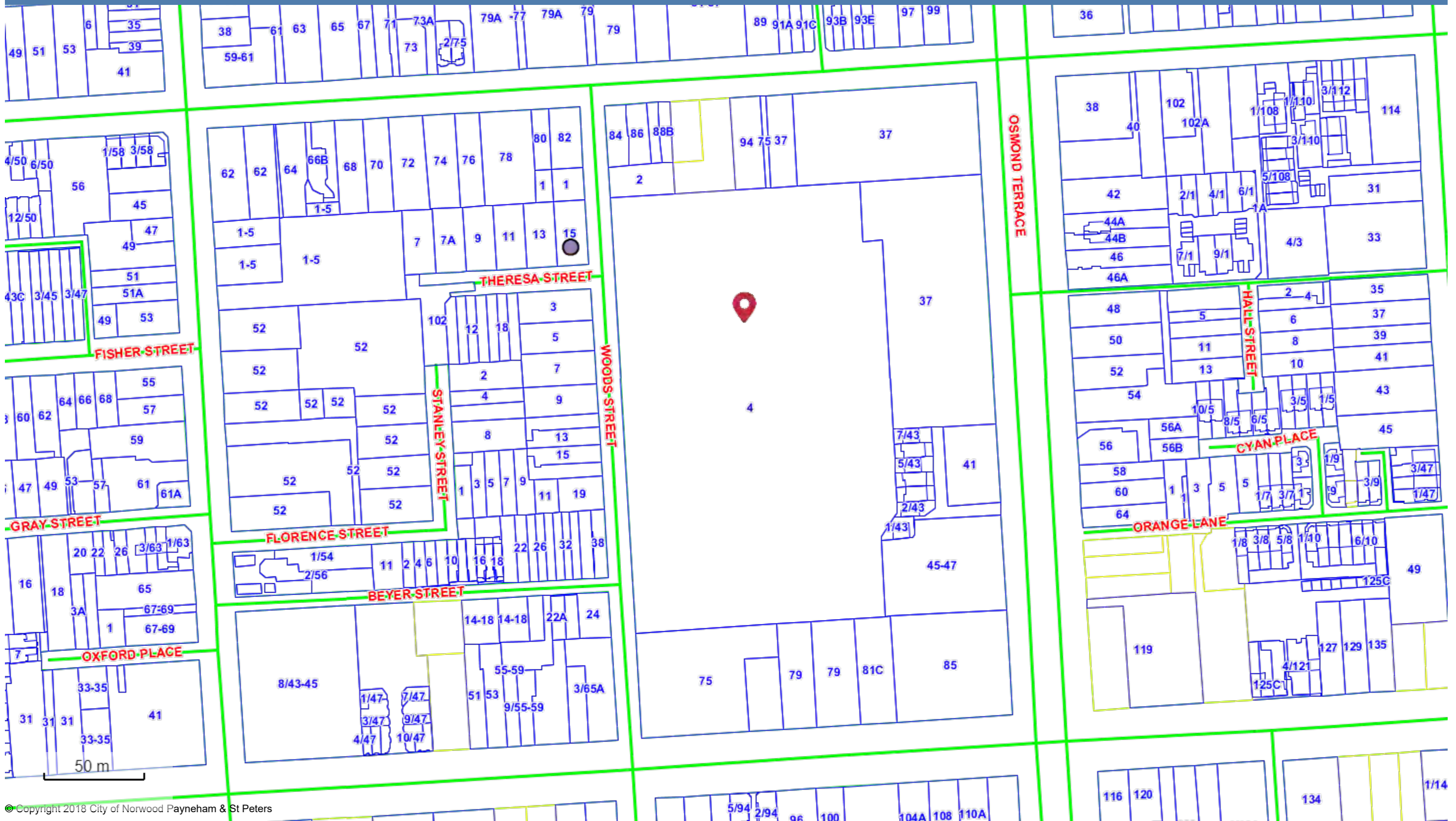
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SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

Attachment Zoning Map





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Application Summary

Application ID	23030106
Proposal	demolition of ticket box
Location	4 WOODS ST NORWOOD SA 5067

Representations

Representor 1 - Peter Fairlie-Jones

Name	Peter Fairlie-Jones
Address	15 Theresa St NORWOOD SA, 5067 Australia
Submission Date	15/11/2023 04:16 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

1. The proposed development should be considered in relation to its context. The ticket box is adjacent the main access driveway for work on the oval and surrounds - the Wally Miller Gates. Often trucks struggle to access due to the narrow opening. In particular double decker trucks bringing loam to the site have extreme problems and are destroying the footpath, kerbing, and earlier this year just drove over a 5 yr old (loved) Crepe Myrtle tree planted by the council. The entrance issues should be resolved before approval is granted as the location of the transformer/new ticket box will make any widening of the gate access impossible. 2. As the closest neighbour (10mtrs) to the development I am concerned the transformer in that location may emit possibly low level noise that may adversely impact our peace and enjoyment that a residential property is entitled to. I question whether this location is the best fit and whether other positions have been considered. 3. The western walls of the oval perimeter radiate significant heat in summer. Although a small component of the western side we believe any changes should consider the environmental impact and a material chosen to soften the heat impact. A green, plant based option would be preferred as the facia.

Attached Documents

Oval-entrance-1302506.pdf

Attachment 5

Norwood Oval Woods St Entrance – December 2022 Multiple Loam deliveries using double length trucks



Attachment 5

Norwood Oval Woods St Entrance – December 2022 Multiple Loam deliveries using double length trucks



File Number: qA126150
Enquiries To: Sylvia Soon
Direct Telephone: 08 8366 4517



**City of
Norwood
Payneham
& St Peters**

22 November 2023

Presiding Member
City of Norwood Payneham & St Peters
Council Assessment Panel
Via the Plan SA Portal

Dear Sir/Madam

RESPONSE TO REPRESENTATION - APPLICATION ID 2303106 4 WOODS STREET NORWOOD SA 5067

I provide the following response to matters raised by Mr Peter Fairlie-Jones of 15 Theresa Street NORWOOD SA 5067 in relation to the proposed demolition of the existing ticket office and the construction of the new ticket office, fencing and transformer at 4 Woods Street Norwood SA 5067.

Concern 1: Access Gate

Response: There will be no adjustments made to the existing access gate and will remain in its current location. The proposed building will be in the exact same location.

Concern 2: Noise Pollution

Response: The new transformer is not expected to create any noticeable noise pollution. It will be a newer and better performing version of the old transformer that is currently located within the building.

Concern 3: Heat Radiant

Response: Most of the existing cladding on 4, Woods Street is already in corrugated metal cladding and that the proposed materials have been selected to match existing finishes.

Summary

For the reasons outlined above, we consider the proposal warrants Planning and Building Consent being granted under delegation.

Should the decision be made to present the proposal to the CAP Meeting, Staff or nominated consultant can be in attendance at the meeting to respond to the verbal submission and answer any questions that the CAP has in respect of this proposal.

Yours sincerely

Sylvia Soon
Project Manager, Buildings and Special Projects

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Anaglypta

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Heritage Advice

DA Number	23030106	
Property Address:	4 Woods Street, Norwood SA 5067 CT Vol 6130 Folio 129	
Heritage Listing:	Local Heritage Place (4 Woods Street)	
Proposed Development:	Demolition of existing outbuilding and construction of new outbuilding and electrical transformer box.	
Overlay:	Local Heritage Place Overlay Heritage Adjacency Overlay (4A Woods Street)	
Zone Section:	Recreation	
Author:	Anaglypta Architecture Pippa Buckberry	Date: 14/11/2023
Drawing References:	BB Architects Plans dated 22/09/23 PC-04 & PC-05	

Previous Advice to Applicant:

None known.

Heritage Significance:

Local Heritage Place: Norwood Oval Complex (4 Woods Street, Norwood)

The Heritage Datasheet c 1994 identifies criteria 'a', 'b', 'c', 'd' and 'f' as being satisfied identifying that the building being:

- (4a) *It is associated with the consolidation of Norwood from 1900-1930's and with the development of early interest in Australian Rules Football*
- (4b) *It represents a way of life characteristic of Norwood at that time*
- (4c) *It has played an important part in the cultural life of Norwood*
- (4d) *It is an attractive complex in its own way and*
- (4f) *It contributes significantly to the older character of the Parade. It is a major landmark on the Parade.*

The description of significant fabric is as follows:

The Norwood Oval complex consists of the oval and several key buildings. The main building is the Sir E.T. Smith Pavilion, a large imposing red brick grandstand. Next to this is the Southern Stand, also a red brick grandstand. Both appear to be in good condition for their age. The entrance gates on the south side are an important part of this complex.



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Adjacent Local Heritage Place: R.S.L Hall, Norwood Oval Complex (4A Woods Street, Norwood)

The Heritage Datasheet c 1994 identifies criteria 'a', 'b', 'c' and 'd' as being satisfied identifying that the building being:

- (4a) *This building is an interesting example of a late Inter-War Stripped-Classical building which resulted from the co-operation of Council and RSL. It is indicative of historical and social themes that are important to Norwood.*
- (4b) *It is a typical example of an RSL club found in most townships or suburbs.*
- (4c) *The organisation has played an important role in the lives of many Norwood residents.*
- (4d) *It is an attractive building which contributes to the older character of Wood Street.*

The description of significant fabric is as follows:

An attractive single-storey late Inter-War Stripped Classical sandstone and red brick building with gable roof. Built right on the boundary line of Wood Street. Notable for its formal design and attractive stonework. ... Part of the original Norwood Oval 'Members Stand' is reputed to be incorporated in this building.

Proposed Development

Demolition of a redbrick ticket booth structure adjacent to the 'Wally Miller Gates' on the Western Side of the site, opposite Theresa Street Norwood. Construction of a new electrical transformer and new ticket booth structure.

Impact of Proposed Development

The following Desired Outcomes and Performance Outcomes are considered relevant to the proposed development assessment;

Local Heritage Place Overlay Assessment Provisions

DO1 Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

PO 1.1 The form of new buildings and structures maintains the heritage values of the Local Heritage Place.

PO 1.2 Massing, scale and siting of development maintains the heritage values of the Local Heritage Place.

PO 1.3 Design and architectural detailing (including but not limited to roof pitch and form, openings, chimneys and verandahs) maintains the heritage values of the Local Heritage Place.

PO1.4 Development is consistent with boundary setbacks and setting.

PO 1.5 Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.

PO 1.6 New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.

PO 1.7 Development of a Local Heritage Place retains features contributing to its heritage value.



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PO 3.1 Ancillary development, including carports, outbuildings and garages, complements the heritage values of the Local Heritage Place.

PO 3.2 Ancillary development, including carports, outbuildings and garages, is located behind the building line and does not dominate the Local Heritage Place or its setting.

PO 3.4 Fencing and gates closer to a street boundary (other than a laneway) than the street elevation of the associated building are consistent with the traditional period, style and form of the Local Heritage Place.

Heritage Adjacency Overlay Assessment Provisions

DO1 Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.

PO 1.1 Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.

Commentary/Recommendations

The proposed development does not impact on any significant fabric of the Local Heritage Place at 4 Woods Street or its setting (the primary focus being two red brick grandstands and entrance gates on the southern side of the complex, primarily viewed from Norwood Parade). All relevant Desired and Performance Objectives are satisfied by the proposal.

With respect to the adjacent Local Heritage Place (RSL Hall), which faces Woods Street and is in close proximity to the proposed works, the proposal will have minimal impact on the setting, being designed to match in with the extensive boundary fencing and rear of the western grandstand, which are all finished in manor red corrugated colorbond cladding. The one concern/recommendation is that the new transformer is painted in the same colour, to similarly blend in with the existing streetscape.

6. DEVELOPMENT APPLICATIONS – DEVELOPMENT ACT

7. REVIEW OF ASSESSMENT MANAGER DECISIONS

7.1 DEVELOPMENT NUMBER 23016005 – INSPIRE DESIGN – 292 THE PARADE, KENSINGTON

DEVELOPMENT NO.:	23016005
APPLICANT:	Inspire Design
ADDRESS:	292 THE PARADE KENSINGTON SA 5068
NATURE OF DEVELOPMENT:	Addition to existing consulting rooms
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Business Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Historic Area • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	5 Jun 2023
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at City of Norwood, Payneham and St. Peters
PLANNING & DESIGN CODE VERSION:	Version applicable at lodgement – 5 June 2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	No
RECOMMENDING OFFICER:	Geoff Parsons Manager, Development Assessment
REFERRALS STATUTORY:	None required
REFERRALS NON-STATUTORY:	David Brown – Heritage Advisor

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 3:	Decision Notification Form
ATTACHMENT 1:	Council Assessment Panel Review of Decisions of the Assessment Manager Policy	ATTACHMENT 4:	Delegated Assessment Report
ATTACHMENT 2:	Application to Assessment Panel and accompanying correspondence	ATTACHMENT 5:	Application Documentation

INTRODUCTION

Section 202(1)(b)(I)(A) of the *Planning, Development & Infrastructure Act 2016* provides an applicant with a right to apply to the Council Assessment Panel for a review of the Assessment Manager's decision relating to a prescribed matter.

A prescribed matter is defined as follows:

Prescribed matter, in relation to an application for a development authorisation, means -

- (a) *any assessment, request, decision, direction or act of a relevant authority under this Act that is relevant to any aspect of the determination of the application; or*
- (b) *A decision to refuse to grant the authorisation; or*
- (c) *The imposition of conditions in relation to the authorisation; or*
- (d) *Subject to any exclusion prescribed by the regulations, any other assessment, request, decision, direction or act of a relevant authority under this Act in relation to the authorisation.*

To assist with undertaking a review under Sections 201-203 of the *Planning, Development & Infrastructure Act 2016*, the Council Assessment Panel adopted a procedure to guide the consideration of an application for such at its meeting held on 10 February 2021. A copy of that Policy is provided in **Attachment 1**.

It is noted that the attached Policy was due for review in February 2023. A review of the Council Assessment Panel *Terms of Reference* and *Meeting Procedures* has been completed. The review of the attached Policy will commence shortly.

The Panel should also be aware that the South Australian Government made changes to the *Planning, Development & Infrastructure (General) Regulations 2017* on 25 May 2023. An amended regulation was introduced which states:

- (2) *An applicant to an assessment panel for a review of a prescribed matter must be given an opportunity to provide the assessment panel with the applicant's submissions in relation to the review (and, if the assessment panel determines to hold a hearing, must be given written notice of the date of the hearing and an opportunity to appear and make submissions at the hearing in person)*

Council (together with the rest of the local government sector) has received advice in relation to the new regulation and such advice confirms that an Applicant should be provided with the right to make submissions (both written and verbal). Accordingly, the Applicant's written submission has been provided in **Attachment 2** (together with the request for the review) and the Presiding Member and Assessment Manager have agreed it is reasonable for both the Applicant and Assessment Manager to address the Panel verbally for five (5) minutes each, as per the Panel's normal processes for a hearing of representations.

DETAILED DESCRIPTION OF PROPOSAL:

The Application to which the review relates to Development Application 23016005. This Application sought Planning Consent to undertake a modest addition (including some alterations) to an existing premises used for consulting rooms purposes (dental practice). The nature of development was formally described as:

Addition to existing consulting rooms

The building to which the addition is proposed is identified as a representative building (RB). The addition primarily entails:

- Partial demolition of the existing building; namely removal of a door, removal of stormwater infrastructure and concrete paving, and removal of a portion of the existing verandah
- Construction of an addition, measuring approximately 7 square metres in area, for the purposes of creating a store room, to the north western corner of the existing building.

Small windows are proposed to be incorporated to the northern and western elevation and a new door provides access to the store room from inside the existing building. The addition would have a rendered exterior to match the existing western elevation.

Development Application 23016005 was refused Planning Consent under delegation from the Assessment Manager. It is that determination that is the subject of this review.

Clause 6 in the *Council Assessment Panel Review of Decisions of the Assessment Manager Policy* stipulates that the Panel may:

- Affirm the Assessment Manager's decision on the Prescribed Matter;
- Vary the Assessment Manager's decision on the Prescribed Matter; or
- Set aside the Assessment Manager's decision on the Prescribed Matter and substitute its own decision.

In addition, the Council Assessment Panel may defer its decision in accordance with clauses 5.6 and 5.7 of the *Council Assessment Panel Review of the Assessment Manager Policy*.

Draft resolutions for each option have been included at the appropriate point within this report.

BACKGROUND:

Development Application 23016005 was submitted on 31 May 2023 and lodged on 5 June 2023. Following a detailed assessment, Council's administration raised concerns with the design of the addition and the impact on the representative building and character of the locality (particularly from a historic impact perspective).

The applicant responded to the Council's concerns on 24 July 2023 providing amended plans. The plans showed a more "replica" design which was also not supported by Council's Heritage Advisor or Council's administration.

Accordingly, the applicant chose not to proceed with the amended plans they submitted on 24 July 2023, and instead asked the Council to determine the Application based on the original plans submitted.

The Application was then refused on 3 October 2023.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 292 THE PARADE KENSINGTON SA 5068

Title ref.: CT
5462/16

Plan Parcel:
F139183 AL3

Council: THE CITY OF NORWOOD PAYNEHAM
AND ST PETERS

The subject land is an odd-shaped allotment, with a direct frontage to The Parade of approximately 15 metres.

The site is approximately 510 square metres in area and contains a single building (used for consulting rooms purposes) in addition to parking, access / manoeuvrability areas and landscaped areas.

The land is relatively flat / level and a mature street tree is located at the front of the property.

The subject land is approximately 170 metres from the intersection between The Parade and Portrush Roads.

Locality

The locality contains a number of different land uses and is mixed in nature.

Immediately to the east lies a service station complex and dry cleaners. Residential uses lay to the north, with more retail uses to the north east. A church is sited to the north west.

More residential uses are located to the west and south, and commercial offices are located further west.

Deciduous street trees line The Parade in this area and footpaths are present on both sides of the street. The locality is heavily trafficked but enjoys a relatively high level of amenity.

PROCEDURAL MATTERS

The Application was performance assessed and did not require public notification.

AGENCY REFERRALS

No agency referrals were required

INTERNAL REFERRALS

An internal referral was required to Council's Heritage Advisor – Mr David Brown. Council's Heritage Advisor was not supportive of the original proposal, nor the suggested amendments. Further commentary regarding this is provided below.

DOCUMENTS FOR REVIEW

In accordance with clause 4 of the *Council Assessment Panel Review of Decisions of the Assessment Manager* a number of different materials have been included as attachments to this agenda, as follows:

- Attachment 1 – Council Assessment Panel Review of Decisions of the Assessment Manager Policy
- Attachment 2 – Application to Assessment Panel and accompanying correspondence
- Attachment 3 – Decision Notification Form – DA 23016005
- Attachment 4 – Delegated Assessment Report – DA 23016005
- Attachment 5 – Application Documentation – DA 23016005

REVIEW OF ASSESSMENT MANAGER DECISION

The applicant, via the correspondence provided for in **Attachment 2**, has provided a valid and clear argument as to why the decision of the Assessment Manager (namely, the refusal of DA 23016005) should be set aside.

To assist the Panel in their consideration of this matter, and in accordance with clause 4.1.3 of the *Council Assessment Panel Review of Decisions of the Assessment Manager Policy* I have set out the rationale for the Assessment Manager's decision below.

Development Application 23016005 proposes a modest addition to an existing premises used for consulting room purposes.

I note that many of the issues and matters for consideration that normally form part of a planning assessment are addressed by the modest nature of the development, namely:

- Land Use – The use of the land is not proposed to change;
- Intensity – The intensity of the land use is not changing. No additional consulting rooms are to be added, and the storage room does not increase the capacity of the business to service more persons;
- Car Parking – No change is being proposed to the amount of car parking available on site, and the development does not trigger the need for additional parking;
- Traffic and Manoeuvrability – No changes are proposed to the traffic and manoeuvrability arrangements on site;
- Landscaping – A small bush / hedge may require removal to facilitate the addition, but no substantial changes are required to the landscaping areas;
- Services – Other than some potential minor adjustments to service infrastructure located on the existing western façade of the building, there would be no impact to the existing serviceability of the site;
- Stormwater – Can be disposed of via the existing system with a new connection;
- Cut / Fill / Retaining – The finished floor level of the addition is to match the existing level. No significant cutting and / or filling of land, or associated retaining would be required;
- Privacy / Overlooking – The addition is at ground level, and would have no impact on the privacy of adjoining property owners / occupiers;
- Overshadowing – The addition is at ground level and is no closer to the western boundary than the existing building. There would be no / minimal overshadowing impact;
- Site Contamination – The land use is existing and would not change. There are no applicable site contamination considerations;
- Signage – Not proposed to change.

Accordingly, the remaining matters for consideration that require assessment relate to heritage impact and design.

