



AGENDA

FOR COUNCIL ASSESSMENT PANEL MEETING TO BE HELD ON

21 DECEMBER 2021 AT 6.30 PM

**IN THE LITTLE PARA CONFERENCE ROOMS, SALISBURY COMMUNITY HUB,
34 CHURCH STREET, SALISBURY**

MEMBERS

Mr T Mosel (Presiding Member)
Mr R Bateup
Ms C Gill
Mr B Brug
Mr M Atkinson

REQUIRED STAFF

Manager Development Services, Mr C Zafiropoulos (Assessment Manager)
General Manager City Development, Ms M English
Development Officer – Planning, Mr C Carrey

APOLOGIES

LEAVE OF ABSENCE

ENDORSED MINUTES FROM PREVIOUS MEETING

Presentation of the Minutes of the Council Assessment Panel Meeting held on 23 November 2021.

DECLARATIONS OF CONFLICTS OF INTEREST

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Retention of Existing Residential Units, Demolition of Existing Utility Building, Construction of Three (3) Two-Storey Group Dwellings and Pergola, Vehicular Access from Rear Laneway, Alterations to Onsite Car Parking, Retaining Walls, Fencing, Landscaping and Provision Of Communal Areas

173-175 Park Terrace, Brahma Lodge

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Three single storey detached dwellings in terrace arrangement, combined retaining walls and fencing exceeding 2.1 metres in height

19 Penner Crescent, Para Hills

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8.2.2 Status of Current Appeal Matters and Deferred Items

8.2.3 Policy Issues Arising from Consideration of Development Applications

8.2.4 Future Meetings & Agenda Items

CLOSE

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**MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD IN THE LITTLE
PARA CONFERENCE ROOMS, SALISBURY COMMUNITY HUB, 34 CHURCH
STREET, SALISBURY ON**

23 NOVEMBER 2021

MEMBERS PRESENT

Mr T Mosel (Presiding Member)
Mr R Bateup
Ms C Gill
Mr B Brug
Mr M Atkinson

STAFF

Assessment Manager, Mr C Zafiropoulos
Team Leader Planning, Mr A Curtis
Development Officer Planning, Ms K Thrussell
Development Officer Planning, Mr M Sumito
Team Leader Business Services, Ms H Crossley

The meeting commenced at 6.35 pm.

The Presiding Member welcomed the members, staff and the gallery to the meeting.

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 28 September 2021, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

8.1.1 21025238

Change of use from warehouse to light industry (Manufacturing of air conditioning components) for Unit 4 only at Unit 4, 6-12 Stanbel Road, Salisbury Plain for Andrew Vort Ronald.

REPRESENTORS

Mr E Siciliano, and Ms V Roma and ESP Siciliano were unable to attend meeting and provided a further written statement dated 19 /11/2021 and received 22/11/2021, copies of which were provided at the meeting to the Panel members and the applicant.

APPLICANT

Mr A and Ms D Von Ronald, spoke on behalf of their application.

Mr B Brug, and the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the with the South Australia Planning and Design Code – Operational version dated 08 September 2021.
- B. Pursuant to Section 102 of the *Planning, Development and Infrastructure Act 2016*, Planning Consent is **GRANTED** to application number 21025238 for Change of use from warehouse to light industry (Manufacturing of air conditioning components) for Unit 4 only in accordance with the plans and details submitted with the application and subject to the following conditions:

Development Consent Conditions

1. The development shall be carried out in accordance with the details submitted with the application and the following stamped approved plans and documents, except where otherwise varied by the conditions herein:

Document Description	Document Type	Date	Prepared By
Application Statement	Application Detail	-	Elite Air Solutions P/L.
Sheets 1 - 8	All Existing Approved Plans – Unit 4.	16 March 2009	Zummo Design
Environmental	Technical Assessment	September 2021	Sonus P/L

Noise Assessment			
Response to Representations	Technical Assessment	31 October 2021	Sonus P/L
PRIMAX HP Panel Material Data	MSDS and Technical Data	July 2021	Reflex Insulation P/L
Puma Air Compressor Technical Specification	Specification	-	Puma Industrial Co. Ltd.
AirTight Solutions Dust Extraction / Filtration Specification	Specification	-	Airtight Australia P/L
PIR Lightweight Box Production	Application Detail	-	Elite Air Solutions P/L.

2. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking area or driveways at any time.
3. All waste bins shall be stored inside the building within a covered receptacle, pending removal at appropriate intervals.
4. The approved use operating times shall be limited to:
 - a) Monday to Saturday 7.00am to 6.00pm; and
 - b) Sundays 8:00am to 2:00pm for the following activities only:
 - Bookkeeping;
 - Assembly of already cut components (using the air compressor and other non- electronic hand tools); and
 - General clean up requiring the use of the air compressor.
 - c) No operations on Public Holidays.
5. All roller doors and other openings to the building shall remain closed:
 - a) Sundays; and
 - b) At all other approved operating times whenever:
 - The double mitre saw is being used to cut metal; or
 - A manufacturing activity is undertaken that does not use the CNC machine, dust extractor or air compressor.
6. The noise levels from the site measured at residences (the noise affected premises) shall comply with the Environment Protection (Noise) Policy 2007 at all times.

7. Dust extraction systems shall be employed at all times during all cutting or shaping activities involving the proprietary composite panel material(s), such that dust particles do not escape the workshop and adversely impact property occupiers, other land uses in the locality or the environment.

Advice Notes

1. The planning consent is for a specific light industrial use for the manufacture of air-conditioning components as proposed in the application documentation. Any changes to the manufacturing activities may require further approval and should be confirmed with Council.
2. Building Consent and Development Approval must be obtained within 24 months from the date of this Notification, unless this period has been extended by the Council. Work cannot commence until a Development Approval is obtained.
2. Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the site from previous approvals that remain active.
3. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
4. This Development Approval does not constitute land owners approval. The following applies to any works on Council land:
 - (a) Any person making alteration to council land including erecting or installing a structure (pipes, wires, cables, fixtures, fittings), storing building materials, erecting temporary fencing, altering the kerb, gutter, footpath or crossover etc. in, on, under or over Council land, is subject to a permit from Council pursuant to Section 221 of the *Local Government Act 1999*.
 - (b) Service infrastructure should be located as far as practicable away from street trees, in order to protect the root zone and to prevent future damage to the infrastructure from root expansion.
 - (c) Residents and businesses are encouraged to develop and maintain the verge area between their property boundary and the kerb. However, some types of development such as irrigation, tree planting and landscaping may be restricted in some areas and therefore permission should be first sought from Council before commencing any works.
 - (d) It is the developers/owners responsibility to ensure that damage does not occur to verge infrastructure during construction. Council regularly inspects the condition of verge infrastructure during construction and where damage is observed, Council may recover the costs from the owner for reinstatement of any damage to the footpath, kerb or gutter and may also impose a substantial penalty for any willful damage.