The building is identified as a representative building. A representative building is defined in the *Planning & Design Code* as:

Representative buildings referenced in Historic Area Statements and Character Area Statements are mapped in the South Australian Planning and Property Atlas are buildings which display characteristics of importance in a particular area. The identification of representative buildings in a particular area is not intended to imply that other buildings in an historic area are not of importance.

In the view of the author, representative buildings are identified because they are considered to display the characteristics and elements that are of importance to a particular area which displays a particular character (primarily historic).

The maintenance and protection of representative buildings, while perhaps not as critical as places/ items which are specifically identified as having historic importance (through a State or Local Heritage listing), remains of importance to maintain the character of a particular area.

In this case, the site falls within the Historic Area Overlay, and a specific Historic Area Statement is applicable to this area, namely the *Kensington (Mixed Use) Historic Area Statement (NPSP22)*. That Statement reads as follows:

Kensington (Mixed Use) Historic Area Statement (NPSP22)

The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.

These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.

The preparation of an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.

<i>Eras, themes and context</i>	<i>Pre 1890s, Victorian and post 1918 period. Offices, consulting rooms and residential dwellings generally utilising historic buildings, with new residential apartments and townhouses.</i>
<i>Allotments, subdivision and built form patterns</i>	<i>[Not stated]</i>
<i>Architectural styles, detailing and built form features</i>	<i>Early buildings of pise, stone or brick construction. Larger Victorian-styled brick and stone buildings. Federation era brick and stone buildings. Bungalow-styled buildings of the post-1918 period.</i>
<i>Building height</i>	<i>Up to two storeys.</i>
<i>Materials</i>	<i>Pise, stone or brick construction. Unpainted brickwork, stonework and original corrugated iron roofing material.</i>

<i>Fencing</i>	<i>[Not stated]</i>
<i>Setting, landscaping, streetscape and public realm features</i>	<p><i>Existing character created by buildings and settings which reflect the principal historic development periods of the urban village of Kensington.</i></p> <p><i>Vehicular movement is dominated by The Parade which abuts the northern edge of the policy area. This frontage provides primary access for delivery, service, visitors' and residents' vehicles, in preference to access via the adjoining residential area, except where vehicular access to sites with frontages to Hill Street, Shipsters Road, Bowen Street and Phillips Street is provided from those streets.</i></p>
<i>Representative Buildings</i>	<i>Identified - refer to SA planning database.</i>

The original advice from Council's Heritage Advisor (**Attachment 5**) states *"The proposed addition will be highly visible from the street, and hence is not a good outcome. It changes the front façade and streetscape presentation, and demolishes an original portion of the front verandah.*

Given the strange shape of the site, there appear to be several other options for a storeroom on the property, if in fact this is a storeroom with two windows in it. Either way, there is opportunity for better placed additions at the rear and side of the building that will not impact the front façade.

In an attempt to address Council's concerns, the applicant provided amended plans which detailed a more "replica" approach, but such designs were considered a worse outcome and accordingly the applicant opted to revert to the original design.

Bearing in mind the comments of Council's Heritage Advisor, Council's administration undertook an assessment of the proposal against the relevant provisions of the *Planning and Design Code*. In particular, the following provisions were considered relevant:

Historic Area Overlay DO 1 – Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

Historic Area Overlay PO 1.1 – All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

Historic Area Overlay PO 2.1 – The form and scale of new buildings and structures that are visible from the public realm and consistent with the prevailing historic characteristics of the historic area.

Historic Area Overlay PO 2.3 – Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.

Ultimately the administration determined that the proposed development, comprising an addition to the front of a representative building, was at variance with the above-mentioned provisions in the Planning & Design Code, for the reasons outlined in the assessing officer's Delegated Planning Assessment Report, which were stated as:

1. *The proposed development is not, “contextually responsive” as it obscures its context and is therefore not in accordance with DO 1;*
2. *The proposal does not give due consideration to historic streetscapes and built form by obscuring historic built form as viewed from the street, and is therefore not consistent with PO 1.1;*
3. *The new structure is not consistent with the prevailing forms of the Historic Area because it obscures a form which has been designated as being representative of the Historic Area, and is therefore not consistent with PO 2.1; and,*
4. *The proposed design does not complement the prevailing characteristics of the Historic Area, as it obscures the representative fabric of the building, and is therefore inconsistent with PO 2.3.*

The applicant has contended that the decision should be overturned, primarily due to:

- The additional space will house a new generation CBCT X-Ray Machine. This machine must be located in close proximity to the current X-Ray room. The current X-Ray room is EPA approved and shielded etc. for radiation purposes – hence it cannot be moved and relocating the storage room to the rear of the property is not possible;
- The dental practice has made a considerable investment in the building;
- The proposed addition is modest in floor area and scale;
- The external finishes will match / complement the existing building;
- The current streetscape character will be maintained;
- No walls or stonework will be removed – the existing stone facing will form (some of) the internal walls of the storage area; and
- The addition is setback 3.8 metres from the façade of the building and accordingly any visual impact will be minimised.

These arguments are reasonable and well considered, ultimately however Council’s administration determined that the development did not satisfactorily address the relevant provisions of the *Planning & Design Code*.

As the Council Assessment Panel now has before it the rationale for the review as provided by the applicant, and justification for the decision as provided by the Assessment Manager, the Panel must now consider this matter afresh taking into consideration all relevant factors.

CONCLUSION

This report outlines the rationale for the decision of the Assessment Manager, as required by clause 4.1.3 of the *Council Assessment Panel Review of Decisions of the Assessment Manager Policy*. The attachments provide all of the other relevant information and details as required by clause 4.1.

The Council Assessment Panel must determine whether to affirm the decision of the Assessment Manager, vary it, set it aside and substitute its own decision or defer consideration of the matter for more information.

Relevant options for the consideration of the Panel are outlined below.

RESOLUTION OPTIONS

Resolution to affirm the decision of the Assessment Manager

The Council Assessment Panel resolves to affirm the decision of the Assessment Manager that Development Application 23016005 is not seriously at variance with the Planning and Design Code, but that it does not warrant Planning Consent for the following reasons:

- 1. The proposed development would obscure the historic fabric of the associated Representative Building when viewed from the street. This is considered to be inconsistent with Historic Area Overlay DO 1, PO 1.1, PO 2.1 and PO 2.3.*

Resolution to vary a decision of the Assessment Manager

The Council Assessment Panel resolves to vary the decision of the Assessment Manager in relation to Development Application 23016005 by including the following reasons for refusal:

- [insert additional / alternate reasons]*

Resolution to set aside a decision of the Assessment Manager

The Council Assessment Panel resolves to set aside the decision of the Assessment Manager to refuse Planning Consent to Development Application 23016005 and substitute the following decision:

- Development Application 23016005 is not seriously at variance with the Planning and Design Code and Planning Consent is granted to the Application subject to the following conditions and notes:*

CONDITIONS

Condition 1

The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

All stormwater from buildings and paved areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building and in all instances the stormwater drainage system shall be directly connected into either the adjacent street kerb & water table or a Council underground pipe drainage system.

ADVISORY NOTES

Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more Consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Note 2

Consents issued for this Development Application will remain valid for the following periods of time:

Planning Consent is valid for 24 months following the date of issue, within which time Development Approval must be obtained;

Development Approval is valid for 24 months following the date of issue, within which time works must have substantially commenced on site;

Works must be substantially completed within 3 years of the date on which Development Approval is issued.

If an extension is required to any of the above-mentioned timeframes a request can be made for an extension of time by emailing the Planning Department at townhall@npsp.sa.gov.au. Whether or not an extension of time will be granted will be at the discretion of the relevant authority.

Note 3

Appeal Rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Note 4

The Applicant is reminded of its responsibilities under the Environment Protection Act 1993, to not harm the environment. Specifically, paint, plaster, concrete, brick wastes and wash waters should not be discharged into the stormwater system, litter should be appropriately stored on site pending removal, excavation and site disturbance should be limited, entry/exit points to the site should be managed to prevent soil being carried off site by vehicles, sediment barriers should be used (particularly on sloping sites), and material stockpiles should all be placed on site and not on the footpath or public roads or reserves. Further information is available by contacting the EPA.

Note 5

The granting of this consent does not remove the need for the beneficiary to obtain all other consents which may be required by any other legislation.

The Applicant's attention is particularly drawn to the requirements of the Fences Act 1975 regarding notification of any neighbours affected by new boundary development or boundary fencing. Further information is available in the 'Fences and the Law' booklet available through the Legal Services Commission.

Note 6

The Applicant is advised that construction noise is not allowed:

- *on any Sunday or public holiday; or*
- *after 7pm or before 7am on any other day*

Note 7

The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections) will require the approval of the Council pursuant to the Local Government Act 1999 prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

Note 8

The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work. Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and, in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

Note 9

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Note 10

The Applicant is advised that the property is located within an Historic Overlay area and that Approval must be obtained for most works involving the construction, demolition, removal, conversion, alteration or addition to any building and/or structure (including fencing between the building and a street).

Resolution to defer review hearing

The Council Assessment Panel resolves to defer its decision in relation to its review of the decision of the Assessment Manager to refuse Planning Consent to Development Application 23016005 until:

- The next ordinary meeting of the Panel;*
- The next ordinary meeting of the Panel after [insert additional information which has been requested by the Panel] is provided;*
- Until the next ordinary meeting of the Panel after [insert date (i.e. giving an applicant 2 months to provide information)].*

Recommendations to Allow Consideration of the Matter in Confidence Following the Hearing

That pursuant to Regulation 13(2)(a)(ix) and Regulation 13(2)(b) of the Planning Development & Infrastructure (General) Regulations 2017, together with clause 5.5 of the Council Assessment Panel Review of Decisions of the Assessment Manager, the Council Assessment Panel orders that the public, with the exception of the Council's Senior Urban Planner and Planning Assistant, be excluded from the meeting.

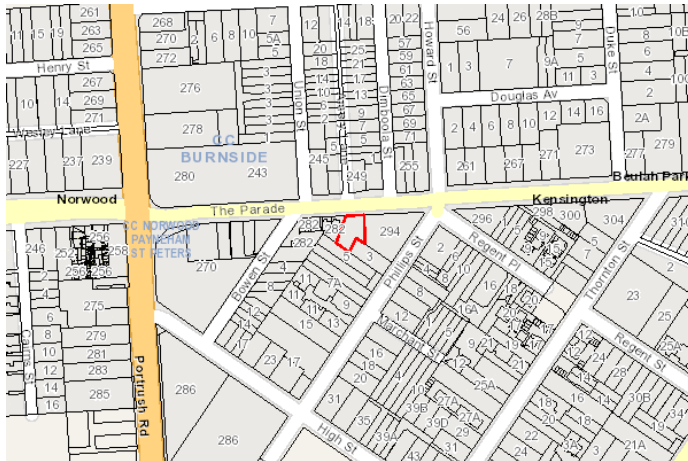
That the public be allowed to return to the meeting and that pursuant to Regulation 14(4) of the Planning, Development & Infrastructure (General) Regulations 2017 and clause 5.5 of the Council Assessment Panel Review of Decisions of the Assessment Manager Policy, the discussion shall remain confidential.

292 THE PARADE KENSINGTON SA 5068

Address:

Click to view a detailed interactive [SAILS](#) in SAILIS

To view a detailed interactive property map in SAPPa click on the map below



Property Zoning Details

- Zone** Business Neighbourhood
- Overlay**
 - Airport Building Heights (Regulated) (All structures over 45 metres)
 - Historic Area (NPSP22)
 - Hazards (Flooding - General)
 - Prescribed Wells Area
 - Regulated and Significant Tree
 - Traffic Generating Development
- Local Variation (TNV)**
 - Maximum Building Height (Levels) (Maximum building height is 2 levels)

Selected Development(s)

Consulting room

This development may be subject to multiple assessment pathways. Please review the document below to determine which pathway may be applicable based on the proposed development compliances to standards. If no assessment pathway is shown this mean the proposed development will default to performance assessed. Please contact your local council in this instance. Refer to Part 1 - Rules of Interpretation - Determination of Classes of Development

Property Policy Information for above selection

Consulting room - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Business Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A variety of housing and accommodation types and compatible employment-generating land uses in an environment characterised by primarily low-rise buildings
DO 2	Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.	DTS/DPF 1.1 Development comprises one or more of the following: <ul style="list-style-type: none"> (a) Community facility (b) Consulting room (c) Dwelling (d) Office (e) Residential flat building (f) Shop
PO 1.2 Business and commercial land uses complement and enhance the prevailing or emerging neighbourhood character.	DTS/DPF 1.2 Shops, offices and consulting rooms (or any combination thereof) do not exceed 250m ² in gross leasable floor area.
PO 1.3 Changes in the use of land between similar businesses encourages the efficient reuse of commercial premises and supports continued local access to a range of services compatible to the locality.	DTS/DPF 1.3 A change of use to a shop, office or consulting room or any combination of these uses where all of the following are achieved: <ul style="list-style-type: none"> (a) the area to be occupied by the proposed development is in an existing building and is currently used as a shop, office, consulting room or any combination of these uses (b) if the proposed change of use is for a shop: <ul style="list-style-type: none"> (i) the total gross leasable floor area of the shop will not exceed 250m² (ii) if primarily involving the handling and sale of foodstuffs, areas used for the storage and collection of refuse are sited at least 10m from the site of a dwelling (other than a dwelling directly associated with the proposed shop) (iii) if primarily involving heating and cooking of foodstuffs in a commercial kitchen and is within 30m of any residential allotment within a neighbourhood-type zone or a dwelling (other than a dwelling directly associated with the proposed shop), an exhaust duct and stack (chimney) exists or is capable of being installed for discharging exhaust emissions (c) off-street vehicular parking exists in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number, except where: <ul style="list-style-type: none"> (i) the required contribution will be made into a relevant car parking offset scheme (other than where a relevant contribution has previously been made) or (ii) the building is a local heritage place.
Built Form and Character	
PO 2.1 Buildings are of a scale and design that complements surrounding built form, streetscapes and local character.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development provides attractive landscaping to the primary street frontage.	DTS/DPF 2.2 None are applicable.
PO 2.3 Site coverage is limited to provide space for landscaping, open space and pervious areas.	DTS/DPF 2.3 Development does not result in site coverage exceeding 60%.
Building height and setbacks	
PO 3.1	DTS/DPF 3.1

<p>Buildings are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of the locality.</p>	<p>Except on a Catalyst site in the Melbourne Street West Subzone, Building height (excluding garages, carports and outbuildings) is no greater than:</p> <p>(a) the following:</p> <table border="1" style="width: 100%; margin: 5px 0;"> <tr> <th style="text-align: center;">Maximum Building Height (Levels)</th> </tr> <tr> <td>Maximum building height is 2 levels</td> </tr> </table> <p>(b) in all other cases (ie there is a blank field for both values):</p> <p style="margin-left: 20px;">(i) 2 building levels or 9m where the development is located adjoining a different zone that primarily envisages residential development</p> <p style="margin-left: 20px;">(ii) 3 building levels or 12m in all other cases.</p> <p>In relation to DTS/DPF 3.1, in instances where:</p> <p>(c) more than one value is returned in the same field:</p> <p style="margin-left: 20px;">(i) for the purpose of DTS/DPF 3.1(a), refer to the Maximum Building Height (Metres) Technical and Numeric Variation layer or Maximum Building Height (Levels) Technical and Numeric Variation layer in the SA planning database to determine the applicable value relevant to the site of the proposed development</p> <p style="margin-left: 20px;">(ii) only one value is returned for DTS/DPF 3.1(a), (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.</p>	Maximum Building Height (Levels)	Maximum building height is 2 levels								
Maximum Building Height (Levels)											
Maximum building height is 2 levels											
<p>PO 3.2</p> <p>Buildings are set back from primary street boundaries consistent with the existing streetscape.</p>	<p>DTS/DPF 3.2</p> <p>Buildings setback from the primary street boundary in accordance with the following table:</p> <table border="1" style="width: 100%; margin: 5px 0;"> <thead> <tr> <th style="text-align: center;">Development Context</th> <th style="text-align: center;">Minimum setback</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">There is an existing building on both abutting sites sharing the same street frontage as the site of the proposed building.</td> <td style="padding: 2px;">The average setback of the existing buildings.</td> </tr> <tr> <td style="padding: 2px;">There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is not on a corner site.</td> <td style="padding: 2px;">The setback of the existing building.</td> </tr> <tr> <td style="padding: 2px;">There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is on a corner site.</td> <td style="padding: 2px;"> (a) Where the existing building shares the same primary street frontage - the setback of the existing building (b) Where the existing building has a different primary street frontage - 5m </td> </tr> <tr> <td style="padding: 2px;">There is no existing building on either of the abutting sites sharing the same street frontage as the site of the proposed building.</td> <td style="padding: 2px;">5m</td> </tr> </tbody> </table> <p>For the purposes of DTS/DPF 3.2:</p> <p style="margin-left: 20px;">(a) the setback of an existing building on an abutting site to the street boundary that it shares with the site of the proposed building is to be measured from the closest building wall to that street boundary at its closest point to the building wall and any existing projection from the building such as a verandah, porch, balcony, awning or bay window is not taken to form part of the building for the purposes of determining its setback</p> <p style="margin-left: 20px;">(b) any proposed projections such as a verandah, porch, balcony, awning or bay window may encroach not more than 1.5 metres into the minimum setback prescribed in the table</p>	Development Context	Minimum setback	There is an existing building on both abutting sites sharing the same street frontage as the site of the proposed building.	The average setback of the existing buildings.	There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is not on a corner site.	The setback of the existing building.	There is an existing building on only one abutting site sharing the same street frontage as the site of the proposed building and the existing building is on a corner site.	(a) Where the existing building shares the same primary street frontage - the setback of the existing building (b) Where the existing building has a different primary street frontage - 5m	There is no existing building on either of the abutting sites sharing the same street frontage as the site of the proposed building.	5m
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There is no existing building on either of the abutting sites sharing the same street frontage as the site of the proposed building.	5m										
<p>PO 3.3</p> <p>Buildings set back from secondary street boundaries (other than rear laneways) contribute to a consistent streetscape.</p>	<p>DTS/DPF 3.3</p> <p>Building walls are set back from the secondary street frontage:</p>										

	<p>(a) the average of any existing buildings on adjoining sites having frontage to the same street or (b) not less than 900mm where no building exists on an adjoining site.</p>
<p>PO 3.4 Walls on boundaries are limited in height and length to manage visual and overshadowing impacts on adjoining residential properties.</p>	<p>DTS/DPF 3.4 Except where the building is a dwelling and is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on one side boundary and satisfy (a) or (b) below:</p> <p>(a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height (b) side boundary walls do not:</p> <p>(i) exceed 3.2m in height from the lower of the natural or finished ground level (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary (iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.</p>
<p>PO 3.5 Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a suburban streetscape character.</p>	<p>DTS/DPF 3.5 Dwelling walls of dwellings in a semi-detached or row arrangement are set back at least 900mm from side boundaries shared with allotments outside the development site.</p>
<p>PO 3.6 Buildings are set back from side boundaries to provide:</p> <p>(a) separation between buildings in a way that complements the established character of the locality (b) access to natural light and ventilation for neighbours.</p>	<p>DTS/DPF 3.6 Other than walls located on a side boundary, building walls are set back at least 900mm from side boundaries.</p>
<p>PO 3.7 Buildings are set back from rear boundaries to provide:</p> <p>(a) separation between buildings in a way that complements the established character of the locality (b) access to natural light and ventilation for neighbours (c) open space recreational opportunities (d) space for landscaping and vegetation.</p>	<p>DTS/DPF 3.7 Buildings walls are set back from the rear boundary at least:</p> <p>(a) 3m for the first building level (b) 5m for any second building level.</p>
Concept Plans	
<p>PO 6.1 Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 6.1 The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 6.1, in instances where:</p> <p>(a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 6.1 is met.</p>

Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in which case the application will not require notification.

A relevant authority may determine that a variation to 1 or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. All development undertaken by: <ul style="list-style-type: none"> (a) the South Australian Housing Trust either individually or jointly with other persons or bodies or (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust. 	Except development involving any of the following: <ul style="list-style-type: none"> 1. residential flat building(s) of 3 or more building levels 2. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 3. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
3. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) advertisement (b) ancillary accommodation (c) community facility (d) dwelling (e) dwelling addition (f) residential flat building (g) student accommodation. 	Except development that: <ul style="list-style-type: none"> 1. exceeds the maximum building height specified in Business Neighbourhood Zone DTS/DPF 3.1 or 2. is on a Catalyst Site that exceeds the maximum building height in Business Neighbourhood Zone DTS/DPF 3.1 that applies to development not on a Catalyst Site or 3. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
4. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	Except development that: <ul style="list-style-type: none"> 1. does not satisfy Business Neighbourhood Zone DTS/DPF 1.2 or 2. exceeds the maximum building height specified in Business Neighbourhood Zone DTS/DPF 3.1 or 3. is on a Catalyst Site that exceeds the maximum building height in Business Neighbourhood Zone DTS/DPF 3.1 that applies to development not on a Catalyst Site or 4. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).

<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) air handling unit, air conditioning system or exhaust fan (b) carport (c) deck (d) fence (e) internal building work (f) land division (g) outbuilding (h) pergola (i) private bushfire shelter (j) replacement building (k) retaining wall (l) shade sail (m) solar photovoltaic panels (roof mounted) (n) swimming pool or spa pool and associated swimming pool safety features (o) temporary accommodation in an area affected by bushfire (p) tree damaging activity (q) verandah (r) water tank. 	<p>None specified.</p>
<p>6. Demolition.</p>	<p>Except any of the following:</p> <ol style="list-style-type: none"> 1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
<p>7. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Part 3 - Overlays

Airport Building Heights (Regulated) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Management of potential impacts of buildings and generated emissions to maintain operational and safety requirements of registered and certified commercial and military airfields, airports, airstrips and helicopter landing sites.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
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Built Form	
PO 1.1 Building height does not pose a hazard to the operation of a certified or registered aerodrome.	DTS/DPF 1.1 Buildings are located outside the area identified as 'All structures' (no height limit is prescribed) and do not exceed the height specified in the Airport Building Heights (Regulated) Overlay which applies to the subject site as shown on the SA Property and Planning Atlas. In instances where more than one value applies to the site, the lowest value relevant to the site of the proposed development is applicable.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Any of the following classes of development: (a) building located in an area identified as 'All structures' (no height limit is prescribed) or will exceed the height specified in the <i>Airport Building Heights (Regulated) Overlay</i> (b) building comprising exhaust stacks that generates plumes, or may cause plumes to be generated, above a height specified in the <i>Airport Building Heights (Regulated) Overlay</i> .	The airport-operator company for the relevant airport within the meaning of the <i>Airports Act 1996</i> of the Commonwealth or, if there is no airport-operator company, the Secretary of the Minister responsible for the administration of the <i>Airports Act 1996</i> of the Commonwealth.	To provide expert assessment and direction to the relevant authority on potential impacts on the safety and operation of aviation activities.	Development of a class to which Schedule 9 clause 3 item 1 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Hazards (Flooding – General) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Impacts on people, property, infrastructure and the environment from general flood risk are minimised through the appropriate siting and design of development.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 2.1 Development is sited, designed and constructed to prevent the entry of floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 2.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished ground and floor level not less than: In instances where no finished floor level value is specified, a building incorporates a finished floor level at least 300mm above the height of a 1% AEP flood event.
Environmental Protection	
PO 3.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building during a 1% AEP flood event to avoid potential environmental harm.	DTS/DPF 3.1 Development involving the storage or disposal of hazardous materials is wholly located outside of the 1% AEP flood plain or flow path.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Historic Area Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
PO 1.1 All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.	DTS/DPF 1.1 None are applicable.
Built Form	
PO 2.1 The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is consistent with the prevailing building and wall heights in the historic area.	DTS/DPF 2.2 None are applicable.
PO 2.3 Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development is consistent with the prevailing front and side boundary setback pattern in the historic area.	DTS/DPF 2.4 None are applicable.
PO 2.5 Materials are either consistent with or complement those within the historic area.	DTS/DPF 2.5 None are applicable.
Context and Streetscape Amenity	
PO 6.1 The width of driveways and other vehicle access ways are consistent with the prevailing width of existing driveways of the historic area.	DTS/DPF 6.1 None are applicable.

PO 6.2 Development maintains the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on buildings or infrastructure.	DTS/DPF 6.2 None are applicable.
Ruins	
PO 8.1 Development conserves and complements features and ruins associated with former activities of significance.	DTS/DPF 8.1 None are applicable.

Historic Area Statements

Statement#	Statement		
Historic Areas affecting City of Norwood, Payneham and St Peters			
NPSP22	<p>Kensington (Mixed Use) Historic Area Statement (NPSP22)</p> <p>The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.</p> <p>These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.</p> <p>The preparation of an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.</p>		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 5px;">Eras, themes and context</td> <td style="padding: 5px;"> Pre 1890s, Victorian and post 1918 period. Offices, consulting rooms and residential dwellings generally utilising historic buildings, with new residential apartments and townhouses. </td> </tr> </table>	Eras, themes and context	Pre 1890s, Victorian and post 1918 period. Offices, consulting rooms and residential dwellings generally utilising historic buildings, with new residential apartments and townhouses.
	Eras, themes and context	Pre 1890s, Victorian and post 1918 period. Offices, consulting rooms and residential dwellings generally utilising historic buildings, with new residential apartments and townhouses.	
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%; padding: 5px;">Allotments, subdivision and built form patterns</td> <td style="text-align: center; padding: 5px;"><i>[Not stated]</i></td> </tr> </table>	Allotments, subdivision and built form patterns	<i>[Not stated]</i>
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Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Traffic Generating Development Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.
DO 2	Provision of safe and efficient access to and from urban transport routes and major urban transport routes.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Traffic Generating Development	
PO 1.1 Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.	DTS/DPF 1.1 Access is obtained directly from a State Maintained Road where it involves any of the following types of development: <ul style="list-style-type: none"> (a) building, or buildings, containing in excess of 50 dwellings (b) land division creating 50 or more additional allotments (c) commercial development with a gross floor area of 10,000m² or more (d) retail development with a gross floor area of 2,000m² or more (e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (f) industry with a gross floor area of 20,000m² or more (g) educational facilities with a capacity of 250 students or more.
PO 1.2 Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.	DTS/DPF 1.2 Access is obtained directly from a State Maintained Road where it involves any of the following types of development: <ul style="list-style-type: none"> (a) building, or buildings, containing in excess of 50 dwellings (b) land division creating 50 or more additional allotments (c) commercial development with a gross floor area of 10,000m² or more (d) retail development with a gross floor area of 2,000m² or more (e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (f) industry with a gross floor area of 20,000m² or more (g) educational facilities with a capacity of 250 students or more.
PO 1.3 Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network.	DTS/DPF 1.3 Access is obtained directly from a State Maintained Road where it involves any of the following types of development: <ul style="list-style-type: none"> (a) building, or buildings, containing in excess of 50 dwellings (b) land division creating 50 or more additional allotments

	<ul style="list-style-type: none"> (c) commercial development with a gross floor area of 10,000m² or more (d) retail development with a gross floor area of 2,000m² or more (e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (f) industry with a gross floor area of 20,000m² or more (g) educational facilities with a capacity of 250 students or more.
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Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except where all of the relevant deemed-to-satisfy criteria are met, any of the following classes of development that are proposed within 250m of a State Maintained Road:</p> <ul style="list-style-type: none"> (a) except where a proposed development has previously been referred under clause (b) - a building, or buildings, containing in excess of 50 dwellings (b) except where a proposed development has previously been referred under clause (a) - land division creating 50 or more additional allotments (c) commercial development with a gross floor area of 10,000m² or more (d) retail development with a gross floor area of 2,000m² or more (e) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (f) industry with a gross floor area of 20,000m² or more (g) educational facilities with a capacity of 250 students or more. 	Commissioner of Highways.	To provide expert technical assessment and direction to the Relevant Authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in the Planning and Design Code.	Development of a class to which Schedule 9 clause 3 item 7 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.</p>	<p>DTS/DPF 1.1</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>

	(b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.
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Design in Urban Areas

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
External Appearance	
PO 1.1 Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).	DTS/DPF 1.1 None are applicable.
PO 1.2 Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.	DTS/DPF 1.2 None are applicable.
PO 1.3 Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.	DTS/DPF 1.3 None are applicable.
PO 1.4 Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by: <ul style="list-style-type: none"> (a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses. 	DTS/DPF 1.4 Development does not incorporate any structures that protrude beyond the roofline.
PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built	DTS/DPF 1.5 None are applicable.

form), taking into account the form of development contemplated in the relevant zone.	
Safety	
PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is designed to differentiate public, communal and private areas.	DTS/DPF 2.2 None are applicable.
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.
PO 2.5 Common areas and entry points of buildings (such as the foyer areas of residential buildings) and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF 2.5 None are applicable.
Landscaping	
PO 3.1 Soft landscaping and tree planting are incorporated to: (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes.	DTS/DPF 3.1 None are applicable.
Environmental Performance	
PO 4.1 Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.	DTS/DPF 4.1 None are applicable.
PO 4.2 Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.	DTS/DPF 4.2 None are applicable.
PO 4.3 Buildings incorporate climate responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.	DTS/DPF 4.3 None are applicable.
On-site Waste Treatment Systems	
PO 6.1 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.	DTS/DPF 6.1 Effluent disposal drainage areas do not: (a) encroach within an area used as private open space or result in less private open space than that specified in Design in Urban Areas Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.

Car parking appearance	
<p>PO 7.1</p> <p>Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on streetscapes through techniques such as:</p> <ul style="list-style-type: none"> (a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure. 	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>Vehicle parking areas 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.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.3</p> <p>Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.</p>	<p>DTS/DPF 7.3</p> <p>None are applicable.</p>
<p>PO 7.4</p> <p>Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.</p>	<p>DTS/DPF 7.4</p> <p>Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.</p>
<p>PO 7.5</p> <p>Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.</p>	<p>DTS/DPF 7.5</p> <p>Vehicle parking areas comprising 10 or more car parking spaces include soft landscaping with a minimum dimension of:</p> <ul style="list-style-type: none"> (a) 1m along all public road frontages and allotment boundaries (b) 1m between double rows of car parking spaces.
<p>PO 7.6</p> <p>Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.</p>	<p>DTS/DPF 7.6</p> <p>None are applicable.</p>
<p>PO 7.7</p> <p>Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.</p>	<p>DTS/DPF 7.7</p> <p>None are applicable.</p>
Earthworks and sloping land	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p> <ul style="list-style-type: none"> (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.
<p>PO 8.2</p> <p>Driveways and access tracks designed and constructed to allow safe and convenient access on sloping land.</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <ul style="list-style-type: none"> (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.
<p>PO 8.3</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8):</p> <ul style="list-style-type: none"> (a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development 	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>

(c) are designed to integrate with the natural topography of the land.	
PO 8.4 Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on site drainage systems to minimise erosion.	DTS/DPF 8.4 None are applicable.
PO 8.5 Development does not occur on land at risk of landslip or increase the potential for landslip or land surface instability.	DTS/DPF 8.5 None are applicable.
Overlooking / Visual Privacy (low rise buildings)	
PO 10.1 Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.	DTS/DPF 10.1 Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone: (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
PO 10.2 Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.	DTS/DPF 10.2 One of the following is satisfied: (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
Site Facilities / Waste Storage (excluding low rise residential development)	
PO 11.1 Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.	DTS/DPF 11.1 None are applicable.
PO 11.2 Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.	DTS/DPF 11.2 None are applicable.
PO 11.3 Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.	DTS/DPF 11.3 None are applicable.
PO 11.4 Communal waste storage and collection areas are designed to allow waste and recycling collection vehicles to enter and leave the site without reversing.	DTS/DPF 11.4 None are applicable.
PO 11.5 For mixed use developments, non-residential waste and recycling storage areas and access provide opportunities for on-site management of food waste through composting or other waste recovery as appropriate.	DTS/DPF 11.5 None are applicable.
All Development - Medium and High Rise	
External Appearance	
PO 12.1 Buildings positively contribute to the character of the local area by responding to local context.	DTS/DPF 12.1 None are applicable.

<p>PO 12.2</p> <p>Architectural detail at street level and a mixture of materials at lower building levels near the public interface are provided to reinforce a human scale.</p>	<p>DTS/DPF 12.2</p> <p>None are applicable.</p>								
<p>PO 12.3</p> <p>Buildings are designed to reduce visual mass by breaking up building elevations into distinct elements.</p>	<p>DTS/DPF 12.3</p> <p>None are applicable.</p>								
<p>PO 12.4</p> <p>Boundary walls visible from public land include visually interesting treatments to break up large blank elevations.</p>	<p>DTS/DPF 12.4</p> <p>None are applicable.</p>								
<p>PO 12.5</p> <p>External materials and finishes are durable and age well to minimise ongoing maintenance requirements.</p>	<p>DTS/DPF 12.5</p> <p>Buildings utilise a combination of the following external materials and finishes:</p> <ul style="list-style-type: none"> (a) masonry (b) natural stone (c) pre-finished materials that minimise staining, discolouring or deterioration. 								
<p>PO 12.6</p> <p>Street-facing building elevations are designed to provide attractive, high quality and pedestrian-friendly street frontages.</p>	<p>DTS/DPF 12.6</p> <p>Building street frontages incorporate:</p> <ul style="list-style-type: none"> (a) active uses such as shops or offices (b) prominent entry areas for multi-storey buildings (where it is a common entry) (c) habitable rooms of dwellings (d) areas of communal public realm with public art or the like, where consistent with the zone and/or subzone provisions. 								
<p>PO 12.7</p> <p>Entrances to multi-storey buildings are safe, attractive, welcoming, functional and contribute to streetscape character.</p>	<p>DTS/DPF 12.7</p> <p>Entrances to multi-storey buildings are:</p> <ul style="list-style-type: none"> (a) oriented towards the street (b) clearly visible and easily identifiable from the street and vehicle parking areas (c) designed to be prominent, accentuated and a welcoming feature if there are no active or occupied ground floor uses (d) designed to provide shelter, a sense of personal address and transitional space around the entry (e) located as close as practicable to the lift and / or lobby access to minimise the need for long access corridors (f) designed to avoid the creation of potential areas of entrapment. 								
<p>PO 12.8</p> <p>Building services, plant and mechanical equipment are screened from the public realm.</p>	<p>DTS/DPF 12.8</p> <p>None are applicable.</p>								
Landscaping									
<p>PO 13.1</p> <p>Development facing a street provides a well landscaped area that contains a deep soil space to accommodate a tree of a species and size adequate to provide shade, contribute to tree canopy targets and soften the appearance of buildings.</p>	<p>DTS/DPF 13.1</p> <p>Buildings provide a 4m by 4m deep soil space in front of the building that accommodates a medium to large tree, except where no building setback from front property boundaries is desired.</p>								
<p>PO 13.2</p> <p>Deep soil zones are provided to retain existing vegetation or provide areas that can accommodate new deep root vegetation, including tall trees with large canopies to provide shade and soften the appearance of multi-storey buildings.</p>	<p>DTS/DPF 13.2</p> <p>Multi-storey development provides deep soil zones and incorporates trees at not less than the following rates, except in a location or zone where full site coverage is desired.</p> <table border="1" data-bbox="821 2004 1546 2121"> <thead> <tr> <th>Site area</th> <th>Minimum deep soil area</th> <th>Minimum dimension</th> <th>Tree / deep soil zones</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones				
Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones						

	<300 m ²	10 m ²	1.5m	1 small tree / 10 m ²
	300-1500 m ²	7% site area	3m	1 medium tree / 30 m ²
	>1500 m ²	7% site area	6m	1 large or medium tree / 60 m ²
	Tree size and site area definitions			
	Small tree	4-6m mature height and 2-4m canopy spread		
	Medium tree	6-12m mature height and 4-8m canopy spread		
	Large tree	12m mature height and >8m canopy spread		
Site area	The total area for development site, not average area per dwelling			
PO 13.3 Deep soil zones with access to natural light are provided to assist in maintaining vegetation health.	DTS/DPF 13.3 None are applicable.			
PO 13.4 Unless separated by a public road or reserve, development sites adjacent to any zone that has a primary purpose of accommodating low-rise residential development incorporate a deep soil zone along the common boundary to enable medium to large trees to be retained or established to assist in screening new buildings of 3 or more building levels in height.	DTS/DPF 13.4 Building elements of 3 or more building levels in height are set back at least 6m from a zone boundary in which a deep soil zone area is incorporated.			
Environmental				
PO 14.1 Development minimises detrimental micro-climatic impacts on adjacent land and buildings.	DTS/DPF 14.1 None are applicable.			
PO 14.2 Development incorporates sustainable design techniques and features such as window orientation, eaves and shading structures, water harvesting and use, green walls and roof designs that enable the provision of rain water tanks (where they are not provided elsewhere on site), green roofs and photovoltaic cells.	DTS/DPF 14.2 None are applicable.			
PO 14.3 Development of 5 or more building levels, or 21m or more in height (as measured from natural ground level and excluding roof-mounted mechanical plant and equipment) is designed to minimise the impacts of wind through measures such as: (a) a podium at the base of a tall tower and aligned with the street to deflect wind away from the street (b) substantial verandahs around a building to deflect downward travelling wind flows over pedestrian areas (c) the placement of buildings and use of setbacks to deflect the wind at ground level (d) avoiding tall shear elevations that create windy conditions at street level.	DTS/DPF 14.3 None are applicable.			
Car Parking				
PO 15.1 Multi-level vehicle parking structures are designed to contribute to active	DTS/DPF 15.1 Multi-level vehicle parking structures within buildings:			

street frontages and complement neighbouring buildings.	<ul style="list-style-type: none"> (a) provide land uses such as commercial, retail or other non-car parking uses along ground floor street frontages (b) incorporate facade treatments in building elevations facing along major street frontages that are sufficiently enclosed and detailed to complement adjacent buildings.
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<p>PO 15.2</p> <p>Multi-level vehicle parking structures within buildings complement the surrounding built form in terms of height, massing and scale.</p>	<p>DTS/DPF 15.2</p> <p>None are applicable.</p>
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Overlooking/Visual Privacy

<p>PO 16.1</p> <p>Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:</p> <ul style="list-style-type: none"> (a) appropriate site layout and building orientation (b) off-setting the location of balconies and windows of habitable rooms or areas with those of other buildings so that views are oblique rather than direct to avoid direct line of sight (c) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms (d) screening devices that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity. 	<p>DTS/DPF 16.1</p> <p>None are applicable.</p>
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All non-residential development

Water Sensitive Design

<p>PO 42.1</p> <p>Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.</p>	<p>DTS/DPF 42.1</p> <p>None are applicable.</p>
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<p>PO 42.2</p> <p>Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.</p>	<p>DTS/DPF 42.2</p> <p>None are applicable.</p>
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<p>PO 42.3</p> <p>Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.</p>	<p>DTS/DPF 42.3</p> <p>None are applicable.</p>
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Wash-down and Waste Loading and Unloading

<p>PO 43.1</p> <p>Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, plant or equipment are:</p> <ul style="list-style-type: none"> (a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off (b) paved with an impervious material to facilitate wastewater collection (c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area (d) are designed to drain wastewater to either: <ul style="list-style-type: none"> (i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or (ii) a holding tank and its subsequent removal off-site on a regular basis. 	<p>DTS/DPF 43.1</p> <p>None are applicable.</p>
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Laneway Development

Infrastructure and Access

<p>PO 44.1</p> <p>Development with a primary street comprising a laneway, alley, lane, right of way or similar minor thoroughfare only occurs where:</p> <ul style="list-style-type: none"> (a) existing utility infrastructure and services are capable of accommodating the development (b) the primary street can support access by emergency and regular service vehicles (such as waste collection) (c) it does not require the provision or upgrading of infrastructure on public land (such as footpaths and stormwater management systems) (d) safety of pedestrians or vehicle movement is maintained (e) any necessary grade transition is accommodated within the site of the development to support an appropriate development intensity and orderly development of land fronting minor thoroughfares. 	<p>DTS/DPF 44.1</p> <p>Development with a primary street frontage that is not an alley, lane, right of way or similar public thoroughfare.</p>
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Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature								
Hours of Operation									
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land. 	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 50%; padding: 5px;">Class of Development</th> <th style="width: 50%; padding: 5px;">Hours of operation</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Consulting room</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="padding: 5px;">Office</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="padding: 5px;">Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone</td> <td style="padding: 5px;">7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday								
Overshadowing									
<p>PO 3.1</p> <p>Overshadowing of habitable room windows of adjacent residential land uses in:</p>	<p>DTS/DPF 3.1</p> <p>North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight</p>								

<p>a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>between 9.00am and 3.00pm on 21 June.</p>				
<p>PO 3.2</p> <p>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</p> <p>a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.2</p> <p>Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:</p> <p>a. for ground level private open space, the smaller of the following:</p> <p>i. half the existing ground level open space</p> <p>or</p> <p>ii. 35m2 of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>				
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>				
<p>Activities Generating Noise or Vibration</p>					
<p>PO 4.1</p> <p>Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.1</p> <p>Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.</p>				
<p>PO 4.2</p> <p>Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:</p> <p>(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(c) housing plant and equipment within an enclosed structure or acoustic enclosure</p> <p>(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>				
<p>PO 4.5</p> <p>Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5</p> <p>None are applicable.</p>				
<p>PO 4.6</p> <p>Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6</p> <p>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 50%;">Assessment location</th> <th style="width: 50%;">Music noise level</th> </tr> </thead> <tbody> <tr> <td>Externally at the nearest</td> <td>Less than 8dB above the level of</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest	Less than 8dB above the level of
Assessment location	Music noise level				
Externally at the nearest	Less than 8dB above the level of				

	existing or envisaged noise sensitive location	background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)
Air Quality		
PO 5.2 Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by: (a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.	DTS/DPF 5.2 None are applicable.	
Light Spill		
PO 6.1 External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 6.1 None are applicable.	
Solar Reflectivity / Glare		
PO 7.1 Development is designed and comprised of materials and finishes that do not unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.	DTS/DPF 7.1 None are applicable.	