8.1.2**361/24/2021/2A**

Fourteen two storey dwellings, retaining walls and fencing at 35-41 Lantana Drive, Parafield Gardens SA 5107 for M2 Custom Homes Pty Ltd

REPRESENTORS

Ms R Stankovic, spoke to her representation.

APPLICANT

Mr R Marciano, spoke to the application.

Mr M Atkinson moved, and the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 4th April 2019.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **REFUSED** to application number 361/24/2021/2A for fourteen two storey dwellings, retaining walls and fencing for the following reasons:
 - The bulk and scale of the proposed dwellings do not complement the existing character of the locality, which is at odds with Design and Appearance Module Principle of Development Control 1 and the Desired Character Statement for the Residential zone.
 - The proposed density of the development is considered inappropriate, as the subject land is not conveniently located to public open space, public transport, shops or other services. The proposal is therefore contrary to the Desired Character Statement and Objective 2 for the Residential Zone.
 - The provision of landscaping is not considered to be acceptable and is contrary to Objective 1 and Principle of Development Control 1 of the Landscaping, Fences and Walls Module.

8.1.3**361/1974/2019/LD**

Land Division (Torrens Title) - Creation of 15 allotments from 1 allotment and public roads at 35-41 Lantana Drive, Parafield Gardens SA 5107 for State Surveys

REPRESENTORS

Ms R Stankovic, spoke to her representation.

APPLICANT

Mr R Marciano, spoke on behalf of the applicant.

Ms C Gill moved, and the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 4 April 2019.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **REFUSED** to application number 361/1974/2019/LD for Land Division (Torrens Title) - Creation of 15 allotments from 1 allotment and public roads for the following reasons;
 - The proposal is contrary to Objective 1 Land Division Module, that the proposal does not occur in an orderly sequence allowing efficient provision of new infrastructure.
 - The proposal is contrary to Objective 2 Land Division Module, in that the proposal does not create allotments appropriate for the intended use.
 - The proposal is contrary to Objective 4 Land Division Module, in that the proposal is not integrated with site features, including landscaping and environmental features and adjacent land uses.

OTHER BUSINESS

8.2.1 CAP Operating Procedures

Mr R Bateup, and the Council Assessment Panel resolve that the Council Assessment Panel:

1. Adopts the updated General Operating Procedures in Attachment 1 to this report.

Mr M Atkinson moved, and the Council Assessment Panel resolve that the Council Assessment Panel:

2. Appoints Ms C Gill as the Acting Presiding Member for the remainder of the CAP term.

8.2.2 Assessment Manager Quarterly Report - July to September 2021

Mr B Brug, and the Council Assessment Panel resolve:

1. That the information be received and noted.

8.2.3 Status of Current Appeal Matters and Deferred Items

Nil

8.2.4 Policy Issues Arising from Consideration of Development Applications

Nil

8.2.5 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 21 December 2021.

8.2.6 Other Business

The Council Assessment Panel resolved to formally thank Aaron Curtis for his contribution to the operations and considerations of the Panel.

ADOPTION OF MINUTES

Ms C Gill moved, and the Council Assessment Panel resolved that the Minutes of the Council Assessment Panel Meeting be taken and read as confirmed.

The meeting closed at 9.00 pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 23 November 2021
(refer to email approving minutes registered in Dataworks Document Number 7065251)

ITEM	8.1.1
	COUNCIL ASSESSMENT PANEL
DATE	21 December 2021
APPLICATION NO.	361/1618/2020/2A
APPLICANT	N27 Pty Ltd
PROPOSAL	RETENTION OF EXISTING RESIDENTIAL UNITS, DEMOLITION OF EXISTING UTILITY BUILDING, CONSTRUCTION OF THREE (3) TWO-STOREY GROUP DWELLINGS AND PERGOLA, VEHICULAR ACCESS FROM REAR LANEWAY, ALTERATIONS TO ONSITE CAR PARKING, RETAINING WALLS, FENCING, LANDSCAPING AND PROVISION OF COMMUNAL AREAS
LOCATION	173-175 Park Terrace, Brahma Lodge, SA 5109
CERTIFICATE OF TITLE	CT-5969/945
AUTHOR	Andrew Humby, Planning Consultant

1. DEVELOPMENT APPLICATION DETAILS

Zone/Policy Area	Residential Zone
Application Type	Merit
Public Notification	Representations received: Two (2) Representations to be heard: One (1)
Referrals - Statutory	Department for Infrastructure and Transport
Referrals – Internal	Development Engineering
Development Plan Version	Salisbury (City) Development Plan Consolidated 4 April 2019
Assessing Officer	Andrew Humby – Planning Consultant
Recommendation	Refusal
Meeting Date	21 December 2021

2. REPORT CONTENTS

Assessment Report

Attachment 1:	Application Documents
Attachment 2:	Copy of Public Notice and Representations
Attachment 3:	Response to Representations
Attachment 4:	Agency Response
Attachment 5:	Extract of Relevant Development Plan Provisions

3. EXECUTIVE SUMMARY

The applicant seeks Development Plan Consent to retain the existing two storey residential flat building (comprising six (6) dwellings), demolition of the existing utilities building, construction of three (3) two-storey group dwellings and pergola, vehicular access from the rear laneway (public road), alterations to on-site car parking, retaining walls, fencing, landscaping and provision of communal areas at 173-175 Park Terrace, Brahma Lodge.

The subject site is located within the Residential Zone. The proposed development has been assessed 'on-merit' as a Category 2 form of development. Two (2) valid representations were received, with both opposing the development. The applicant has provided a response to these submissions, although no additional changes have been made to the proposal. One (1) representor wishes to be heard before the Panel.

This report provides a detailed assessment of the application against the relevant provisions of the Salisbury Council Development Plan. The assessment found that:

- a) The proposed development is at variance with the Residential Zone Desired Character and Principle of Development Control 6 of the Residential Development Provisions that seeks low to medium density housing in appropriate locations.
- b) The siting, bulk and scale of the proposed dwellings do not complement the existing character of the locality, which is at odds with Design and Appearance Objective 1 and Principle of Development Control 1 and the Desired Character Statement for the Residential Zone;
- c) The proposed development is considered to be at odds with Principles of Development Control 17 and 18 of the Residential Development Provisions and Principle of Development Control 4 of the Design and Appearance Provisions that seek to minimise the visual impacts of boundary walls;
- d) The proposed development is at variance with the private open space Principles of Development Control 21, 22, 24 and 25 of the Residential Development provisions;
- e) The proposed development is considered an overdevelopment of the site and not in accordance with the Orderly and Sustainable Development provisions of the Development Plan.

4. SUBJECT SITE

The subject site is wholly contained within the Residential Zone (not within a policy area), and is comprised of seven (7) allotments, known as 173-175 Park Terrace, Brahma Lodge and formally described as follows:

- Unit 1 Strata Plan 3713 in the area named Brahma Lodge, Hundred of Yatala Volume 5033 Folio 375
- Unit 2 Strata Plan 3713 in the area named Brahma Lodge, Hundred of Yatala Volume 5033 Folio 376
- Unit 3 Strata Plan 3713 in the area named Brahma Lodge, Hundred of Yatala Volume 5033 Folio 377
- Unit 4 Strata Plan 3713 in the area named Brahma Lodge, Hundred of Yatala Volume 5033 Folio 378
- Unit 5 Strata Plan 3713 in the area named Brahma Lodge, Hundred of Yatala Volume 5033 Folio 379

- Unit 6 Strata Plan 3713 in the area named Brahma Lodge, Hundred of Yatala Volume 5033 Folio 380
- Common Property Strata Plan 3713 in the area named Brahma Lodge, Hundred of Yatala Volume 5969 Folio 945

The allotments together form a square shaped allotment measuring 1,394m² in area with frontages to Park Terrace of 37.8 metres and a rear public road of 18.7 metres.

A two-storey residential flat building, comprising six (6) dwellings, is located centrally within the allotment, with vehicular access obtained from a single width crossover on Park Terrace, located in the northern corner of the site. Three (3) dwellings are located on the ground floor of the residential flat building, with the remaining three (3) located on the upper level. An external stairwell is located at the rear of the building to provide access to the upper floor.

The three ground floor dwellings are provided with fenced front yards that protrude forward of the building towards Park Terrace. Open style tubular fencing along the front boundary and the upper level balconies ensure these areas are open to view, but used exclusively by the dwelling occupants.

On-site vehicular parking is located to the rear of the allotment, with one designated car parking space for each dwelling. It is evident that residents also utilize other areas at the rear of the site for informal car parking.

The site is for all intents and purpose flat, with a small slope occurring across the subject site from the northern to southern boundary. No Regulated or Significant trees are located on the subject site.

No Land Management Agreements, easements or encumbrances are registered on the Certificate of Title.

Site photos are provided on the following below.

Photo 1:

*Looking south
towards the subject
site from Park
Terrace*



Photo 2:

Looking south from the car parking area at the rear of the subject site towards the adjoining residential sites on Dorothy Street.



Photo 3:

Looking east from the driveway within the subject site towards the existing two storey residential flat building.



Photo 4:

Looking north at rear of existing residential flat building taken from the rear laneway.

**Photo 5:**

Looking west along the rear laneway. Unit 1/80 Dorothy Street is seen at end of laneway. The existing street tree will need to be removed to provide access into the subject site.

As seen, the adjacent shops are storing bins in the laneway – however, this is not an approved arrangement.

**5. LOCALITY**

The subject site is located within the Residential Zone of the Salisbury Council Development Plan, with adjoining allotments to the east, west and south west, similarly located within the Residential Zone. A Local Centre Zone is located to the south of the subject site, with the Commercial Zone located to the north and north-east.

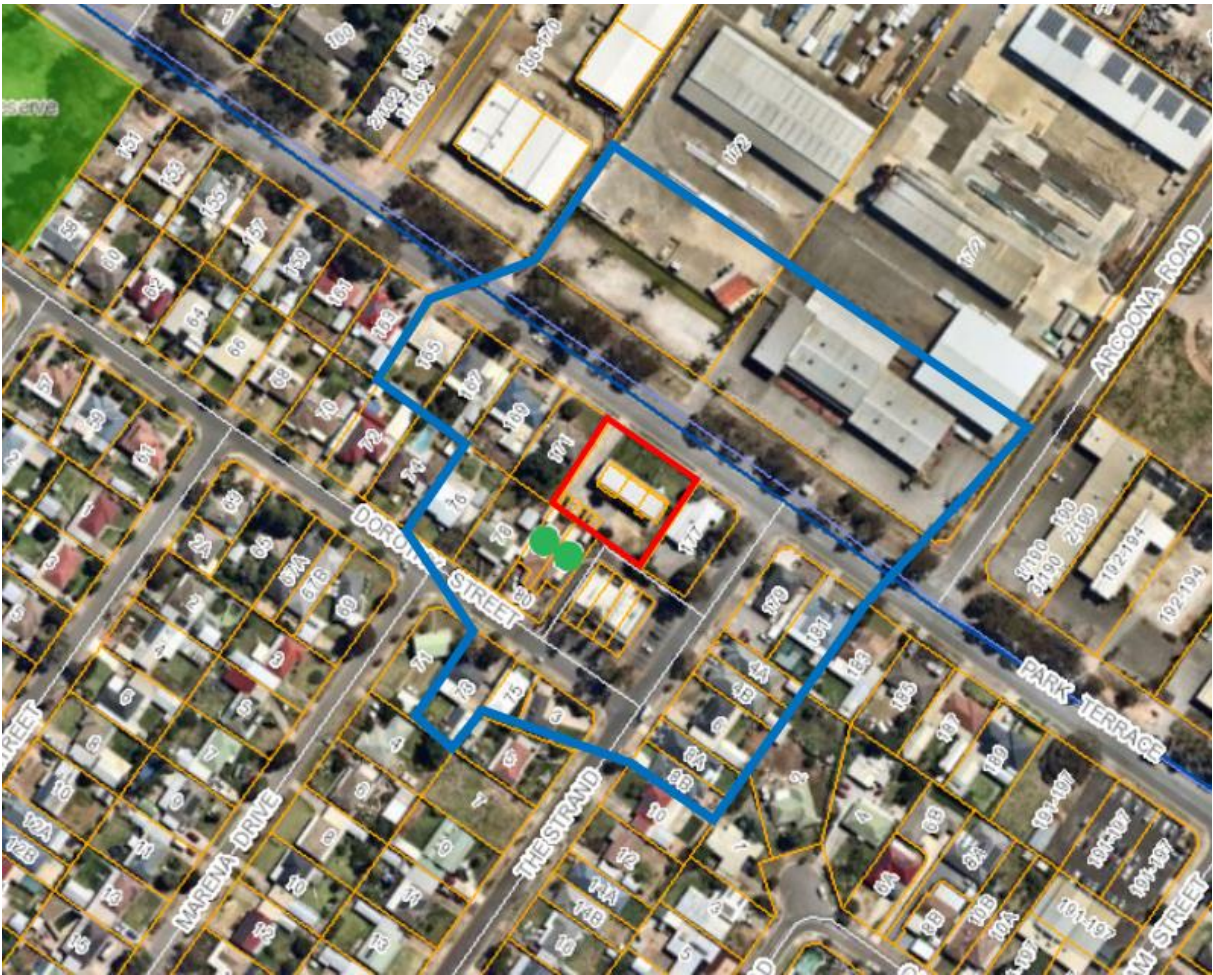
Given the range of zones within the immediate area, the locality is characterised by a diverse range of land uses, although primarily of a residential nature (south of Park Terrace), with large floorplate non-residential land uses to the north of Park Terrace.




Single storey detached dwellings are the predominant residential form, with a number of single storey semi-detached dwellings also found within the immediate locality.