Out of Activity Centre Development

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO1	The role of Activity Centres in contributing to the form and pattern of development and enabling equitable and convenient access to a range of shopping, administrative, cultural, entertainment and other facilities in a single trip is maintained and reinforced.

Performance Outcomes and Deemed to Satisfy / Designated Performance Outcome Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Non-residential development outside Activity Centres of a scale and type that does not diminish the role of Activity Centres: (a) as primary locations for shopping, administrative, cultural, entertainment and community services (b) as a focus for regular social and business gatherings (c) in contributing to or maintaining a pattern of development that supports equitable community access to services and facilities.	DTS/DPF 1.1 None are applicable.
PO 1.2 Out-of-activity centre non-residential development complements Activity Centres through the provision of services and facilities: (a) that support the needs of local residents and workers, particularly in underserved locations	DTS/DPF 1.2 None are applicable.

<p>(b) at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre.</p>	
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Site Contamination

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more sensitive use.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <ul style="list-style-type: none"> (a) does not involve a change in the use of land (b) involves a change in the use of land that does not constitute a change to a more sensitive use (c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form) (d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following: <ul style="list-style-type: none"> (i) a site contamination audit report has been prepared under Part 10A of the <i>Environment Protection Act 1993</i> in relation to the land within the previous 5 years which states that- <ul style="list-style-type: none"> A. site contamination does not exist (or no longer exists) at the land or B. the land is suitable for the proposed use or range of uses (without the need for any further remediation) or C. where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development) and (ii) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a site contamination declaration form).

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome

DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
PO 1.2 Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.4 Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.	DTS/DPF 1.4 All vehicle manoeuvring occurs onsite.
Sightlines	
PO 2.1 Sightlines at intersections, pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.	DTS/DPF 2.1 None are applicable.
PO 2.2 Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.	DTS/DPF 2.2 None are applicable.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/DPF 3.1 The access is: (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
PO 3.2 Development incorporating vehicular access ramps ensures vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.	DTS/DPF 3.2 None are applicable.
PO 3.3 Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.	DTS/DPF 3.3 None are applicable.
PO 3.4 Access points are sited and designed to minimise any adverse impacts on neighbouring properties.	DTS/DPF 3.4 None are applicable.
PO 3.5	DTS/DPF 3.5

<p>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.</p>	<p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 3.6</p> <p>Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).</p>	<p>DTS/DPF 3.6</p> <p>Driveways and access points:</p> <ul style="list-style-type: none"> (a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided (b) for sites with a frontage to a public road greater than 20m: <ul style="list-style-type: none"> (i) a single access point no greater than 6m in width is provided or (ii) not more than two access points with a width of 3.5m each are provided.
<p>PO 3.7</p> <p>Access points are appropriately separated from level crossings to avoid interference and ensure their safe ongoing operation.</p>	<p>DTS/DPF 3.7</p> <p>Development does not involve a new or modified access or cause an increase in traffic through an existing access that is located within the following distance from a railway crossing:</p> <ul style="list-style-type: none"> (a) 80 km/h road - 110m (b) 70 km/h road - 90m (c) 60 km/h road - 70m (d) 50km/h or less road - 50m.
<p>PO 3.8</p> <p>Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.</p>	<p>DTS/DPF 3.8</p> <p>None are applicable.</p>
<p>PO 3.9</p> <p>Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.</p>	<p>DTS/DPF 3.9</p> <p>None are applicable.</p>
<p>Access for People with Disabilities</p>	
<p>PO 4.1</p> <p>Development is sited and designed to provide safe, dignified and convenient access for people with a disability.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
<p>Vehicle Parking Rates</p>	
<p>PO 5.1</p> <p>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:</p> <ul style="list-style-type: none"> (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. 	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area (b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.

Vehicle Parking Areas	
PO 6.1 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.	DTS/DPF 6.1 Movement between vehicle parking areas within the site can occur without the need to use a public road.
PO 6.2 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.	DTS/DPF 6.2 None are applicable.
PO 6.3 Vehicle parking areas are designed to provide opportunity for integration and shared-use of adjacent car parking areas to reduce the total extent of vehicle parking areas and access points.	DTS/DPF 6.3 None are applicable.
PO 6.4 Pedestrian linkages between parking areas and the development are provided and are safe and convenient.	DTS/DPF 6.4 None are applicable.
PO 6.5 Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.	DTS/DPF 6.5 None are applicable.
PO 6.6 Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.	DTS/DPF 6.6 Loading areas and designated parking spaces are wholly located within the site.
Undercroft and Below Ground Garaging and Parking of Vehicles	
PO 7.1 Undercroft and below ground garaging of vehicles is designed to enable safe entry and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles.	DTS/DPF 7.1 None are applicable.
Bicycle Parking in Designated Areas	
PO 9.1 The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.	DTS/DPF 9.1 Areas and / or fixtures are provided for the parking and storage of bicycles at a rate not less than the amount calculated using Transport, Access and Parking Table 3 - Off Street Bicycle Parking Requirements.
PO 9.2 Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.	DTS/DPF 9.2 None are applicable.
PO 9.3 Non-residential development incorporates end-of-journey facilities for employees such as showers, changing facilities and secure lockers, and signage indicating the location of the facilities to encourage cycling as a mode of journey-to-work transport.	DTS/DPF 9.3 None are applicable.
Corner Cut-Offs	
PO 10.1 Development is located and designed to ensure drivers can safely turn into and out of public road junctions.	DTS/DPF 10.1 Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:

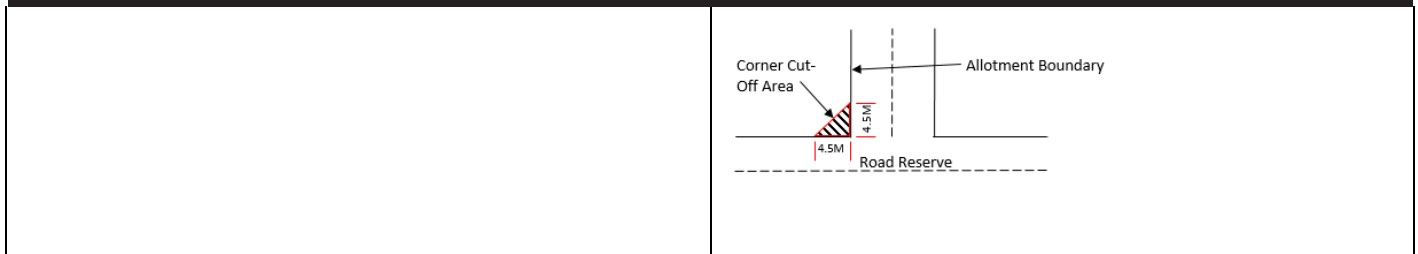


Table 1 - General Off-Street Car Parking Requirements

Class of Development	Car Parking Rate (unless varied by Table 2 onwards) Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.
Health Related Uses	
Consulting room	4 spaces per consulting room excluding ancillary facilities.

Table 2 - Off-Street Car Parking Requirements in Designated Areas

Class of Development	Car Parking Rate		Designated Areas
	Minimum number of spaces	Maximum number of spaces	
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	6 spaces per 100m ² of gross leasable floor area.	Strategic Innovation Zone in the City of Burnside, City of Marion or City of Mitcham Strategic Innovation Zone outside the City of Burnside, City of Marion or City of Mitcham when the site is also in a high frequency public transit area Suburban Activity Centre Zone when the site is also in a high frequency public transit area Suburban Business Zone when the site is also in a high frequency public

			transit area Business Neighbourhood Zone in the City of Adelaide Business Neighbourhood Zone outside of the City of Adelaide when the site is also in a high frequency public transit area Suburban Main Street Zone when the site is also in a high frequency public transit area Urban Activity Centre Zone
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Table 3 - Off-Street Bicycle Parking Requirements

Class of Development	Bicycle Parking Rate	
	Where a development comprises more than one development type, then the overall bicycle parking rate will be taken to be the sum of the bicycle parking rates for each development type.	
Consulting room	1 space per 20 employees plus 1 space per 20 consulting rooms for customers.	
Schedule to Table 3	Designated Area	Relevant part of the State
		The bicycle parking rate applies to a designated area located in a relevant part of the State described below.
	All zones	City of Adelaide
	Business Neighbourhood Zone	Metropolitan Adelaide
	Strategic Innovation Zone	
	Suburban Activity Centre Zone	
	Suburban Business Zone	
	Suburban Main Street Zone	
	Urban Activity Centre Zone	
	Urban Corridor (Boulevard) Zone	
	Urban Corridor (Business) Zone	
Urban Corridor (Living) Zone		
Urban Corridor (Main Street) Zone		
Urban Neighbourhood Zone		



NAME OF POLICY: Council Assessment Panel Review of Decisions of the Assessment Manager

POLICY MANUAL: Governance

BACKGROUND

The *Planning Development and Infrastructure Act 2016* (the Act) provides that where an application for development is made to an Assessment Manager, a person who has applied for the development authorisation may apply to the Council Assessment Panel for a review of a prescribed matter.

DISCUSSION

The Council Assessment Panel (CAP) has endorsed the following Policy.

KEY PRINCIPLES

The Policy has been prepared to provide clear guidance on the procedures involved in the CAP's review of an Assessment Manager's decision.

POLICY

1. Introduction

- 1.1 Section 202 (Rights of Review & Appeal) of the *Planning, Development & Infrastructure Act 2016* (PDI Act) allows an applicant who has received a determination from a relevant authority, including the Council Assessment Panel or Assessment Manager, regarding a Development Application, the right to seek a review of the decision.
- 1.2 Where such a decision has been made by the Assessment Manager (or his or her delegate), Section 202 (1)(b)(i)(A) permits the applicant to apply to the Council Assessment Panel (CAP) to review the decision regarding a Prescribed Matter.
- 1.3 Section 203(2)(a) of the PDI Act states that CAP may adopt a procedure for the consideration of such review requests as it thinks fit. This Policy has been formulated to accord with Section 203 of the PDI Act.
- 1.4 This Policy outlines the process to be followed by an applicant when lodging such a request for review and how the matter will be considered by CAP.
- 1.5 This Policy applies in addition to the statutory requirements for the review by the Council Assessment Panel (CAP) of a decision of an Assessment Manager as set out in Part 16, Division 1 of the PDI Act.

2. Definitions & interpretation

- 2.1 “**applicant**” in this instance refers to the person or entity named as such on the Development Application form who sought the development authorisation in question and who may or may not be the owner of the land on which the development is to occur.
- 2.2 “**Assessment Manager**” in this instance includes his or her delegate

- 2.3 “**business day**” means any day except— (a) Saturday, Sunday or a public holiday; or (b) any other day which falls between 25 December in any year and 1 January in the following year;
- 2.4 “**next available meeting**” is not necessarily the next in-time CAP meeting (which could be a matter of days away) as the agenda for the next meeting may have closed or is full, or there may be insufficient time for the CAP members to consider the information provided to them, it is intended that the review would be assigned to and be heard at, the meeting after the next in time CAP meeting.
- 2.5 A “**Prescribed Matter**” means:
- 2.5.1 any assessment, request, decision, direction or act of the Assessment Manager under the Act that is relevant to any aspect of the determination of the development application, or
 - 2.5.2 a decision to refuse to grant development authorisation to the application, or
 - 2.5.3 the imposition of conditions in relation to a grant of development authorisation, or
 - 2.5.4 subject to any exclusion prescribed by the *Planning, Development and Infrastructure (General) Regulations 2017*, any other assessment, request, decision, direction or act of the Assessment Manager under the PDI Act in relation to the granting of a development authorisation.

3. Commencing a review

- 3.1 An application for review in relation to a development application or development authorisation may only be commenced by the applicant for the development authorisation.
- 3.2 An application for review must relate to a Prescribed Matter in relation to which the Assessment Manager was the relevant authority.
- 3.3 An application for review must be:
- 3.3.1 made using the Application to Assessment Panel for Assessment Manager’s Decision Review form (the Form - for ease of reference, a copy of the current Application to CAP Form is attached to this Policy).
 - 3.3.2 lodged in a manner identified on the Form, and
 - 3.3.3 lodged within one (1) month of the applicant receiving notice of the Prescribed Matter, unless the Presiding Member, in his or her discretion, grants an extension of time.
- 3.4 In determining whether to grant an extension of time, the Presiding Member may consider:
- 3.4.1 the reason for the delay;
 - 3.4.2 the length of the delay;
 - 3.4.3 whether any rights or interests of other parties would be affected by allowing the review to be commenced out of time;
 - 3.4.4 the interests of justice;
 - 3.4.5 whether the applicant has, or is within time to, appeal the Prescribed Matter to the ERD Court, and
 - 3.4.6 any other matters the Presiding Member considers relevant.
- 3.5 An application for review should, upon receipt by the CAP, be notified to the Assessment Manager within five (5) business days.

4. Materials for review hearing

- 4.1 Within the time prescribed in Clause 4.2, the Assessment Manager shall collate for the Panel:
- 4.1.1 all materials which were before the Assessment Manager (or delegate) at the time of the decision on the Prescribed Matter, including but not limited to:

- 4.1.1.1 application documents, reports, submissions, plans, specifications or other documents submitted by the applicant;
- 4.1.1.2 internal and/or external referral responses, and
- 4.1.1.3 any report from Council staff or an external planning consultant written for the Assessment Manager;
- 4.1.2 any assessment checklist used by the Assessment Manager or delegate when making the decision on the Prescribed Matter;
- 4.1.3 a report prepared by the Assessment Manager (or delegate) setting out the details of the relevant development application; the Prescribed Matter; and the reasons for the Assessment Manager (or delegate's) decision on the Prescribed Matter; and
- 4.1.4 any further information requested by the Presiding Member or CAP.
- 4.2 The CAP will not consider any additional information that was not before the Assessment Manager at the time of the decision on the Prescribed Matter.
- 4.3 After the completion of the requirements in Clause 4.1, the Assessment Manager should assign the review application to the next available Panel meeting.
- 4.4 The documents identified in Clause 4.1 will be included as Attachments to the agenda item.
- 4.5 The Assessment Manager should advise the applicant in writing of the time and date of the Panel meeting at which the review application will be heard not less than five (5) business days before the meeting.

5. Review hearing

- 5.1 On review, the CAP will consider the Prescribed Matter afresh.
- 5.2 The CAP will not receive submissions or hear addresses from any party.
- 5.3 The Assessment Manager should be present at the CAP meeting to respond to any questions or requests for clarification from the CAP.
- 5.4 The Presiding Member will invite all CAP Members to speak on any matter relevant to the review and ask questions of the applicant and/or Assessment Manager.
- 5.5 During the review hearing the Panel may ask questions of staff and the applicant in public, however the Panel's deliberation and final determination will be conducted in private, with the applicant and public gallery excluded.
- 5.6 The CAP may resolve to defer its decision if it considers it requires additional information from the applicant or the Assessment Manager (including legal or other professional advice), to make its decision.
- 5.7 The deferral will be to the next ordinary meeting of the CAP, or such longer period of time as is determined by the CAP and/or the Presiding Member in consultation with the Assessment Manager to enable the information sought to be obtained and considered.
- 5.8 Where an Assessment Manager is to provide further information to the CAP pursuant to Clause 5.6, a copy of the information must also be provided to the applicant not less than five (5) business days before the meeting at which it will be considered by the Panel.

6. Outcome on review hearing

- 6.1 The CAP may, on a review:
 - 6.1.1 affirm the Assessment Manager's decision on the Prescribed Matter;
 - 6.1.2 vary the Assessment Manager's decision on the Prescribed Matter; or
 - 6.1.3 set aside the Assessment Manager's decision on the Prescribed Matter and substitute its own decision.

- 6.2 An applicant should be advised in writing of the CAP's decision by the Assessment Manager (or delegate) within two (2) business days of the Panel's decision.

7. Draft resolutions

The draft resolutions below are intended to provide guidance to the CAP as to how it might word resolutions to give effect to the decisions it makes on review. CAP may adopt this wording, or amend it as appropriate.

7.1 Resolution to affirm a decision of the Assessment Manager:

The Council Assessment Panel resolves to affirm the decision of the Assessment Manager [insert description of decision, for example:]

- *that the application is not seriously at variance with the Planning and Design Code (disregarding minor variations) and that planning consent be granted to DA No [insert] for [insert nature of development] subject to the [insert number] of conditions imposed by the Assessment Manager*
- *that DA No [insert] is classified as code assessed (performance assessed) development*
- *that the application is not seriously at variance with the Planning and Design Code (disregarding minor variations), but that DA No. [insert] does not warrant planning consent for the following reasons:*

7.2 Resolution to vary a decision of the Assessment Manager:

The Council Assessment Panel resolves to vary the decision of the Assessment Manager in relation to DA No [insert] by deleting condition [insert number] of planning consent and replacing it with the following condition:

[insert varied condition]

7.3 Resolution to set aside a decision of the Assessment Manager:

The Council Assessment Panel resolves to set aside the decision of the Assessment Manager to [insert description of decision being reversed, for example, refuse planning consent to DA No [insert]] and substitute the following decision:

- *DA No [insert] is not seriously at variance with the Planning and Design Code (disregarding minor variations) and that planning consent is granted to the application subject to the following conditions:*

7.4 Resolution to defer review hearing:

The Council Assessment Panel resolves to defer its decision in relation to its review of the decision of the Assessment Manager to [insert description of the decision] in relation to DA No [insert] until:

- *the next ordinary meeting of the Panel;*
- *the next ordinary meeting of the Panel after [insert additional information which has been requested by the Panel] is provided*
- *until the next ordinary meeting of the Panel after [insert date (i.e. giving an applicant 2 months to provide information)] (etc).*

REVIEW PROCESS

The Council Assessment Panel will review this Policy within two (2) years of the adoption date of the Policy.

INFORMATION

The contact officer for further information at the City of Norwood Payneham & St Peters is the Council's General Manager, Urban Planning & Environment, telephone 8366 4501.

ADOPTION OF THE POLICY

This Policy was adopted by the Council Assessment Panel on 10 February 2021.

TO BE REVIEWED

This Policy will be reviewed in February 2023.

APPLICATION TO ASSESSMENT PANEL¹

Decision Review Request

Prescribed form pursuant to section 203(1) for review of a decision of an Assessment Manager under section 202(1)(b)(i)(A) of the *Planning, Development and Infrastructure Act 2016* (Act)

Applicant details:	Name: Inspire Design Phone: 8362 9745 Email: jr.inspiregroup@gmail.com Postal address: 15b King William St Kent Town SA 5067
Development Application Number:	23016005
Subject Land:	292 The Parade Kensington SA 5067 Title Ref: CT 5462/16 Plan Parcel: F139183 AL3
Date of decision of the Assessment Manager:	03 October 2023
Decision (prescribed matter²) for review by Assessment Panel:	Planning Application Refused
Reason for review:	The importance of the addition to the ongoing operations of the dental practice requires that the application refusal be re-examined as alternative locations on site are not viable. As such, the minimal and sympathetic addition proposal requires no aesthetic change to the façade.
Do you wish to be heard by the Assessment Panel?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date:	12/10/23
Signature:	<input checked="" type="checkbox"/> <i>If being lodged electronically please tick to indicate agreement to this declaration.</i>

¹ This application must be made through the relevant facility on the SA planning portal. To the extent that the SA planning portal does not have the necessary facilities to lodge this form, the application may be lodged—

- (i) by email, using the main email address of the relevant assessment panel; or
- (ii) by delivering the application to the principal office or address of the relevant assessment panel.

² **Prescribed matter**, in relation to an application for a development authorisation, means—

- (a) any assessment, request, decision, direction or act of the Assessment Manager under the Act that is relevant to any aspect of the determination of the application; or
- (b) a decision to refuse to grant the authorisation; or
- (c) the imposition of conditions in relation to the authorisation; or
- (d) subject to any exclusion prescribed by the regulations, any other assessment, request, decision, direction or act of the assessment manager under the Act in relation to the authorisation.