The small Local Centre Zone, located to the south of the subject site contains a single storey small deli, pharmacy and launderette, with a single storey veterinary clinic located to the immediate east albeit located in the Residential Zone. Further east, an existing single storey building at 179 Park Terrace has been converted from a non-residential land use to a residential flat building comprising 6 dwellings.

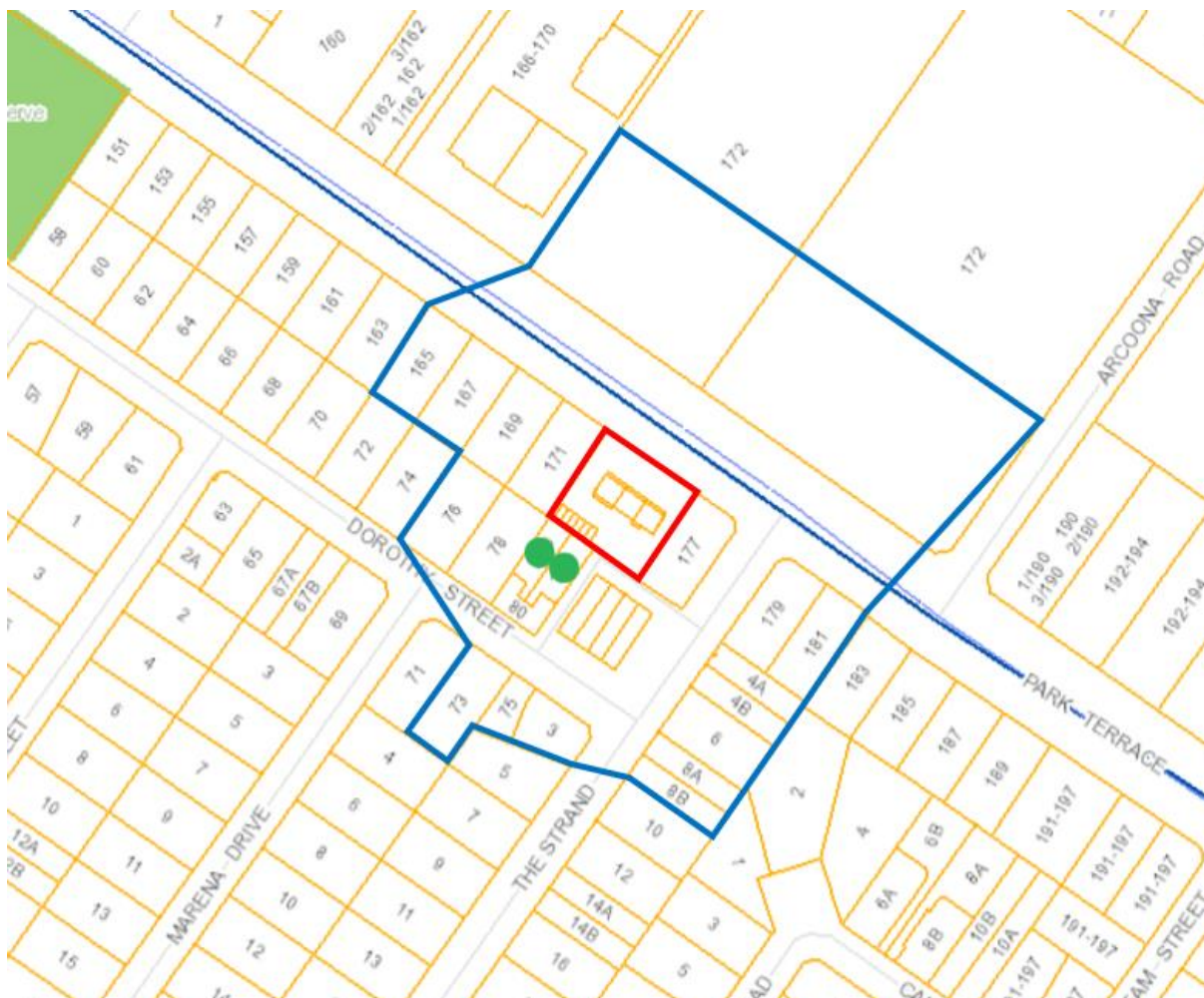
A locality plan and contextual plan are provided below.




Locality Plan - Aerial



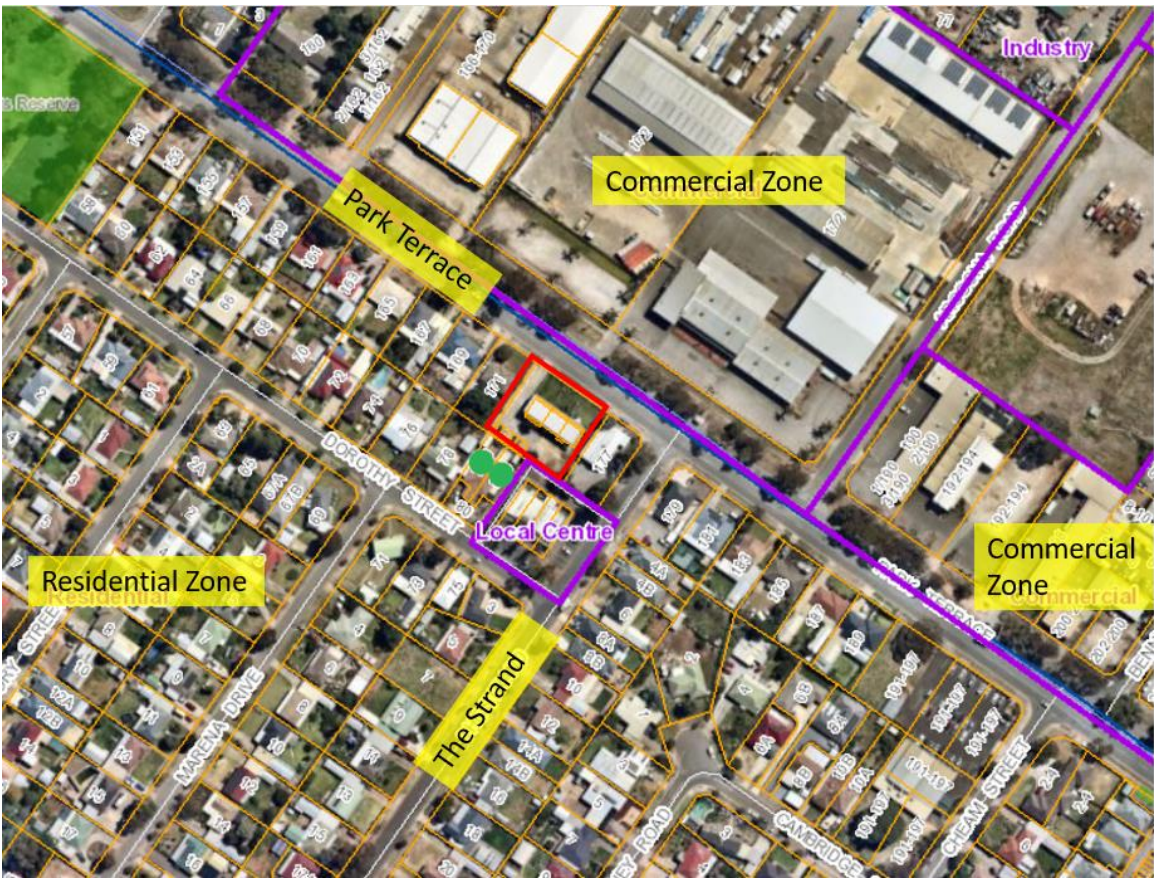
Legend (Source: Geocortex)	
	Site boundary
	Properties within Locality
	Representor


Locality Plan – Cadastre

**Legend (Source: Geocortex)**

	Site boundary
	Properties within Locality
	Representor

Contextual Plan:



Legend (Source: Geocortex)	
	Subject site

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks Development Plan Consent to retain the existing two storey residential flat building (comprising six (6) dwellings), demolition of the existing utilities building, construction of three (3) two-storey group dwellings and pergola, vehicular access from the rear laneway, alterations to on-site car parking, retaining walls, fencing, landscaping and provision of communal areas at 173-175 Park Terrace, Brahma Lodge.

The key elements of the proposal include:

- Construction of three (3) two-storey group dwellings at the rear of the existing residential flat building. The proposed two-bedroom dwellings are to include:
 - Dwelling 1
 - Ground Level – 1 Bedroom, bathroom, laundry.
 - Upper Level – 1 Bedroom, bathroom, kitchen, living/dining room, balcony.
 - Dwelling 2
 - Ground Level – 1 Bedroom, laundry.
 - Upper Level – 1 Bedroom, bathroom, kitchen/meal/living room, balcony.

- Dwelling 3

- Ground Level – 1 Bedroom, bathroom, laundry, external private courtyard.

- Upper Level – 1 Bedroom, bathroom, kitchen, living/dining room, balcony.

- Creation of new access onto the rear laneway (public road).
- Provision of 1 undercover car park for each dwelling plus 2 visitor car parks.
- Perimeter and internal landscaping.
- Service yard for storage of domestic waste bins.
- 1800mm high colorbond fence to perimeter of site. An additional 200mm-400mm retaining wall is also proposed.

The following upgrades are also proposed to the existing residential flat building:

- Widening of existing vehicular access onto Park Terrace.
- Demolition of existing utilities building and upgrades to existing dwellings to accommodate bathroom taps for washing machines.
- Increased landscaping along the Park Terrace frontage, western boundary and areas adjoining the common area.
- Relocation and reconfiguration of car parking.
- Front fencing and vehicular access gates along the Park Terrace frontage.
- Rendered 1800 mm high group letterbox to service the six existing dwellings.
- Solid fencing between areas of open space for existing dwellings.
- Reduction in the spatial area of the front yard for dwelling 1.
- Communal area to the south-west of the existing building to be provided with a new pergola, clothesline, bin storage area, and pedestrian path to provide connection to Park Terrace.

A copy of the proposal plans and supporting documentation are contained in Attachment 1.

7. CLASSIFICATION

Within the Residential Zone, the proposed development is neither a complying or non-complying form of development. Accordingly, pursuant to section 35(5) of the *Development Act 1993* (the Act), the application has been processed on its merits against the relevant provisions of the Salisbury Council Development Plan consolidated 04 April 2019.

8. PUBLIC NOTIFICATION

In accordance with the Procedural Matters of the Residential Zone, the development category is prescribed by Schedule 9 of the *Development Regulations 2008*. More specifically, the proposed development is not listed as Category 1 in Schedule 9 of the *Development Regulations 2008* but rather listed in Part 2 (18)(b) as a Category 2 for the purposes of public notification and consultation.

Public consultation originally commenced in December 2020, during which time five (5) persons submitted a representation. All five (5) representations opposed the proposed development.

In response to the representations and issues identified by Council administration, the applicant made amendments to the proposed development that resulted in the number of group dwellings being reduced from four (4) to three (3).

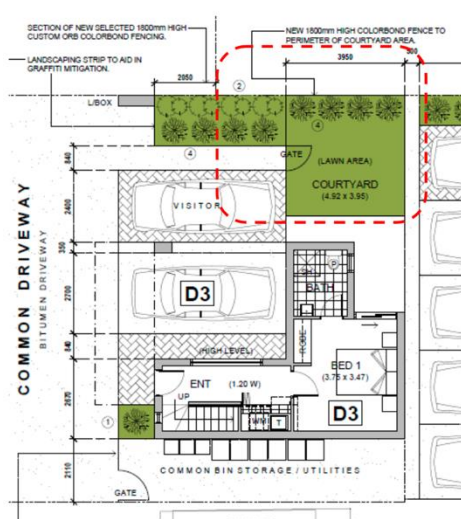
The amended design required a further round of public consultation due to the extent of the changes undertaken.

Public consultation on the amended design commenced on 3 November 2021 and closed on 16 November 2021, during which time two (2) persons submitted a representation. Both representations oppose the proposed development.

Representations received		
Representations received		Wish to be Heard
1	Melissa Schultz 1/80 Dorothy Street BRAHMA LODGE SA 5109	✓
2	Gerald Bradshaw 2/80 Dorothy Street BRAHMA LODGE SA 5109	

A copy of the Category 3 public notice, submissions received are contained in Attachment 2 and the applicant's response are contained in Attachment 3. The content of the representation and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
Overshadowing impacts of the proposed two storey building upon adjoining dwelling and its north facing sunroom (Unit 1/80 Dorothy Street).	<p><i>On review of the shadow diagrams, Sheets 11, 12 and 13, of the Spectra drawings, Revision G, it is apparent that shadow will be cast on the land at 1/80 Dorothy Street at 9 AM on the winter solstice.</i></p> <p><i>From 12 noon however (and in my experience more likely 11 AM) the sunroom will experience no shading from the proposed dwellings (i.e. at least 5 hours, which is 2 hours beyond the guidance per PDC 11).</i></p> <p><i>The same access to sunlight is afforded in relation to "ground-level open space". Accordingly, the proposed development is entirely consistent with the Development Plan provisions.</i></p>
Increase in cars along the rear laneway and the resultant impact upon existing dwellings.	<i>I confirm in this regard that a public road already exists and that the proposed development simply seeks to make use of the frontage and access/egress afforded by the</i>