This form constitutes the form of an application to an assessment panel under section 202(1)(b)(i)(A) of the *Planning, Development and Infrastructure Act 2016*, determined by the Minister for Planning and Local Government, pursuant to regulation 116 of the Planning, Development and Infrastructure (General) Regulations 2017. Last amended: 31 July 2020





15B King William St
Kent Town SA 5067
Ph. 08 8362 9745

Development Application ID:

23016005

14 September 2023

Proposed Development:

Addition to existing consulting rooms

Location of Proposed Development:

292 THE PARADE KENSINGTON SA 5068

Proposal Description:

This application seeks Development plan consent for a new room of 7.28sqm to be constructed as an addition to an existing building utilised as a Dental practice.

The new additional space is to be used to house the new generation CBCT X-ray machine which is urgently needed.

This new machine will allow the Dental practice to deliver the optimum dental care to their growing number of patients.

For operational reasons it is important that this equipment is located in close proximity to the current X-ray room. The current X-ray room is EPA approved (Environment radiation protection agency approved) in terms of the shielding and safety requirements. As such this room cannot be moved.

The Dental practice has already made significant investments in the internal fitout of the building in order to be able to provide specialist services and are looking to continue to practice from this location long term.

Considering the importance of maintaining the historical integrity of the building, every attempt has been made to minimise the change to the existing building envelope. The footprint of the proposed addition has been kept as small as possible.

Externally all efforts will be made to match the appearance of the existing building finishes as closely as possible, so the addition is not apparent as a new build and the character of the current streetscape will be maintained.

The proposed addition requires the removal of a section of the existing bullnose verandah and verandah concrete slab floor of approximately 4.45sqm (from the current 22.15sqm).

There are no changes proposed to the remainder of the verandah. This is the only area that is affected by demolition. No walls or stonework will be removed.

The existing stone facing will form the internal walls of the proposed addition.

The existing external door opening will be retained as an internal doorway and used to access the addition. The change will be limited to changing the swing direction of the door.

The proposed addition is setback from the forward building line by approximately 3.8m. As such the visual impact and change from the existing will be minimised and the general appearance, built form, setbacks and massing will be retained.

In short, the features that make it a historically representative building will be remain.

On behalf of our client we request you to please consider this appeal and approve this application which will allow the established practice to continue delivering the best dental care to the community.

Inspire Design

DECISION NOTIFICATION FORM

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

TO THE APPLICANT(S):

Name: Inspire Design
Postal address: 15B KING WILLIAM STREET KENT TOWN SA 5067
Email: jr.inspiregroup@gmail.com

IN REGARD TO:

Development application no.: 23016005	Lodged on: 5 Jun 2023
Nature of proposed development: Addition to existing consulting rooms	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 292 THE PARADE KENSINGTON SA 5068		
Title ref.: CT 5462/16	Plan Parcel: F139183 AL3	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning Consent	Refused	3 Oct 2023			Assessment Manager at City of Norwood, Payneham and St. Peters
Building Consent					To be Determined
Development Approval - Planning Consent; Building Consent					City of Norwood, Payneham and St. Peters

FROM THE RELEVANT AUTHORITY: Assessment Manager - Section 96 - Performance Assessed at City of Norwood, Payneham and St. Peters
Date: 3 Oct 2023

REFUSAL REASONS

Planning Consent

The proposed development would obscure the historic fabric of the associated Representative Building when viewed from the street. This is considered to be inconsistent with Historic Area Overlay DO1, PO 1.1, PO 2.1 and PO 2.3.

ADVISORY NOTES

Planning Consent

Appeal Rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

CONTACT DETAILS OF CONSENT AUTHORITIES

Name: City of Norwood, Payneham and St. Peters	Type of consent: Planning
Telephone: 0883664530	Email: developmentassessment@npsp.sa.gov.au
Postal address: PO Box 204, Kent Town SA 5071	

ASSESSMENT REPORT

DEVELOPMENT NO.:	23016005
APPLICANT:	Inspire Design
NATURE OF DEVELOPMENT:	Addition to existing consulting rooms
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Business Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Historic Area • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	5 Jun 2023
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at City of Norwood, Payneham and St. Peters
PLANNING & DESIGN CODE VERSION:	

DETAILED DESCRIPTION OF PROPOSAL:

Addition to existing consulting rooms

LOCATION OF DEVELOPMENT:

Location reference: 292 THE PARADE KENSINGTON SA 5068

Title ref.: CT
5462/16

Plan Parcel:
F139183 AL3

Council: THE CITY OF NORWOOD PAYNEHAM
AND ST PETERS

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Consulting room: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code; Addition to existing use

PUBLIC NOTIFICATION

No

- **REASON**
N/A

AGENCY REFERRALS**INTERNAL REFERRALS**

- David Brown

PLANNING & DESIGN CODE POLICIES

Fundamentally, the issues are considered to relate to heritage impacts. The building is identified as a Representative Building within the Kensington (Mixed Use) Historic Area (NPSP22). The following are from the Historic Area Overlay and are considered to be the most relevant concerns.

DO 1: Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

PO 1.1: All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

PO 2.1: The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.

PO 2.3: Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.

PLANNING ASSESSMENT

The addition to the consulting rooms adds only ~7sqm of GLFA and is not considered to add to parking demand or unreasonably increase the intensity of the land use.

Comments from Council's Heritage Advisor:

The proposed addition will be highly visible from the street, and hence is not a good outcome. It changes the front façade and streetscape presentation, and demolishes an original portion of the front verandah.

Given the strange shape of the site, there appear to be several other options for a storeroom on the property, if in fact this is a storeroom with two windows in it. Either way, there is opportunity for better placed additions at the rear and side of the building that will not impact the front façade.

An addition to the front of a representative building is most unusual, and obscuring or destroying historic fabric of the building is not generally consistent with the Historic Area Overlay.

Each of the policies listed above puts an emphasis on “*conservation and contextually responsive development*” and “*historic streetscapes and built form*”. These historic streetscapes and built forms come from the Representative Buildings, for that is the purpose of the Representative Buildings. Surely then, obscuring historic fabric of a Representative Building is not in accordance with the intent of these policies.

In my view:

1. The proposed development is not, “contextually responsive” as it obscures its context and is therefore not in accordance with DO 1;
2. The proposal does not give due consideration to historic streetscapes and built forms by obscuring historic built form as viewed from the street, and is therefore not consistent with PO 1.1;
3. The new structure is not consistent with the prevailing forms of the Historic Area because it obscures a form which has been designated as being representative of the Historic Area, and is therefore not consistent with PO 2.1; and,
4. The proposed design does not complement the prevailing characteristics of the Historic Area, as it obscures the representative fabric of the building, and is therefore inconsistent with PO 2.3.

By way of background, these concerns were put to the applicant who provided an amended design in a more “replica” style. The Heritage Advisor preferred the original approach as it allowed for the historic fabric of the building to be more distinct from the new addition. As a result, the applicant is seeking a decision on the original proposal, with the intent of having this decision reviewed by the CAP.

RECOMMENDATION

REFUSE PLANNING CONSENT

Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code.

REASONS FOR REFUSAL

The proposed development would obscure the historic fabric of the associated Representative Building when viewed from the street. This is considered to be inconsistent with Historic Area Overlay DO1, PO 1.1, PO 2.1 and PO 2.3.

Planning Consent

The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

ADVISORY NOTES

Planning Consent

Appeal Rights - General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

OFFICER MAKING RECOMMENDATION

Name: Edmund Feary

Title: Senior Urban Planner

Date: 27 September 2023

DECISION AUTHORITY

Relevant Authority: Assessment panel/Assessment manager at City of Norwood, Payneham and St. Peters

Consent: Planning Consent

Date: 27 September 2023

Delegation Policy: NPSP Delegations

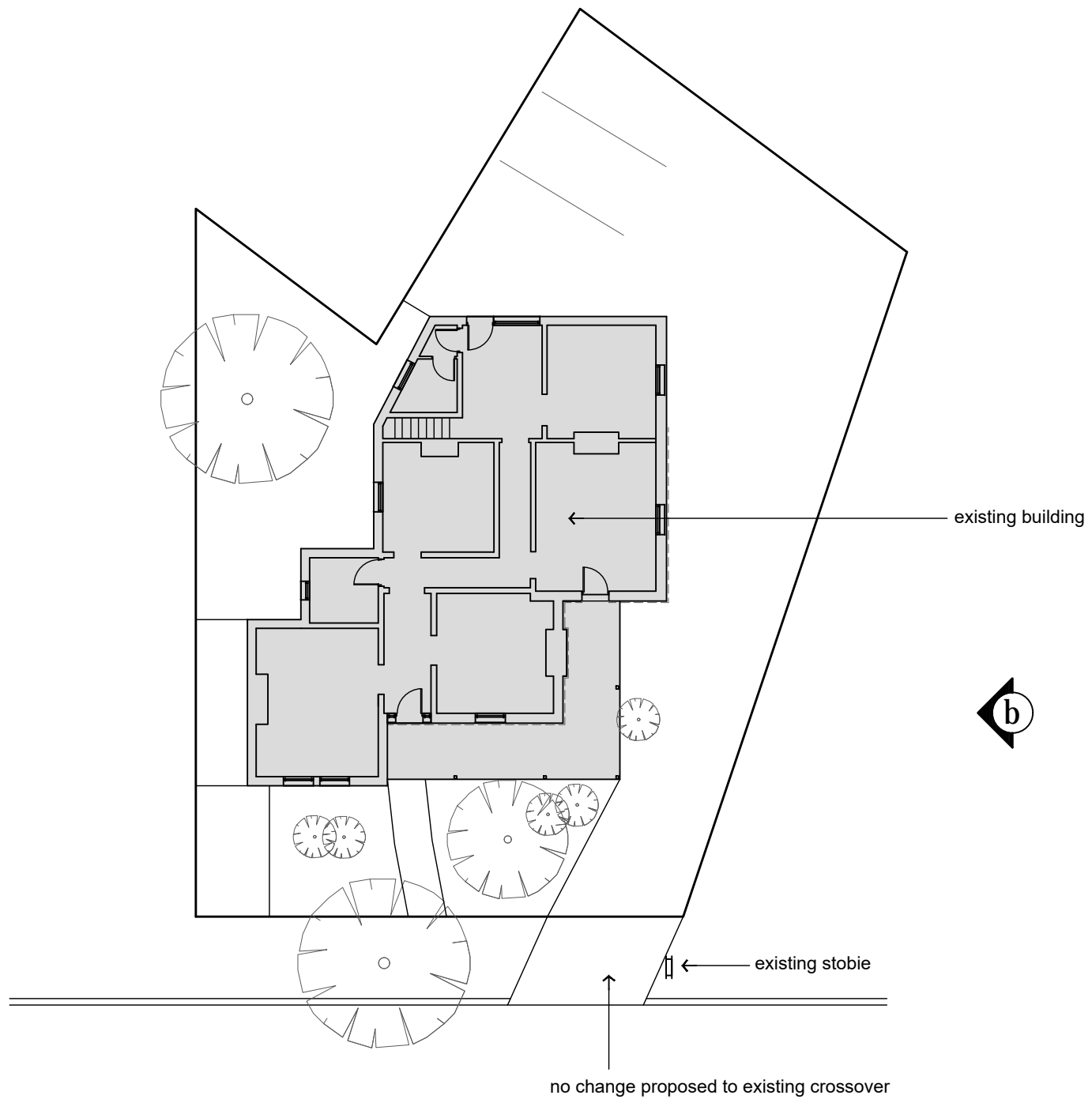
Delegate Name: Edmund Feary

Delegate Title: Senior Urban Planner

FOR BUILDING APPROVAL ONLY

BRICK VENEER CONSTRUCTION
 TIMBER FRAME CONSTRUCTION

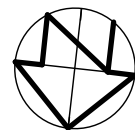
AREAS:	
EXISTING:	~132.00 (14.20 squares)



T H E P A R A D E

existing site plan

SCALE 1:200 @ A3



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 DIMENSIONS SHALL TAKE PREFERENCE
 OVER SCALED DIMENSIONS, AND ANY
 DISCREPANCY SHALL BE REPORTED TO
 THE DESIGNER IMMEDIATELY.

REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

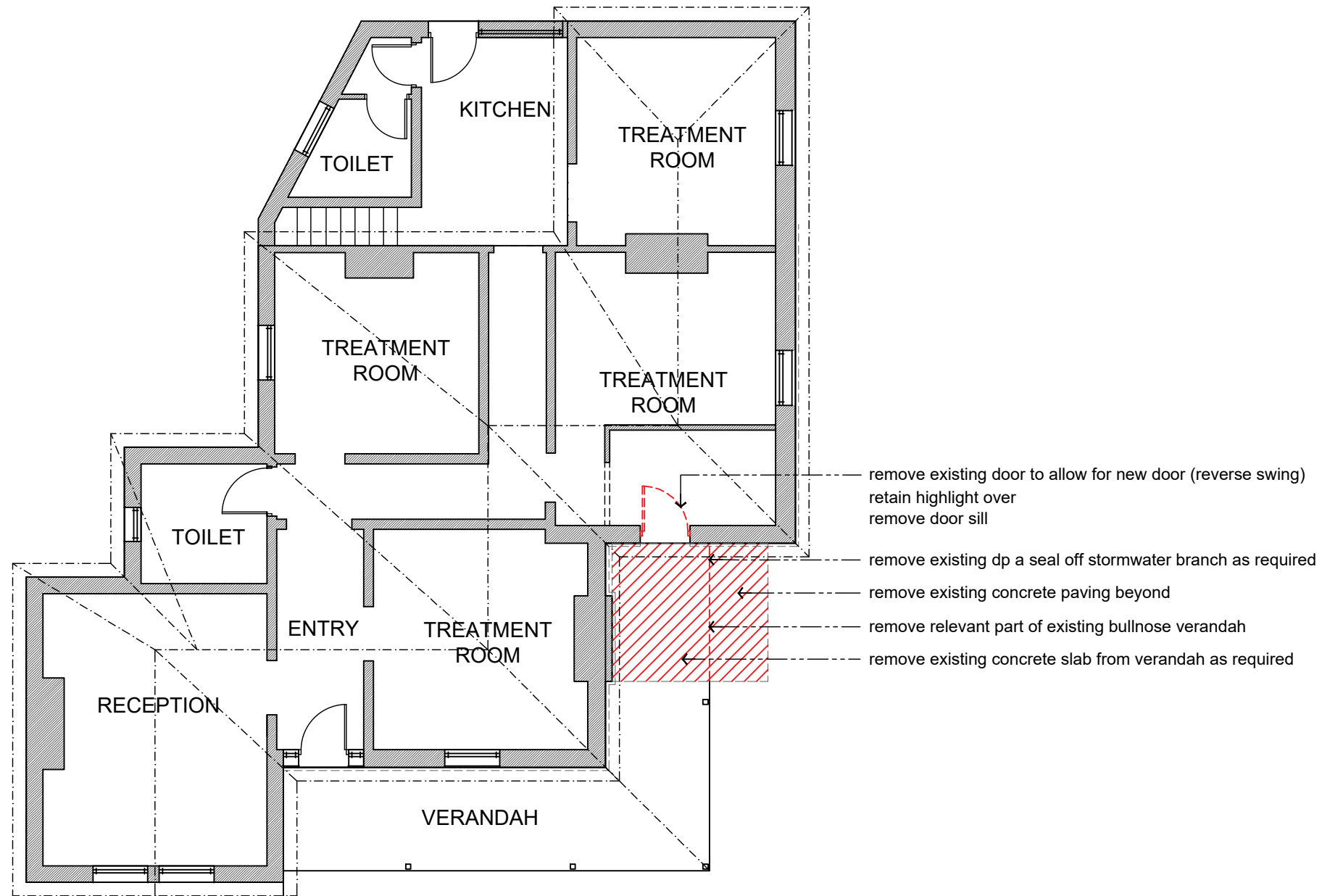
PROJECT: PROPOSED ADDITION
SITE ADDRESS: 292 THE PARADE NORWOOD

CLIENT: PARANAVITHANA

DRAWING TITLE: EXISTING SITE PLAN
DRAWING NUMBER: 01
DRAWN: JR DATE: MAY 2023
CHECKED: AP JOB NO: 5590.23

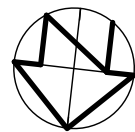
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BRICK VENEER CONSTRUCTION
TIMBER FRAME CONSTRUCTION



existing floor plan

SCALE 1:100 @ A3



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REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT:
PROPOSED ADDITION
SITE ADDRESS:
292
THE PARADE
NORWOOD

CLIENT:
PARANAVITHANA

DRAWING TITLE:
EXISTING FLOOR PLAN
DRAWING NUMBER: 02
DRAWN: JR DATE: MAY 2023
CHECKED: AP JOB NO: 5590.23

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BRICK VENEER CONSTRUCTION
TIMBER FRAME CONSTRUCTION



front elevation - a -

SCALE 1:100 @ A3



side elevation - b -

SCALE 1:100 @ A3



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REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT:
PROPOSED ADDITION
SITE ADDRESS:
292
THE PARADE
NORWOOD

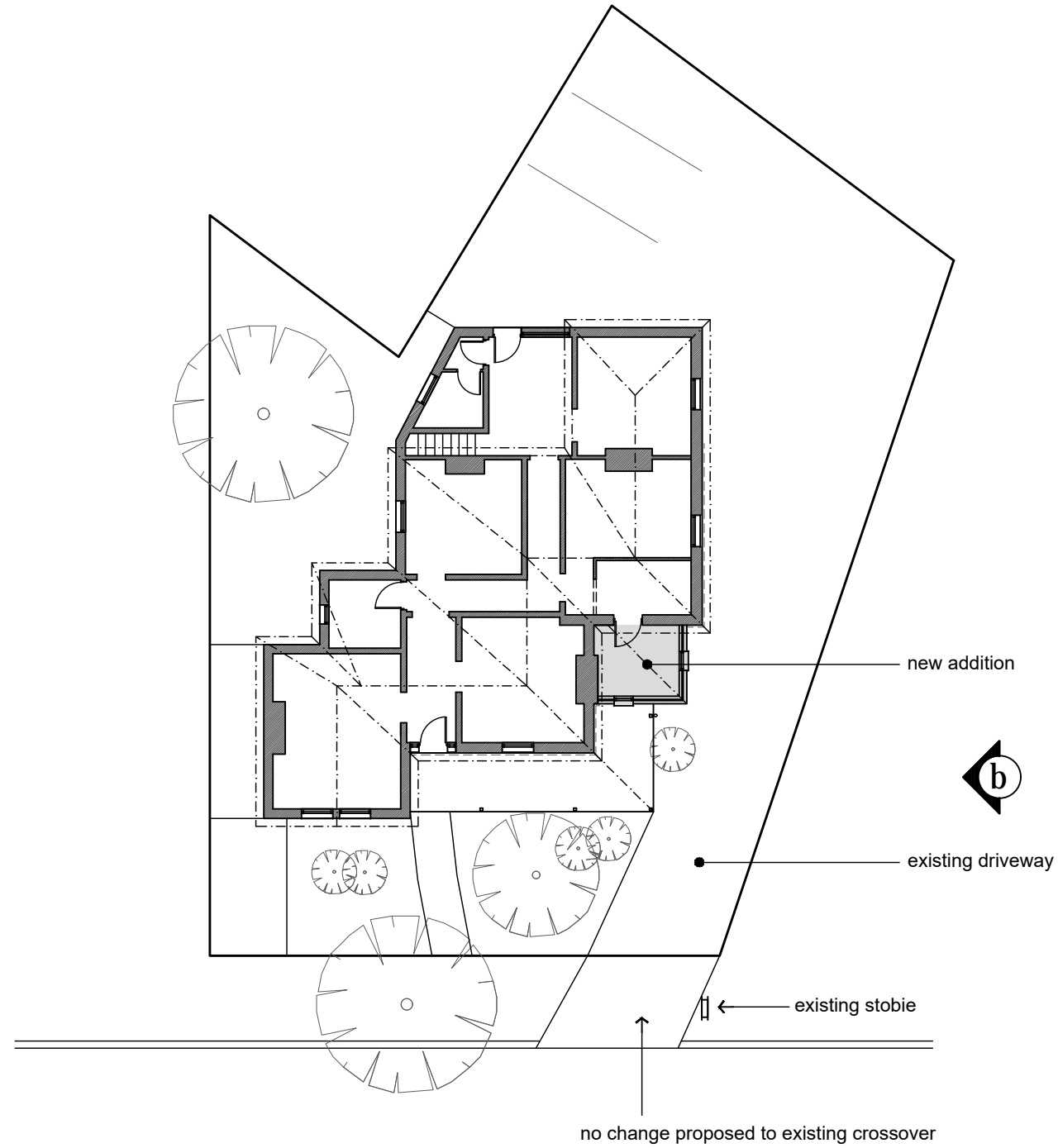
CLIENT:
PARANAVITHANA

DRAWING TITLE:
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DRAWING NUMBER: 03
DRAWN: JR DATE: MAY 2023
CHECKED: AP JOB NO: 5590.23

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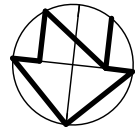
BRICK VENEER CONSTRUCTION
TIMBER FRAME CONSTRUCTION

AREAS:	
EXISTING:	~132.00
STORAGE ROOM	7.28
TOTAL	139.28m ² (14.99 squares)



proposed site plan

SCALE 1:200 @ A3



T H E P A R A D E



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THE DESIGNER IMMEDIATELY.

REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT:
PROPOSED ADDITION

SITE ADDRESS:
292
THE PARADE
NORWOOD

CLIENT:
PARANAVITHANA

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER: WD01

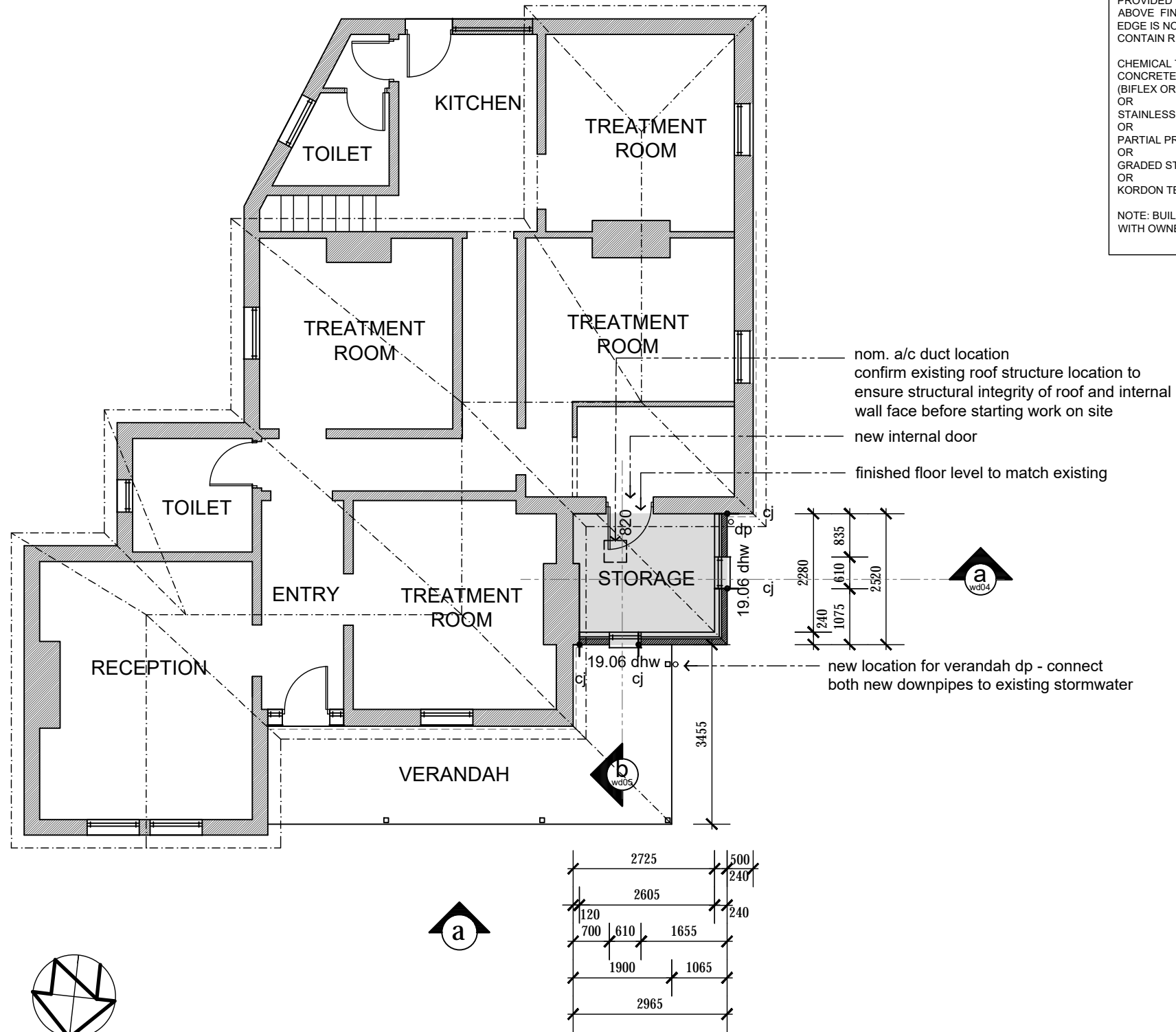
DRAWN: JR DATE: MAY 2023

CHECKED: AP JOB NO: 5590.23

FOR BUILDING APPROVAL ONLY

BRICK VENEER CONSTRUCTION
TIMBER FRAME CONSTRUCTION

AREAS:	
EXISTING:	~132.00
STORAGE ROOM	7.28
TOTAL	139.28m² (14.99 squares)



TERMITE TREATMENT

IF USED, TERMITE RISK MANAGEMENT IS TO COMPLY WITH AS3660.1-2014 & PART 3.1.3 BCA WHERE THE CONCRETE SLAB ON GROUND OF A TERMITE BARRIER IS TO BE AS PART SYSTEM, THE SLAB MUST BE DESIGNED & CONSTRUCTED TO COMPLY WITH AS 2870

SLABS MUST HAVE PENETRATIONS, CONTROL JOINTS AND THE PERIMETER PROTECTED

THE SLAB ON GROUND MAY BE USED AS PERIMETER PROTECTION PROVIDED THAT THE SLAB IS EXPOSED 75 mm ABOVE FINISHED GROUND LEVEL AND THE SLAB EDGE IS NOT HONEYCOMBED, ROUGH OR CONTAIN RIPPLES

CHEMICAL TERMITICIDE TO UNDERSIDE OF CONCRETE SLAB IN ACCORDANCE WITH 3660.1 (BIFLEX OR SIMILAR)
OR
STAINLESS STEEL MESH BARRIER EITHER FULL OR PARTIAL PROTECTION TERMIMESH OR SIMILAR)
OR
GRADED STONE BARRIER
OR
KORDON TERMITE BARRIER

NOTE: BUILDER TO SELECT IN CONSULTATION WITH OWNER

GENERAL NOTES

PROPOSED ADDITION IS TO BE CONSTRUCTED FROM BRICK VENEER COMPRISING OF 110mm STANDARD SIZE BRICKWORK, 40mm CAVITY AND 90mm STEEL STUD WALL. INTERNAL WALLS LINED WITH 10mm PLASTERBOARD WALL LINING. VILLABOARD TO WET AREAS.

ALL EXPOSED TIMBER MEMBERS AND FIXINGS ARE TO BE ADEQUATELY TREATED WITH PRESERVATIVE IN ACCORDANCE WITH AS 1604

VERIFY ALL FINISHED LEVELS BEFORE THE COMMENCEMENT OF ANY BUILDING WORK.

TERMITE PROTECTION SHALL COMPLY WITH AS3660.1-2000, PROVIDE CERTIFICATE IN ACCORDANCE WITH AS3660.1-2000 STATING METHOD OF APPLICATION AND CERTIFICATE OF COMPLETION.

ROOF CONTRACTOR SHALL PROVIDE ALL NECESSARY FLASHINGS, CAPPINGS AND OTHER ITEMS REQUIRED TO MAKE THE ROOF WATERTIGHT AND COMPLETE.

BUILDER TO CHECK AND CONFIRM ALL SITE AND SET OUT DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

REFER TO ENGINEERS DOCUMENTATION FOR DETAILS ON FOOTINGS, STRUCTURE, SITEWORKS AND STORMWATER DETAILS.

ALL GLAZING TO COMPLY WITH AS 1288-2006
ALL GLAZING IS TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH AS 1288.1

EXTERNAL GLAZING ASSEMBLIES TO BE SELECTED AND INSTALLED IN ACCORDANCE WITH AS2047.

ALL SANITARY, PLUMBING, DRAINAGE & ELECTRICAL WORK TO BE CARRIED OUT BY FULLY QUALIFIED AND LICENSED TRADESPERSONS.

ALL ELECTRICAL WORK CARRIED OUT, TO BE IN ACCORDANCE WITH AS 3000.

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS, DOCUMENTS, SCHEDULES AND SPECIFICATIONS

ALL STEEL WORK TO COMPLY WITH BCA-PART 3.4.2.

ALL WET AREA DETAILS TO COMPLY WITH AS 3740

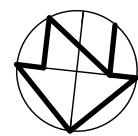
CONSTRUCTION NOTES:

INTERCONNECTED SMOKE ALARMS SHALL COMPLY WITH AS3786 & BE CONNECTED TO THE CONSUMER MAINS POWER.

THE STRUCTURE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA.

proposed floor plan

SCALE 1:100 @ A3



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REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT:
PROPOSED ADDITION

SITE ADDRESS:
292
THE PARADE
NORWOOD

CLIENT:
PARANAVITHANA

DRAWING TITLE:
FLOOR PLAN

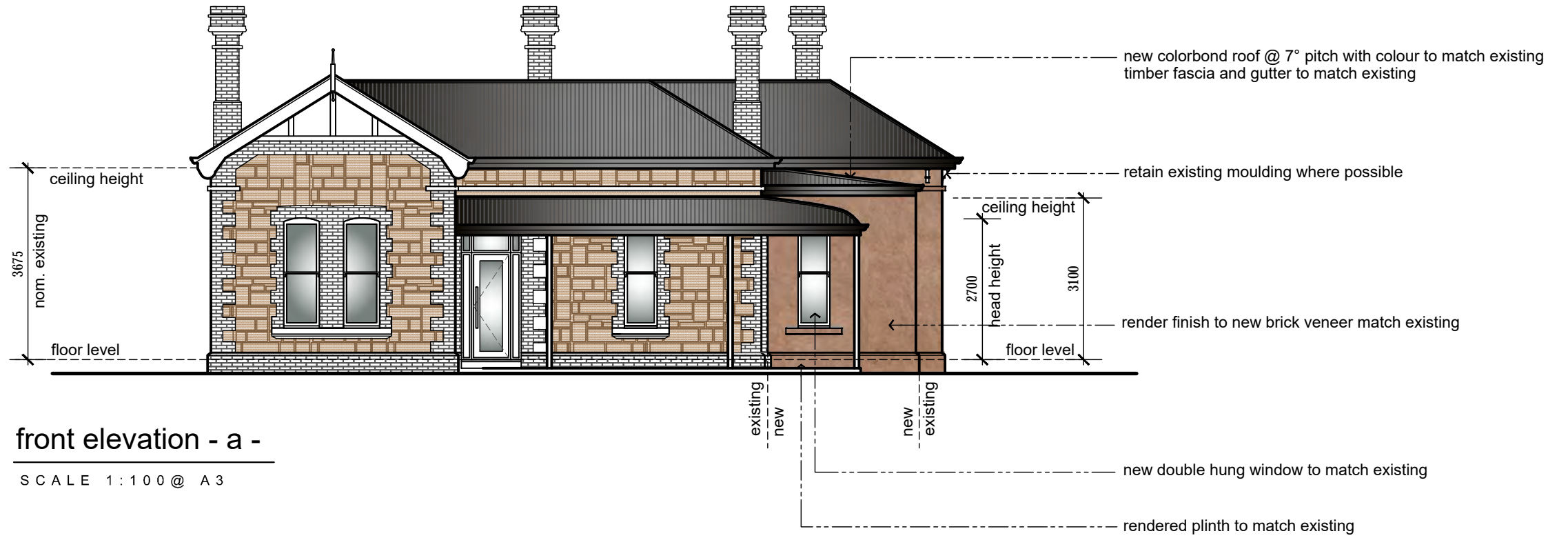
DRAWING NUMBER:
WD02

DRAWN: JR DATE: MAY 2023

CHECKED: AP JOB NO: 5590.23

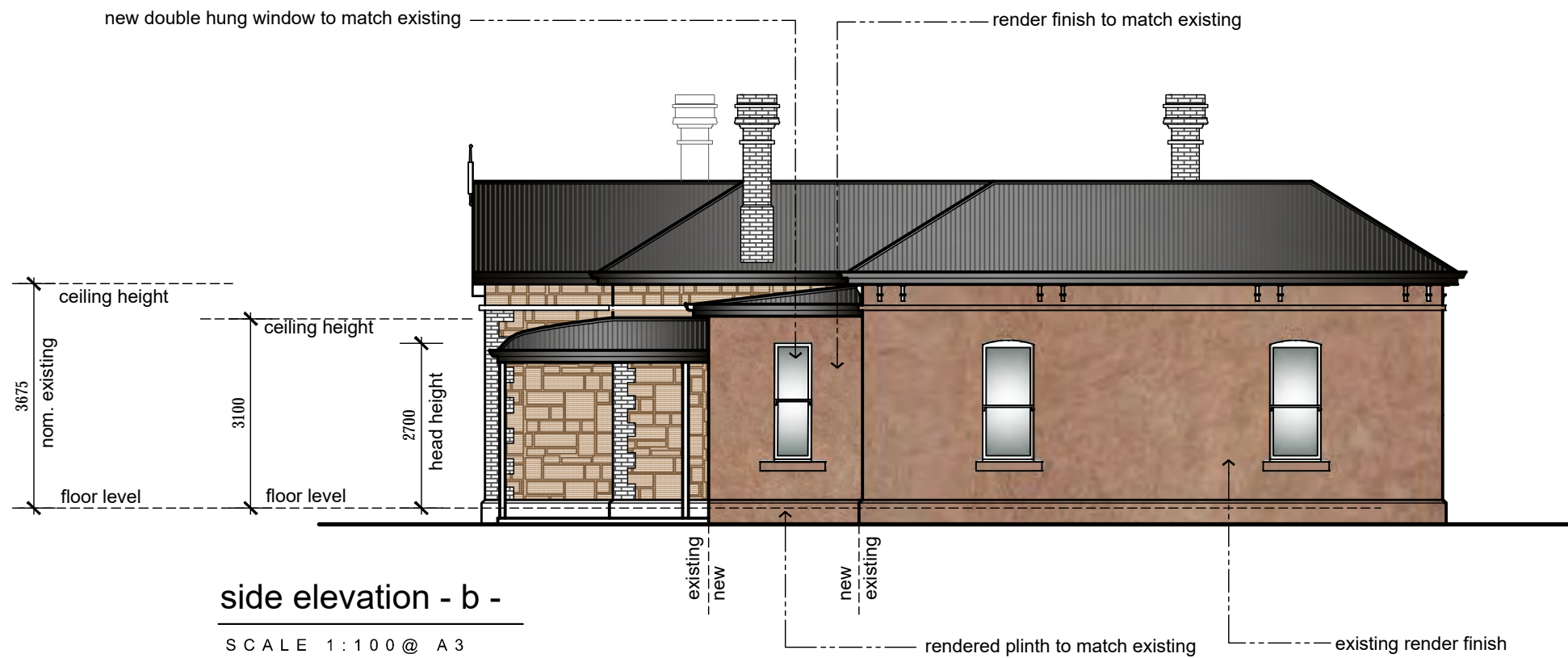
FOR BUILDING APPROVAL ONLY

BRICK VENEER CONSTRUCTION
TIMBER FRAME CONSTRUCTION



front elevation - a -

SCALE 1:100 @ A3



side elevation - b -

SCALE 1:100 @ A3



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REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT:
PROPOSED ADDITION
SITE ADDRESS:
292
THE PARADE
NORWOOD

CLIENT:
PARANAVITHANA

DRAWING TITLE:
PROPOSED ELEVATIONS
DRAWING NUMBER: WD03
DRAWN: JR DATE: MAY 2023
CHECKED: AP JOB NO: 5590.23

HERITAGE IMPACT REPORT

bbarchitects

PROPERTY ADDRESS: **292 The Parade Kensington**
 APPLICATION NUMBER: **23016005**
 DATE: 13 June
 PROPOSAL: Minor addition
 HERITAGE STATUS: REPRESENTATIVE BUILDING
 KENSINGTON MIXED USE HISTORIC AREA OVERLAY
 HERITAGE ADVISOR: David Brown, BB Architects
 PLANNER: Edmund Feary



City of
Norwood
Payneham
& St Peters

ADVICE SOUGHT

No pre Planning Consent advice has been sought from Council's Heritage Advisor by the applicant.

DESCRIPTION

The building is an unusual return verandah Edwardian Villa set on an angled site producing a stepped building form. The site is located in the Business Neighbourhood Zone within the Kensington Mixed Use Historic Area Overlay.



PROPOSAL

The proposal is to demolish part of the front verandah, removal of the original side entry door and construct a rendered masonry structure as a storeroom. The proposed new addition is a simple form with low pitched roof over and a window under the front verandah.

COMMENTS

The proposed addition will be highly visible from the street, and hence is not a good outcome. It changes the front façade and streetscape presentation, and demolishes an original portion of the front verandah.

Given the strange shape of the site, there appear to be several other options for a storeroom on the property, if in fact this is a storeroom with two windows in it. Either way, there is opportunity for better placed additions at the rear and side of the building that will not impact the front façade.

Ned Feary

From: Ned Feary
Sent: Thursday, 29 June 2023 1:09 PM
To: 'jr.inspiregroup@gmail.com'
Subject: Development Application- 292 The Parade, Kensington

Good afternoon,

I have been assessing your application for Planning Consent for a storeroom at this address. Having now completed my assessment, it is my view that I cannot support the application due to its impact on the heritage building.

The site is not a Local Heritage Place, but it is identified as a Representative Building within the Historic Area Overlay. As such, building work forward of the original façade of the building is generally inappropriate. The advice from our Heritage Advisor is as follows:

The proposed addition will be highly visible from the street, and hence is not a good outcome. It changes the front façade and streetscape presentation, and demolishes an original portion of the front verandah.

Given the strange shape of the site, there appear to be several other options for a storeroom on the property, if in fact this is a storeroom with two windows in it. Either way, there is opportunity for better placed additions at the rear and side of the building that will not impact the front façade.

I have considered this advice in the context of other considerations, noting that it is set behind most of the façade, but would obscure a portion of it. Ultimately, the conclusion that I have come to is that it would nonetheless be too prominent, and would be inappropriate.

I am happy to consider an amendment to the application where such a storeroom is built in a different location, where it would not be visible from the road, but I cannot support the proposal put forward here.

I will place the application on hold while I wait to hear whether you would like to amend the application as above. If you would like me to issue my decision regardless (for refusal), please let me know.

If you would like any clarification on any of the above, please let me know.