	<p><i>public road. I note that, for example, the existing residents of the 6 units on the land could drive onto the public road if a gate was installed. In this scenario, the vehicle movements per day would theoretically be equal to or greater than the proposed number of vehicle movements per day.</i></p> <p><i>The suggestion also that the representors fence will be damaged by the proposed development is not well founded, noting that the three new dwellings are designed such that vehicles will enter and exit the site in a forward facing direction (including the two visitor car parks (which exceeds the Development Plan guideline). Accordingly, vehicles will not be “reversing onto” the public road and not reversing in proximity to the eastern fence of the residence at 1/80 Dorothy Street.</i></p> <p><i>In my opinion, these comments do not diminish the planning merit of the proposed development</i></p>
<p>The communal external area will increase noise impacts upon adjoining neighbours.</p> <p>The proposed development will lead to an</p>	<p><i>The area adjoining the “back fence” (per Figure 1) is the private open space of Dwelling 3 only.</i></p>  <p>Figure 1: Dwelling 3 Private Open Space Adjoining 1/80 Dorothy Street</p> <p><i>Accordingly, any noise generated is reasonable for a residential development in a residential type zone. No impact on the planning merit of the application arises in this regard.</i></p> <p><i>I understand this representation to mean</i></p>

increase in traffic (more cars)	<p><i>that insufficient car parking is provided on site. The Cirqa advice of 2 July 2020 (noting that the number of new dwellings has reduced from four to 3) the car parking and visitor parking is in accordance with and exceeds the Development Plan.</i></p> <p><i>The number of vehicle movements per day in association with the three proposed dwellings is likely to be in the order of 21 per day. Furthermore, it is likely that these movements would be “tidal” on week days (associated with journeys to work or school or the like) and as such, for much of the day vehicle movements on the public road would be very low. Likewise, visitors attracted to the dwellings would mostly be in the evenings, which will likely be when the chemist and deli are not experiencing high demand for services.</i></p> <p><i>In my opinion, the supply of car parking for the new dwellings, and as provided for the existing 6 units is appropriate, while the vehicle movements per day will not affect the amenity of the locality or safe and convenient use of public roads.</i></p>
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9. REFERRALS – STATUTORY

<i>Department for Infrastructure and Transport (DIT)</i>	<p><i>The proposal was referred to DIT pursuant to section 37 of the Development Act 1993 as the proposal involved widening of access to a main road.</i></p> <p><i>DIT supports the proposed and recommends a number of conditions of approval should the application be supported.</i></p> <p>A copy of the DIT Referral response is provided in Attachment 4.</p>
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10. REFERRALS – INTERNAL

<i>Development Engineering</i>	<p><i>Council’s Principal Development Engineer has reviewed the proposed development and provided the following comments:</i></p> <p><i>1. Roof runoff from the new dwellings and surface runoff from the carparks for these dwellings is proposed to discharge to the laneway. This road has no kerb at present to prevent water entering adjacent property. There is a spoon drain on the</i></p>
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	<p><i>opposite side of the road however; discharging additional stormwater to this road may create issues for the site on the other side of the road (shops) which does not have any protection from water entering if the spoon drain capacity is exceeded. Although a small portion of kerb is proposed either side of the new driveway, this will do little to control water released from the site. Additional survey detail would be required to show the longitudinal and crossfall grades of the unmade road.</i></p> <p><i>2. The new dwellings appear to be in cut in relation to the existing building block. This results in the need for retaining between the buildings as well as a wet stormwater system which is not a desirable outcome. A wet stormwater system will result in water continually ponding which creates potential grounds for mosquito breeding, stagnant water and sludging of pipes. In this instance, ponding of approximately 180-220mm would be expected within stormwater pipes in the common driveway meaning that the 100mm pipe would be full and the vertical risers will have up to 100mm of water in them.</i></p> <p><i>3. As no survey levels have been provided for the roadway it is unknown whether the proposed outlet level will actually drain to the road. The design assumes there is a 150mm fall from the edge of the property to the nominated kerb alignment, without there being any change to the existing property level along this boundary. As noted above, additional survey detail would be required to confirm this.</i></p> <p><i>4. The carpark which will service the existing dwellings is to rely on a sump and pump arrangement. Calculations are to be required to show how the sump/pump size and pump rate has been determined. There is approximately 340m² of hardstand being serviced by this arrangement. The system is to comply with the requirements of AS3500.3.8.3.6.</i></p> <p><i>a. Wet well storage and the volume able to be pumped in 30 minutes to be not less than the volume generated by the 120min 10yr ARI storm event</i></p> <p><i>b. Wet well storage to be 1% of catchment area expressed in m2 (minimum 3kL)</i></p>
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	<p>c. Include duplicate, alternate duty pumps with visual and audible alarms as a minimum.</p> <p>5. Per AS2890.1:2004 - An additional 300mm clearance is required between the Unit 3 and Unit 1 parking bays which are adjacent the retaining wall (to facilitate manoeuvring) as this creates an obstruction which is higher than 150mm. This means the Unit 1 and Unit 3 car parking spaces need to be 300mm wider than shown to be compliant.</p> <p>6. A 1.0m aisle extension is required at the end of the main driveway – while the site plan shows 1.0m, the civil plan suggests only 800mm is provided due to the retaining wall.</p> <p><i>In addition, it is noted that separate approval would be required from Council's Parks and Open Space Section, as a street tree would require removal to facilitate the new access driveway from the laneway.</i></p>
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11. DEVELOPMENT DATA

Site Characteristics	Guideline	Proposed
Site Area	N/A – Residential Zone does not contain any quantitative requirements	Dwelling 1 – 3 = 472.5m ² (average 157.5m ²)
Site Dimensions	N/A – Residential Zone does not contain any quantitative requirements	18.7 metre frontage to rear laneway
Site Gradient	N/A – Residential Zone does not contain any quantitative requirements	Relatively level
Design Characteristics	Guideline	Proposed
Site Coverage	Qualitative provisions only	21%
Building Height	Qualitative provisions only, however encourages 1 to 2 storeys. Medium density may be up to 4 storeys in select locations	2 storeys
Set-backs		
Primary street	Qualitative provisions only	Dwelling 1 – 0.68m Dwelling 2 – 7.0m Dwelling 3 – 4.9m
Side(s)	Qualitative provisions only	Dwelling 1 – 0m (south-east side) Dwelling 2 – 0m (south-east side) Dwelling 3 – 0m (north-west internal – adjacent the

		reconfigured car park for the existing dwellings)
Garage / Carport	Qualitative provisions only	Setbacks to the laneway: Dwelling 1 – 3.4m Dwelling 2 – 9.6m Dwelling 3 – 5.3m
<i>Boundary Walls</i>		
Length on boundary	Qualitative provisions only	Dwelling 1 – 4.23m Dwelling 2 – 5.73m Dwelling 3 – 4.2m (internal boundary adjacent the reconfigured car park)
Height		7.032m
<i>Private Open Space</i>		
Area <250m ²	35m ² min	Dwelling 1 – 10.26m ² Dwelling 2 – 10.40m ² Dwelling 3 – 30.27m ²
Dimensions	>2.0m (balconies)	Dwelling 1 – Balcony - 2.0m x 5.2m Dwelling 2 – Balcony - 2.0m x 5.16m Dwelling 3 – Balcony - 2.0m x 5.42m + Private Yard - 4.92m x 3.95m
Rectangle	4.0 m x 4.0 m (allotments <250m ²) directly accessible from living room	Does not provide
<i>Car Parking & Access</i>		
Number of parks	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling	Proposed Two Storey Group Dwellings: Dwelling 1 – 1 undercover Dwelling 2 – 1 undercover Dwelling 3 – 1 undercover 2 x visitor car parks Existing Residential Flat Building: 1 space per dwelling 1 visitor space
Driveway width		New Driveway (to laneway): 6.0 metres Existing/Widened (to existing): 6.0 metres
Garage door width		N/A
<i>Affected Trees (Reg + Sign)</i>		N/A
<i>Street Infrastructure</i>		
Crossover	Nil	
Trees	Nil	A street tree will need to be

		removed to enable vehicular access at the rear of the site
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12. ASSESSMENT