Thanks,
Ned Feary
URBAN PLANNER

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067
Telephone 8366 4531
Email nfeary@npsp.sa.gov.au
Website www.npsp.sa.gov.au

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Economic Prosperity

Environmental Sustainability



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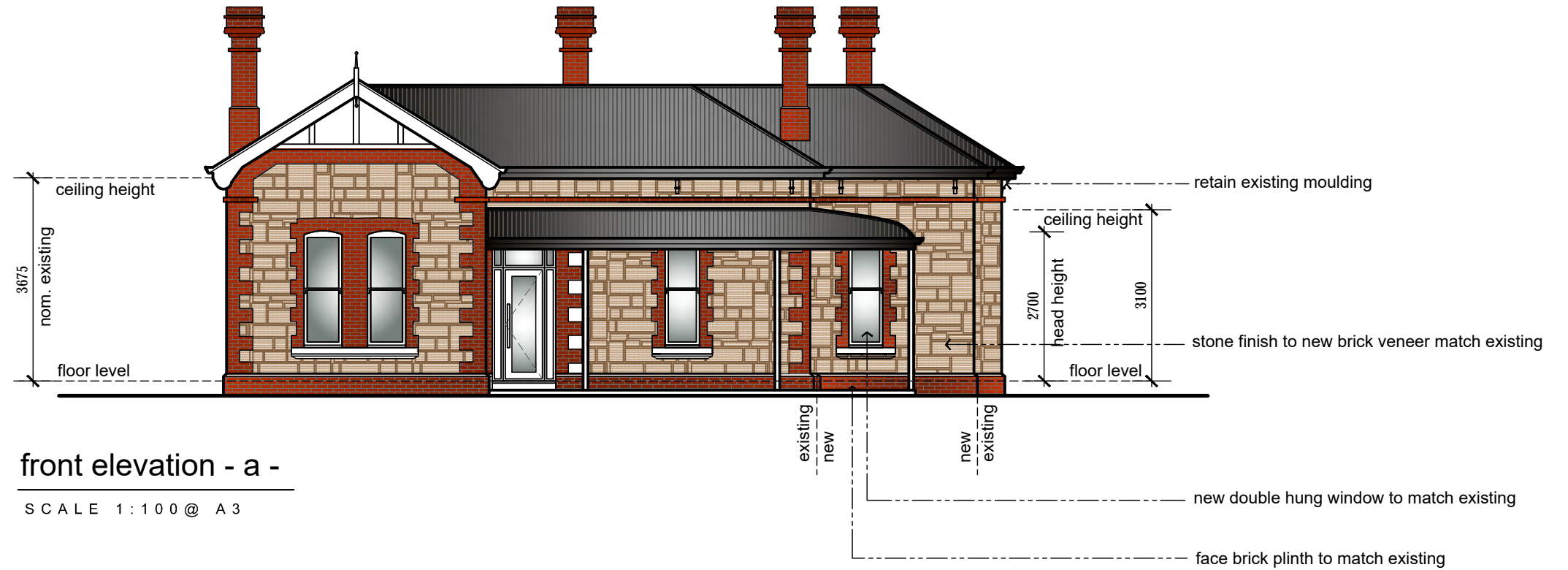
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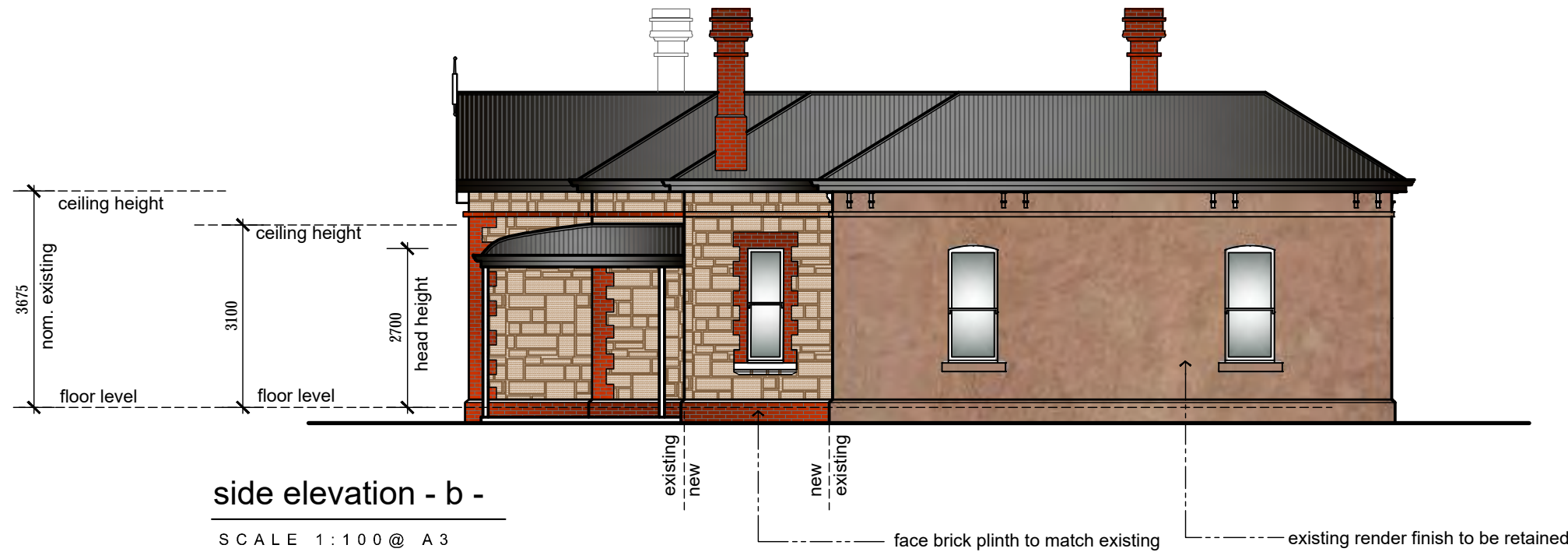
FOR BUILDING APPROVAL ONLY

BRICK VENEER CONSTRUCTION
TIMBER FRAME CONSTRUCTION



new double hung window to match existing

render finish to match existing



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REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT: PROPOSED ADDITION	CLIENT: PARANAVITHANA	DRAWING TITLE: PROPOSED ELE
SITE ADDRESS: 292 THE PARADE KENSINGTON		DRAWING NUMB DRAWN: J CHECKED: A

Ned Feary

From: Ned Feary
Sent: Tuesday, 8 August 2023 2:17 PM
To: 'Jon Rogers'
Subject: RE: 23016005: 292 The Parade Kensington SA 5068

Hi Jon,

Apologies for the slow response. I have now confirmed that the heritage advisor is opposed to an addition in front of the building in any form and I agree that I could not support it.

There are of course avenues of review and appeal open to you if you wish to pursue them. I will summarise them below if you would like.

- Review of Assessment Manager Decision
 - Review by the Council Assessment Panel
 - Four independent experts and one Councillor
 - Fee of \$556
 - Usually takes two-three months for the Panel decision to be made
- Appeal to the Environment, Resources and Development Court
 - Proceedings through the Court
 - Lower fee but there are other costs such as lawyers, planning experts etc. which usually make it much more expensive
 - No set timeframe but generally takes longer

If you wish to look for an alternative location for an addition, I will leave the application on hold, but otherwise I would be recommending to my Manager that it be refused.

Please let me know if I can clarify anything further.

Thanks,
Ned Feary
URBAN PLANNER

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067
Telephone 8366 4531
Email nfeary@npsp.sa.gov.au
Website www.npsp.sa.gov.au

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From: Ned Feary
Sent: Wednesday, 2 August 2023 10:19 AM
To: 'Jon Rogers' <jr.inspiregroup@gmail.com>
Subject: RE: 23016005: 292 The Parade Kensington SA 5068

Hi Jon,

I can see that you called me earlier while I was in a meeting. I don't have any real update- I wanted to get advice from our heritage advisor and that of course takes some time.

My gut feel is that it will still not be ok- I don't think I've ever seen a scenario where we have approved someone building an addition on the front of a representative building and while the layout of this building is a little different from usual villas, I suspect that is unlikely to change. I will confirm once I have received that heritage advice though.

Thanks,
Ned Feary
URBAN PLANNER

City of Norwood Payneham & St Peters
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Email nfeary@npsp.sa.gov.au
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From: Jon Rogers <jr.inspiregroup@gmail.com>
Sent: Monday, 24 July 2023 5:42 PM
To: Ned Feary <nfeary@npsp.sa.gov.au>
Subject: 23016005: 292 The Parade Kensington SA 5068

Hi Ned,

Just to follow on from your last correspondence, we did want to make some slight changes to the proposed elevations to show that the new portion could have a greater visual integration with the existing building.

Matching the existing stone, brickwork and roof form means no new elements are being introduced, and the same basic facade setback configuration is maintained.

If you are able to consider the merits of this option it would be greatly appreciated.

Many thanks,

--

Kind regards,
Jon Rogers



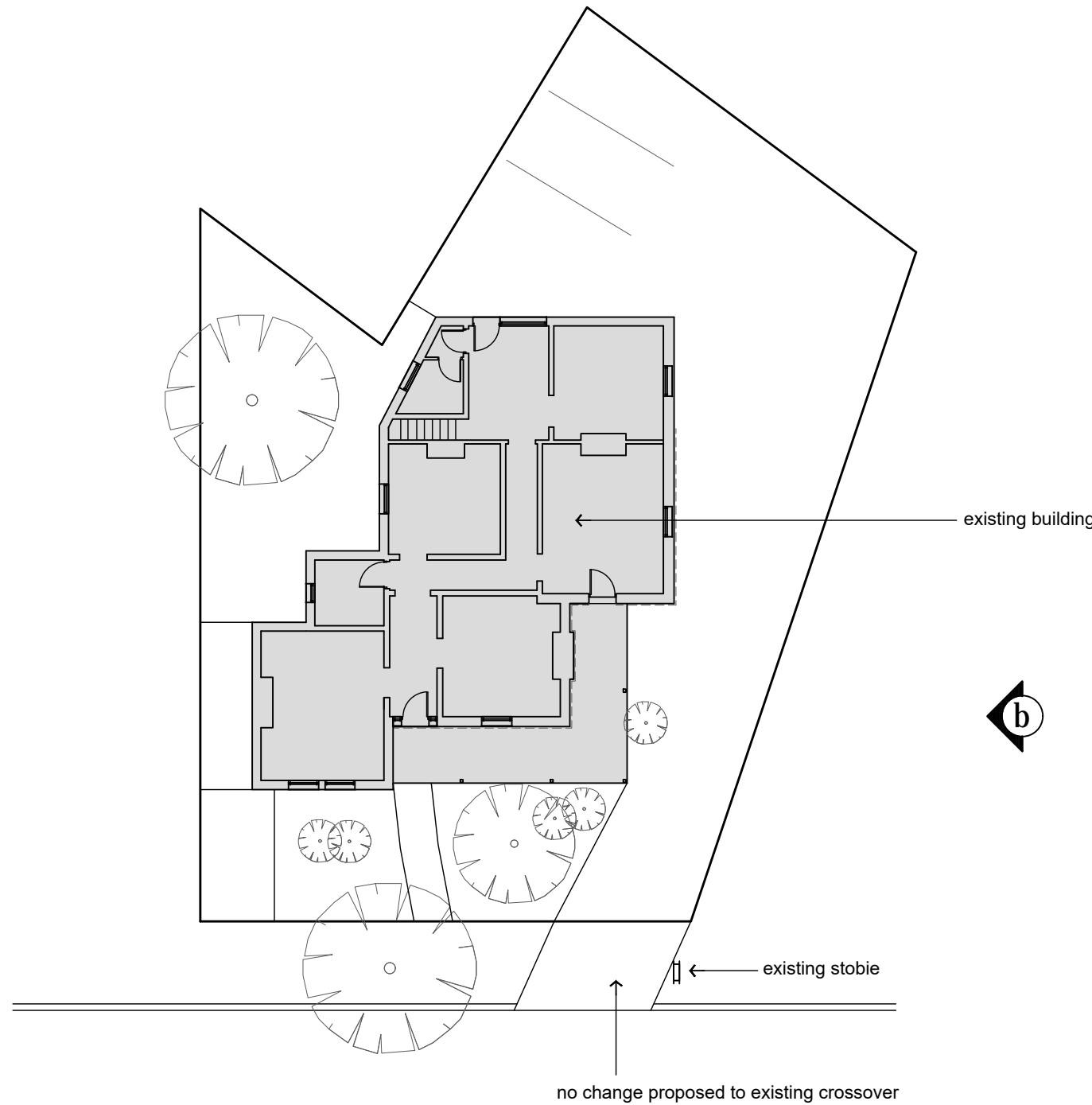
P: (08) 8362 9745
E: jr.inspiregroup@gmail.com

Inspire Design Studio
15B King William Street
Kent Town, SA 5067

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BRICK VENEER CONSTRUCTION
 TIMBER FRAME CONSTRUCTION

AREAS:	
EXISTING:	~132.00 (14.20 squares)

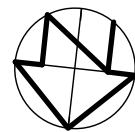


T H E P A R A D E



existing site plan

SCALE 1:200 @ A3



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DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

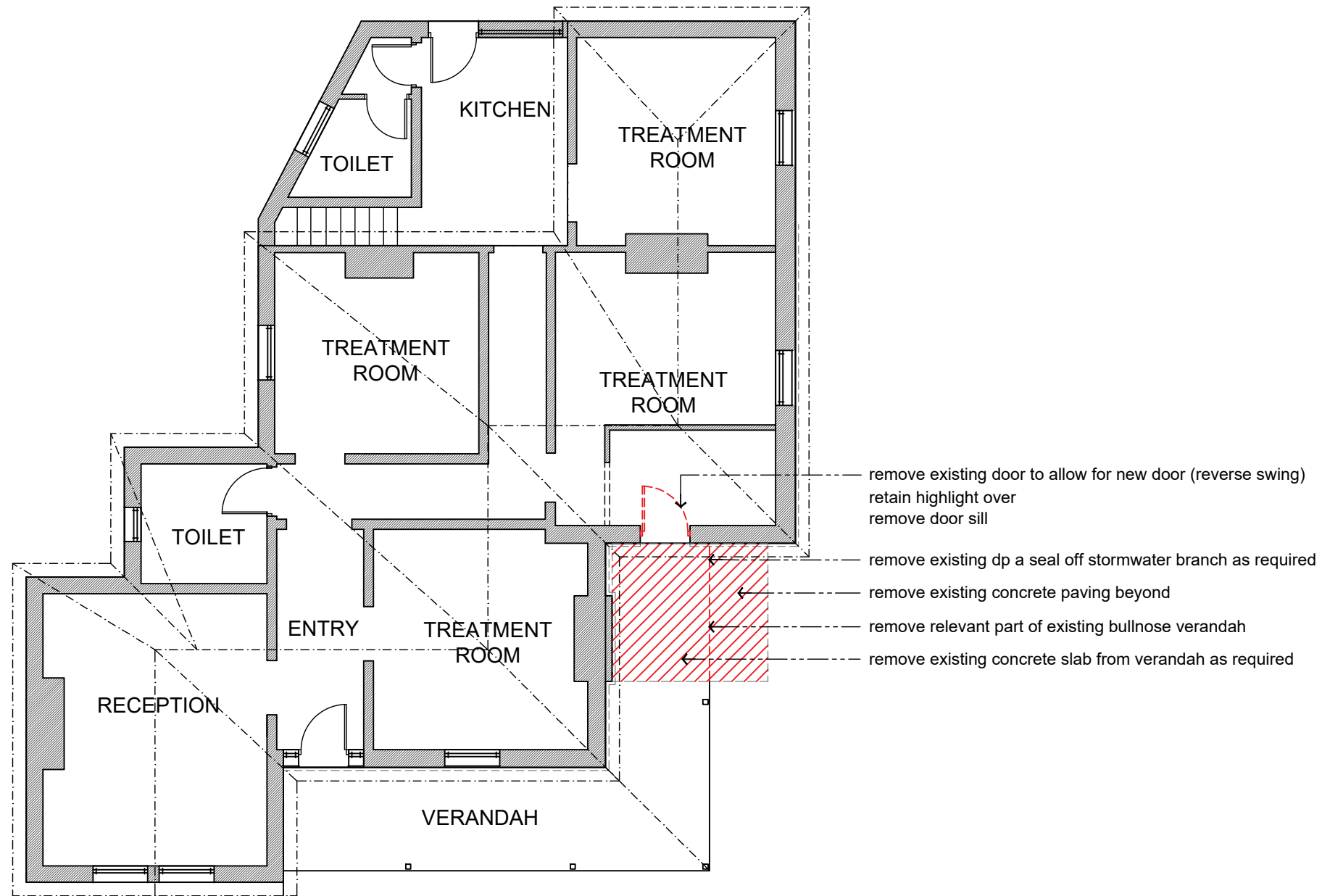
PROJECT: PROPOSED ADDITION
SITE ADDRESS: 292 THE PARADE NORWOOD

CLIENT: PARANAVITHANA

DRAWING TITLE: EXISTING SITE PLAN
DRAWING NUMBER: 01
DRAWN: JR DATE: MAY 2023
CHECKED: AP JOB NO: 5590.23

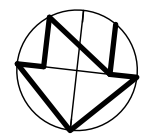
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BRICK VENEER CONSTRUCTION
 TIMBER FRAME CONSTRUCTION



existing floor plan

SCALE 1:100 @ A3



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PROJECT:
 PROPOSED ADDITION

SITE ADDRESS:
 292
 THE PARADE
 NORWOOD

CLIENT:
 PARANAVITHANA

DRAWING TITLE:
 EXISTING FLOOR PLAN

DRAWING NUMBER: 02

DRAWN: JR DATE: MAY 2023

CHECKED: AP JOB NO: 5590.23

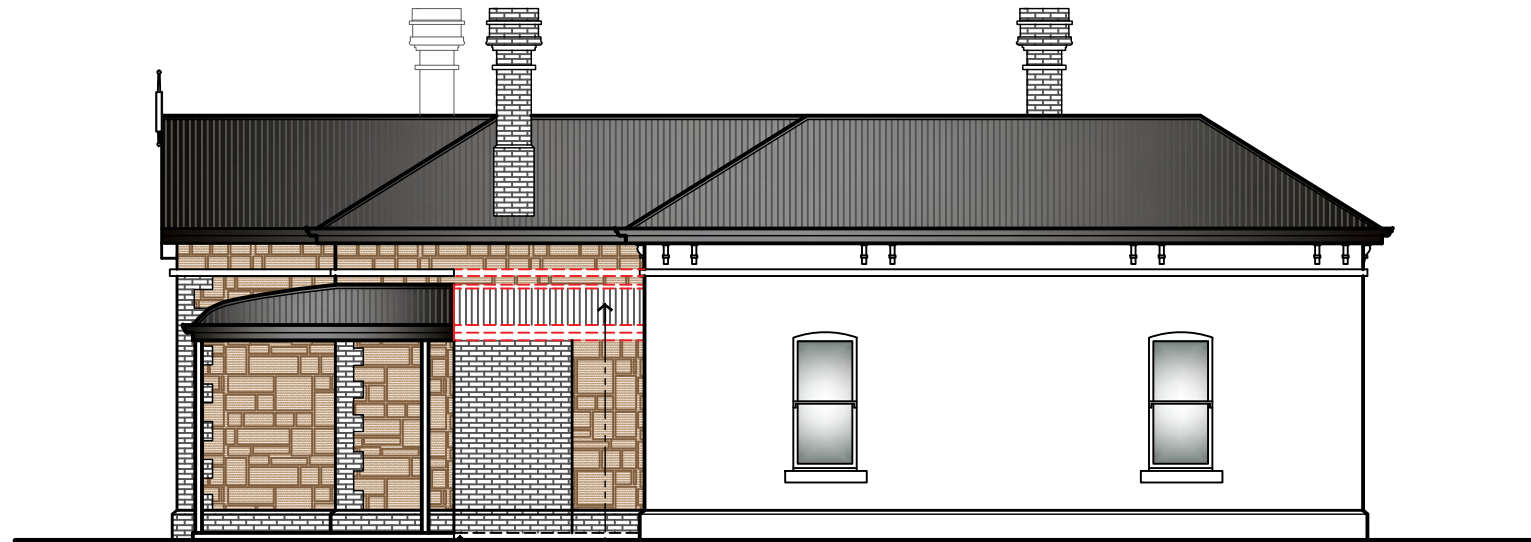
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BRICK VENEER CONSTRUCTION
 TIMBER FRAME CONSTRUCTION



front elevation - a -

SCALE 1:100 @ A3



side elevation - b -

SCALE 1:100 @ A3



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PROJECT:
 PROPOSED ADDITION
 SITE ADDRESS:
 292
 THE PARADE
 NORWOOD

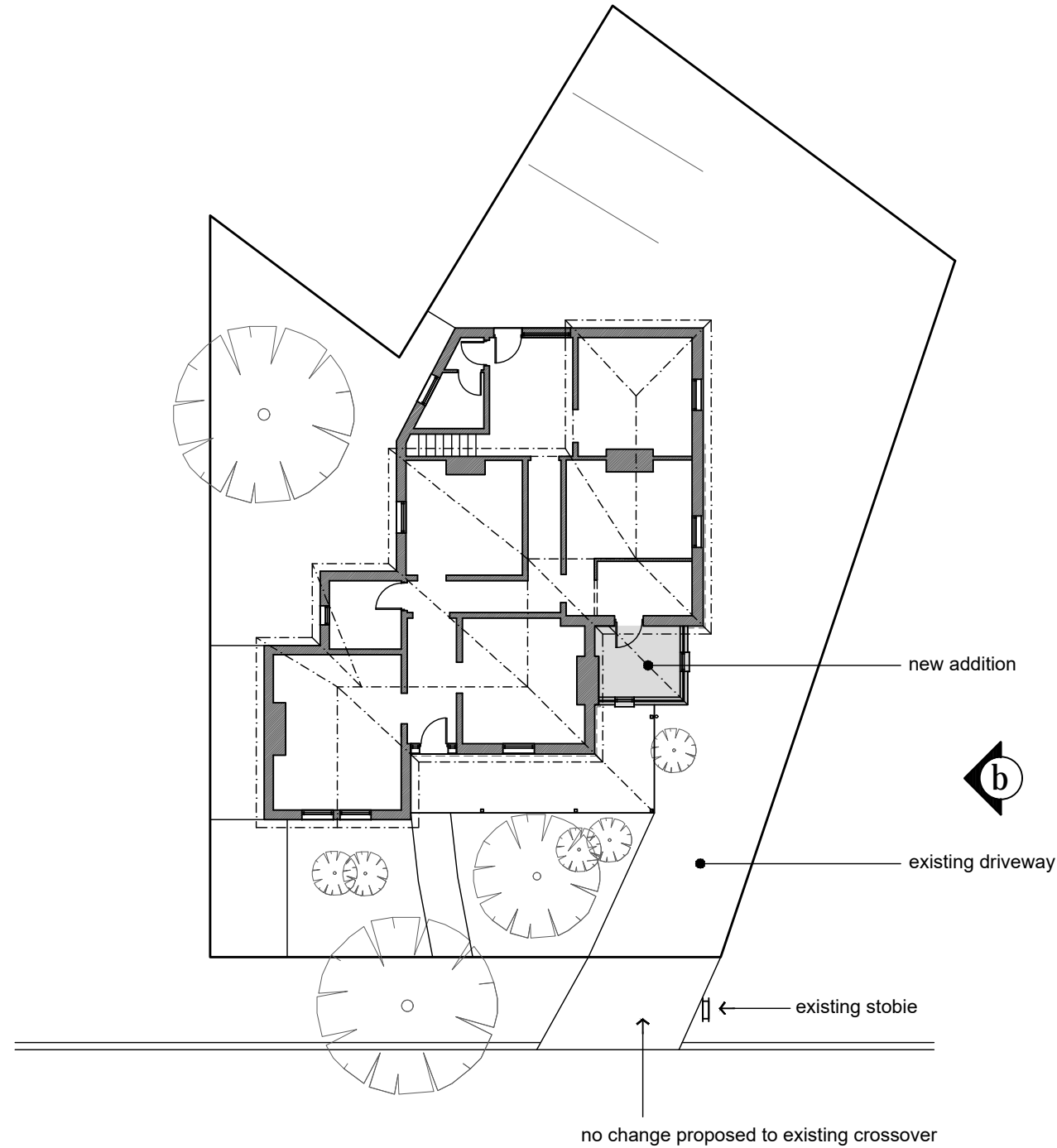
CLIENT:
 PARANAVITHANA

DRAWING TITLE:
 EXISTING ELEVATIONS
 DRAWING NUMBER: 03
 DRAWN: JR DATE: MAY 2023
 CHECKED: AP JOB NO: 5590.23

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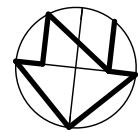
BRICK VENEER CONSTRUCTION
 TIMBER FRAME CONSTRUCTION