Pursuant to Section 35(2) of the *Development Act 1993*, it is recommended that the Panel determine that the proposed development is not considered to be seriously at variance with the Salisbury Development Plan, Consolidated 4th April 2019 but is recommended for refusal. The following reasons are given in support of this recommendation:

- a) The proposed development is at variance with the Residential Zone Desired Character and Principle of Development Control 6 of the Residential Development Provisions that seeks low to medium density housing in appropriate locations.
- b) The siting, bulk and scale of the proposed dwellings do not complement the existing character of the locality, which is at odds with Design and Appearance Objective 1 and Principle of Development Control 1 and the Desired Character Statement for the Residential Zone;
- c) The proposed development is also considered to be at odds with Principle of Development Control 17 and 18 of the Residential Development Provisions and Principle of Development Control 4 of the Design and Appearance Provisions that seek to minimise the visual impacts of boundary walls;
- d) The proposed development is at variance with the private open space Principles of Development Control 21, 22, 24 and 25 of the Residential Development provisions;
- e) The proposed development is considered an overdevelopment of the site and not in accordance with the Orderly and Sustainable Development provisions of the Development Plan.

Assessment

Detailed assessment of the application has taken place against the relevant provisions of the Salisbury Council Development Plan and is described below under headings.

An extract of the relevant Development Plan, Consolidated 4th April 2019, is contained in Attachment 5. The relevant provisions are also highlighted in the Attachment.

Land Use and Density

The Residential Zone covers large areas of the City of Salisbury and seeks to accommodate primarily low to medium density housing to cater for the diverse needs and preferences of the community. Principle of Development Control 1 of the Residential Zone identifies dwellings as an envisaged form of development, and that includes group dwellings.

The proposal seeks to develop what the applicant has described as *underutilised land* to accommodate two storey dwellings of a higher density than that currently found within the locality.

With regards to the dwelling densities envisaged with the Residential Zone, the Desired Character statement provides the following context (my underlining):

The zone covers a substantial portion of the Council area and is home to a large and diverse population. The zone is suitable for a range of low to medium density housing, with higher density in appropriate locations.

A full range of dwelling types on a variety of allotment sizes will be provided, including affordable housing, special needs housing and housing for the aged in appropriate locations. Housing form will be diverse and cater for different household sizes, life cycle stages and housing preferences and will be cost-effective, energy efficient and will make efficient use of available sites. Older neighbourhoods will experience change through turnover in population and ageing of existing residents which will generate a need for more housing diversity as well as changes in density and different services and facilities to complement these changes.

In order to achieve a compact urban form an overall increase in the residential density is desirable in select locations, in keeping with the objectives for development in the Zone, although it is anticipated that the predominant form of housing will remain detached dwellings at low to medium density throughout much of the zone.

Medium density forms of housing including semi-detached dwellings, row dwellings, residential flat buildings and group dwellings are encouraged in areas with good access to services and facilities. Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner. Typically this will involve the amalgamation of sites and will result in development that compliments the prevailing character. A transition in building height will be necessary to ensure issues of overlooking is minimised and solar access maintained.

The Development Plan identifies medium density development as having a net density of between 40 to 67 dwellings per hectare. Containing a net dwelling density of approximately 65 dwellings per hectare, the proposal falls within the higher density range of medium density development, when considered as a whole. If the density of the new group dwellings is considered as a stand-alone site, the density is actually 88 dwellings per hectare. This is a feasible consideration given that the new group dwellings will essentially function as a separate development and could be readily sub-divided to form a separate community title arrangement. At this range, the group dwellings would be considered to fall into the high density range, which is far greater than that envisaged within the Residential Zone.

The existing residential flat building contains a net dwelling density of 43 dwelling per hectare and therefore, the proposed development significantly increases the intensity of the development on the site.

While medium residential densities are broadly supported within the Zone, with particular emphasis placed on increased densities in close proximity to centres, public transport and public open space (Objective 2 of the Residential Zone), the design and amenity of the development are important considerations in the appropriateness of such development.

The subject site adjoins a small Local Centre Zone to the south. Consisting of a small deli, chemist and laundromat, the local centre is considered to be a minor service to the community, with the closest neighbourhood sized centre located approximately 1.1 kilometres to the north-east (Saints Road Shopping Centre).

Coker Reserve is located 200 metres to the north-west with the Brahma Lodge Oval located 490 metres to the south. Neither of these parks are considered to be in close proximity to the subject site, however, nevertheless provide access to open space located in the wider locality.

Park Terrace is identified as a secondary arterial road, with a low-volume public bus route servicing the area. A bus stop is located adjacent the site, on the southern side of Park Terrace.

The nearby retail offering (local centre zone), the proximity of nearby open space and the limited public transport services are considered to be a size and capacity that can adequately service low to medium density residential development.

The Residential Zone is not envisaged however to support high density development, which is essentially the density that is being introduced by the new group dwellings.

Although the overall density of the development, when taking into account the existing residential flat building is within the medium density range, the proposed group dwellings are introducing a significant increase in density. It is considered that on balance, the high-density development being introduced by this development proposal is at odds with the intent of Principle of Development Control 6 of the Residential Development provisions and the Desired Character of the Residential Zone.

Built Form and Visual Amenity

The Design and Appearance section of the Development Plan contains the following provisions that are considered applicable to the proposed development:

- OBJ 1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.*
- PDC 1 The design of a building may be of a contemporary nature and exhibit an innovative style provided the overall form is sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour.*
- PDC 2 Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.*
- PDC 3 Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:*
 - (a) articulation*
 - (b) colour and detailing*
 - (c) small vertical and horizontal components*
 - (d) design and placing of windows*
 - (e) variations to facades.*
- PDC 4 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:*
 - (a) the visual impact of the building as viewed from adjoining properties*
 - (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.*
- PDC 22 The setback of buildings from public roads should:*
 - (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality*
 - (b) contribute positively to the streetscape character of the locality*

(c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.

The proposed two storey building height is encouraged within the Residential Zone. The development however proposes two storey walls on boundaries. Dwellings 1 and 2 are to be built on the eastern boundary – Dwelling 1 containing a 4.32-metre-long boundary wall and Dwelling 2 containing a 5.73-metre-long boundary wall, both to a maximum height of 7.03 metres. A gap of 2.04 metres separates the two walls.