AREAS:	
EXISTING:	~132.00
STORAGE ROOM	7.28
TOTAL	139.28m ² (14.99 squares)



proposed site plan

SCALE 1:200 @ A3



T H E P A R A D E



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PROJECT:
 PROPOSED ADDITION
 SITE ADDRESS:
 292
 THE PARADE
 NORWOOD

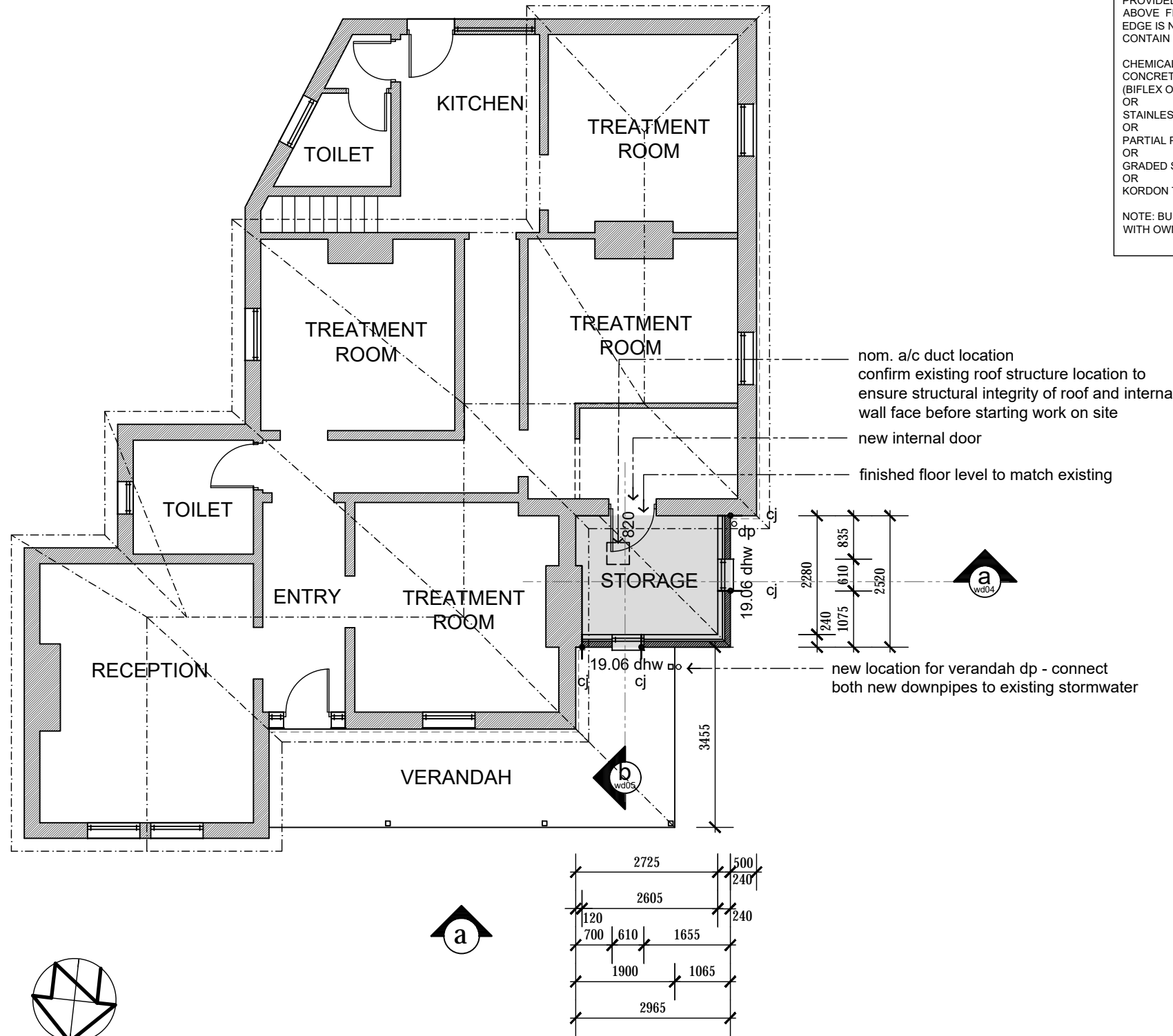
CLIENT:
 PARANAVITHANA

DRAWING TITLE:
 SITE PLAN
 DRAWING NUMBER: WD01
 DRAWN: JR DATE: MAY 2023
 CHECKED: AP JOB NO: 5590.23

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BRICK VENEER CONSTRUCTION
 TIMBER FRAME CONSTRUCTION

AREAS:	
EXISTING:	~132.00
STORAGE ROOM	7.28
TOTAL	139.28m² (14.99 squares)



TERMITE TREATMENT

IF USED, TERMITE RISK MANAGEMENT IS TO COMPLY WITH AS3660.1-2014 & PART 3.1.3 BCA WHERE THE CONCRETE SLAB ON GROUND OF A TERMITE BARRIER IS TO BE AS PART SYSTEM, THE SLAB MUST BE DESIGNED & CONSTRUCTED TO COMPLY WITH AS 2870

SLABS MUST HAVE PENETRATIONS, CONTROL JOINTS AND THE PERIMETER PROTECTED

THE SLAB ON GROUND MAY BE USED AS PERIMETER PROTECTION PROVIDED THAT THE SLAB IS EXPOSED 75 mm ABOVE FINISHED GROUND LEVEL AND THE SLAB EDGE IS NOT HONEYCOMBED, ROUGH OR CONTAIN RIPPLES

CHEMICAL TERMITICIDE TO UNDERSIDE OF CONCRETE SLAB IN ACCORDANCE WITH 3660.1 (BIFLEX OR SIMILAR)
 OR
 STAINLESS STEEL MESH BARRIER EITHER FULL OR PARTIAL PROTECTION TERMIMESH OR SIMILAR)
 OR
 GRADED STONE BARRIER
 OR
 KORDON TERMITE BARRIER

NOTE: BUILDER TO SELECT IN CONSULTATION WITH OWNER

GENERAL NOTES

PROPOSED ADDITION IS TO BE CONSTRUCTED FROM BRICK VENEER COMPRISING OF 110mm STANDARD SIZE BRICKWORK, 40mm CAVITY AND 90mm STEEL STUD WALL. INTERNAL WALLS LINED WITH 10mm PLASTERBOARD WALL LINING. VILLABOARD TO WET AREAS.

ALL EXPOSED TIMBER MEMBERS AND FIXINGS ARE TO BE ADEQUATELY TREATED WITH PRESERVATIVE IN ACCORDANCE WITH AS 1604

VERIFY ALL FINISHED LEVELS BEFORE THE COMMENCEMENT OF ANY BUILDING WORK.

TERMITE PROTECTION SHALL COMPLY WITH AS3660.1-2000, PROVIDE CERTIFICATE IN ACCORDANCE WITH AS3660.1-2000 STATING METHOD OF APPLICATION AND CERTIFICATE OF COMPLETION.

ROOF CONTRACTOR SHALL PROVIDE ALL NECESSARY FLASHINGS, CAPPINGS AND OTHER ITEMS REQUIRED TO MAKE THE ROOF WATERTIGHT AND COMPLETE.

BUILDER TO CHECK AND CONFIRM ALL SITE AND SET OUT DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION.

REFER TO ENGINEERS DOCUMENTATION FOR DETAILS ON FOOTINGS, STRUCTURE, SITEWORKS AND STORMWATER DETAILS.

ALL GLAZING TO COMPLY WITH AS 1288-2006
 ALL GLAZING IS TO BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH AS 1288.1

EXTERNAL GLAZING ASSEMBLIES TO BE SELECTED AND INSTALLED IN ACCORDANCE WITH AS2047.

ALL SANITARY, PLUMBING, DRAINAGE & ELECTRICAL WORK TO BE CARRIED OUT BY FULLY QUALIFIED AND LICENSED TRADESPERSONS.

ALL ELECTRICAL WORK CARRIED OUT, TO BE IN ACCORDANCE WITH AS 3000.

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS, DOCUMENTS, SCHEDULES AND SPECIFICATIONS

ALL STEEL WORK TO COMPLY WITH BCA-PART 3.4.2.

ALL WET AREA DETAILS TO COMPLY WITH AS 3740

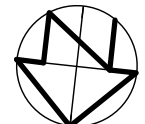
CONSTRUCTION NOTES:

INTERCONNECTED SMOKE ALARMS SHALL COMPLY WITH AS3786 & BE CONNECTED TO THE CONSUMER MAINS POWER.

THE STRUCTURE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE BUILDING CODE OF AUSTRALIA.

proposed floor plan

SCALE 1:100 @ A3



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REVISIONS				REVISIONS			
DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT:
 PROPOSED ADDITION

SITE ADDRESS:
 292 THE PARADE
 NORWOOD

CLIENT:
 PARANAVITHANA

DRAWING TITLE:
 FLOOR PLAN

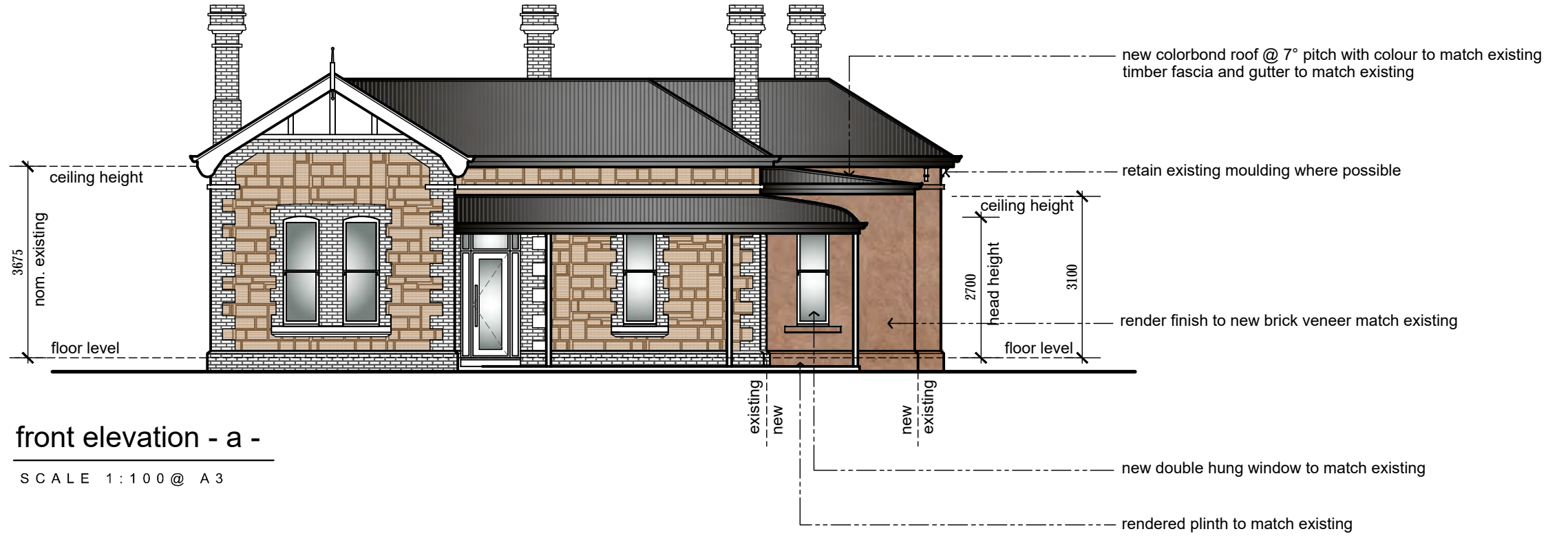
DRAWING NUMBER:
 WD02

DRAWN: JR DATE: MAY 2023

CHECKED: AP JOB NO: 5590.23

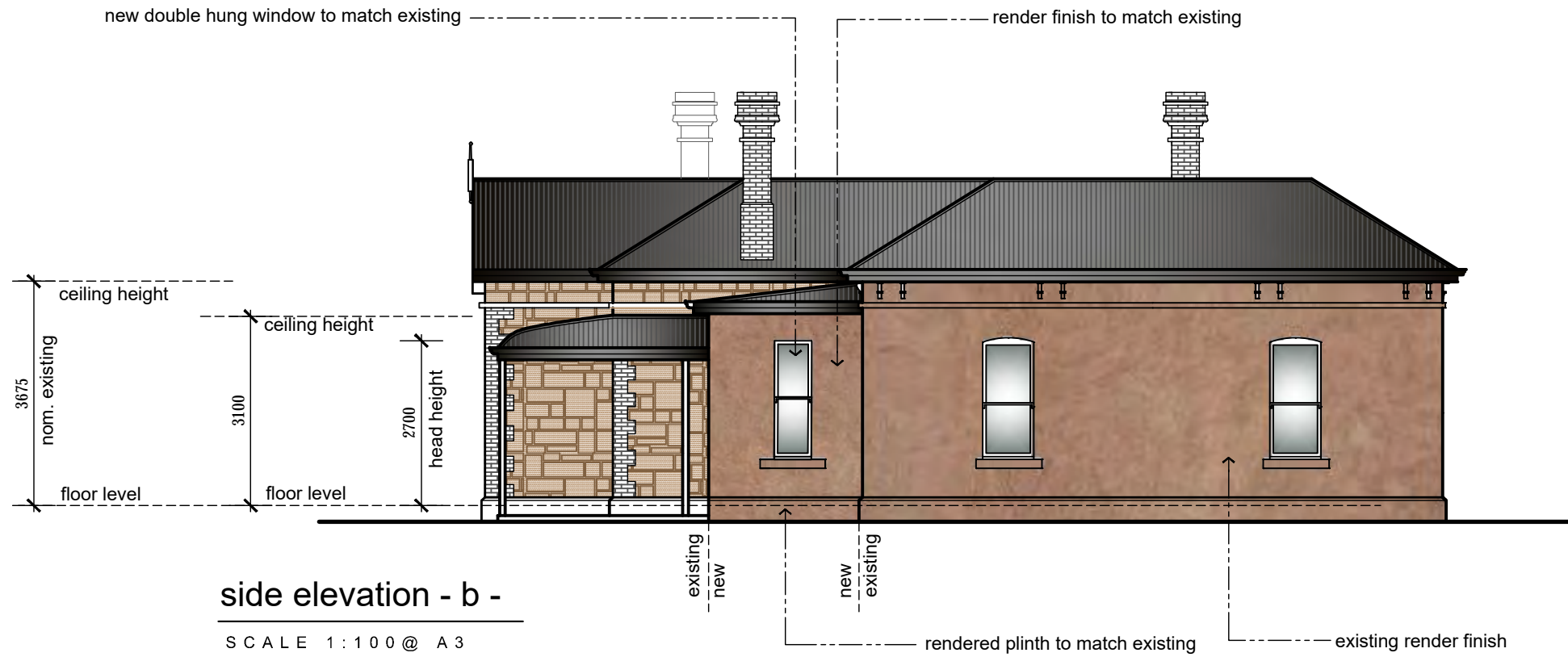
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BRICK VENEER CONSTRUCTION
 TIMBER FRAME CONSTRUCTION



front elevation - a -

SCALE 1:100 @ A3



side elevation - b -

SCALE 1:100 @ A3



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DATE	REV	DESCRIPTION	BY	DATE	REV	DESCRIPTION	BY

PROJECT:
 PROPOSED ADDITION
 SITE ADDRESS:
 292
 THE PARADE
 NORWOOD

CLIENT:
 PARANAVITHANA

DRAWING TITLE:
 PROPOSED ELEVATIONS
 DRAWING NUMBER: WD03
 DRAWN: JR DATE: MAY 2023
 CHECKED: AP JOB NO: 5590.23

8. ERD COURT APPEALS

9. OTHER BUSINESS
(Of an urgent nature only)

9.1 SCHEDULE OF COUNCIL ASSESSMENT PANEL MEETINGS FOR 2024

PURPOSE OF REPORT

The purpose of the report is to obtain the Panel's endorsement of the draft Schedule of Meetings of the Council Assessment Panel for the period January 2024 to December 2024.

BACKGROUND

Pursuant to Clause 1.2 of the Meeting Procedures, ordinary meetings of the City of Norwood Payneham & St Peters Council Assessment Panel (CAP) will be held at such times and places as determined by the CAP.

The CAP previously determined the times and places of meetings up until December 2023, corresponding with the end of the calendar year. As a new calendar year is shortly to commence, it is necessary for the CAP to consider its meeting dates and times for 2024 to ensure we maximise the opportunity to secure a quorum for each meeting.

DISCUSSION

In the past, ordinary meetings of the Council Assessment Panel have been held commencing at 7.00pm on the third Monday of each month, unless otherwise determined by the Panel. In the event of a public holiday and / or the re-scheduling of a Council meeting which clashes with a scheduled Panel meeting, the Council has previously resolved that Panel meetings be held on the third Wednesday of the month.

A draft Schedule of Meetings for this period has been prepared for consideration by the Panel based on this practice of conducting Panel meetings on the third Monday of the month. A copy of the draft Schedule is attached (**Attachment A**).

This Schedule has worked well in the past and in order to ensure consistency with the Elected Member on the Panel, staff and the community, it is recommended that this schedule be followed, unless the time and date is such that one or more Members of the Panel is unable to attend the scheduled meetings on a regular basis.

The venue of the Council Chambers / Mayor's Parlour is also recommended, as it is considered conducive to the format and operation of a typical Panel meetings and has the necessary IT equipment.

Please note, no part of this report or the attached schedule would prevent a special meeting of the Panel being called, in accordance with clauses 1.12 and 1.14 of the Meeting Procedures.

CONCLUSION

Determination of the times and places for ordinary meetings of the Panel, will ensure compliance with the requirements of the Terms of Reference and enables administration to communicate these dates and times to the community.

COMMENTS

Nil.

RECOMMENDATION

1. That the Council Assessment Panel meetings for the 2024 calendar year be held in accordance with the Schedule of Council Assessment Panel Meetings attached to this report.

Schedule of Council Assessment Panel Meetings January to December 2024

Day	Date	Year	Time	Location
Wednesday	24 January	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	19 February	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	18 March	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	15 April	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	20 May	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	17 June	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	15 July	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	19 August	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	16 September	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	21 October	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	18 November	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall
Monday	16 December	2024	7.00-11.00pm	Council Chambers, Norwood Town Hall

* Meeting rescheduled due to a public holiday on the Monday.

** Meeting rescheduled due to a change in meeting location.

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067

Telephone 8366 4555
Email townhall@npsp.sa.gov.au
Website www.npsp.sa.gov.au
Socials [f /cityofnpsp](https://www.facebook.com/cityofnpsp) [@cityofnpsp](https://www.instagram.com/cityofnpsp)



City of
Norwood
Payneham
& St Peters

10. CONFIDENTIAL REPORTS

11. CLOSURE