As the proposed development seeks to create group dwellings that are separate from the existing residential flat building and associated car parking/common areas, Dwelling 3 will be sited on a proposed new boundary. Dwelling 3 will thereby contain a boundary wall length of 4.2 metres and a height of 7.03 metres.

The adjoining allotment to the east is similarly located within the Residential Zone, although is currently occupied by a commercial activity – a consulting room (the Salisbury Veterinary Clinic). An open car park is located immediately adjoining the proposed built form.

While it is acknowledged the proposed built form of Dwelling 1 and 2 is likely to create a lesser degree of impacts upon the current commercial operations (compared with an adjoining dwelling), the two storey walls (to a maximum 7.03 metres height) are inconsistent with the prevailing boundary wall setbacks found within the immediate locality, where a single storey character prevails. The increased height of a two storey development being constructed on the boundary is not considered to be appropriate within the Residential Zone and Principles of Development Control 1, 2, 3 and 4 of the Design and Appearance General Section provisions.

It is also considered to be at odd with Principle of Development Control 17 and 18 of the Residential Development provisions that seek to minimise the visual impacts of boundary walls.

To accommodate the proposed three group dwellings, the dwellings are provided with a reduced setback from its primary frontage (the rear laneway). Setback 0.68 metres from the laneway, Dwelling 1 contains a solid wall 8.3 metres wide x 7.03 metres high fronting onto the public road. Although a small 0.68 metre strip of landscaping is proposed in front of the dwelling wall, no articulation, fenestration or variations in the façade to reduce its visual bulk and improve visual interest is proposed.

Although the rear lane does not contain any other dwellings fronting directly onto this public road, the south facing wall of Dwelling 1 has not been designed to face its primary street frontage nor incorporate any design treatments to reduce its visual dominance compared with adjacent built form. The lack of design elements including articulation, variations of colours and detailing, lack of windows and no variations in the façade, results in a built form outcome inconsistent with the intent of the Objective 1 and Principle of Development Control 1, 2, 3 and 4 of the Design and Appearance module.

Dwelling 3 proposes an increased setback of 4.9 metres, with somewhat of an increase in articulation, increased materials and finishes along with a larger area of landscaping to increase the visual appearance of the built form. However, the landscaping is proposed to be located behind fencing, while the upper level of the southern façade provides for a large area of solid walling.

Private Open Space

Private open space for the existing residential flat building consists of private front yards for the three (3) ground floor dwellings, and front balconies for the upper level dwellings. These open space areas all face Park Terrace. There are no formalized communal areas. The proposed development will result in the reduction in area in one (1) of the lower level front yards (to accommodate car parking) and the establishment of a designated communal area to the south-east of the site.

While these improvements are generally supported, there is a fundamental lack of usable space for the future occupants of the proposed group dwellings.

Principles of Development Control 21, 22, 24 - 26 of the Residential Development provisions provide guidance on suitable areas and design of private open spaced areas:

- PDC 21** *Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling and should be sited and designed:*
- (a) to be accessed directly from the internal living areas of the dwelling*
 - (b) generally at ground level to the side or rear of a dwelling and screened for privacy*
 - (c) to take advantage of but not adversely affect natural features of the site*
 - (d) to minimise overlooking from adjacent buildings*
 - (e) to achieve separation from bedroom windows on adjoining sites*
 - (f) to have a northerly aspect to provide for comfortable year-round use*
 - (g) to not be significantly shaded during winter by the associated dwelling or adjacent development*
 - (h) to be shaded in summer.*
- PDC 22** *Dwellings should have associated private open space of sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site.*
- PDC 24** *Dwellings, particularly those with ground-level habitable rooms should include private open space that conforms to the requirements identified in the following table:*

Site Area of Dwelling	Minimum area of Private Open Space	Provisions
<i>Less than 250 square metres</i>	<i>35 square metres</i>	<p><i>Balconies, roof patios and the like can comprise part of this area provided the area of each is 8 square metres or greater.</i></p> <p><i>One part of the space is directly accessible from a living room and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.</i></p>

- PDC 25 Private open space should not include driveways, effluent drainage areas, rubbish bin storage, sites for rainwater tanks and other utility areas, and common areas such as parking areas and communal open space in residential flat buildings and group dwellings, and should have a minimum dimension of:*
(a) 2.5 metres for ground level or roof-top private open space
(b) 2 metres for upper level balconies or terraces.
- PDC 26 Balconies should make a positive contribution to the internal and external amenity of residential buildings and should be sited adjacent to the main living areas, such as the living room, dining room or kitchen, to extend the dwelling's living space.*

Dwellings 1 and 2 are not provided any useable private open space on the ground floor. Dwelling 3 includes a courtyard area on the ground floor (19.4m²) that satisfies the minimum dimensions, however it is not considered to meet the intent of Principles of the Development 21(a) and 24 as this area is only accessible through a bedroom and not the main living areas of the dwelling. Accordingly, this space on the ground level may not actively be used by future occupants of Dwelling 3.

The upper level balconies provided for each dwelling (10.32m² – 10.84m²) meet the minimum dimensions of Principle of Development Control 25(b), however results in a significant shortfall of private open space. Principle of Development Control 24 requires a minimum 35m² provided for each dwelling.

The upper level balconies seek to incorporate fixed privacy screens to the majority of the external area to minimise overlooking into the adjoining dwellings. This results in an increase in the visual mass of the buildings and will reduce the enjoyment of future residents using these small outdoor areas.

As the upper level balconies are the main area of private open space, the proposed semi-enclosure (due to the fixed privacy screens) results in an outcome that is not functional and does not make a positive contribution to the internal and external amenity of the buildings. As such, the design is considered to be at odds with the intent of Principles of Development Control 22 and 26 of the Residential Development provisions.

It is therefore considered that the significant shortfall in the provision of private open space and poor functionality of the space that is provided, results in a significant departure from the intent of the Development Plan.

Overshadowing

A representor has raised concerns that the proposed development will have overshadowing impacts, primarily upon the adjoining allotment at Unit 1/80 Dorothy Street.

The applicant has provided overshadowing diagrams to demonstrate the extent of overshadowing that may arise due to the proposed development. Given the siting of the built form relative to the adjoining allotment, Dwelling 3 will overshadow the rear open space and rear portion (i.e. the sunroom) of 1/80 Dorothy Street at 9am during the winter solstice. The rear shed of Unit 1/80 Dorothy Street will be overshadowed at midday, with no overshadowing to occur in the afternoon.

This ensures that the siting and height of the proposed dwellings meets the intent of Principles of Development Control 10, 11 and 12 of the Residential Development general provisions.

It is however acknowledged that the site is proposed to contain retaining walls along the rear boundary in the order of 200mm - 400mm. A 1800mm high colorbond fence is proposed on top of the retaining walls. Although the proposed increase (200mm-400mm) is not in itself a significant increase, the applicant has not demonstrated if this will create any additional or unreasonable overshadowing over the private open space or rear sunroom of the adjoining dwelling.

Orderly Development

It is recognised that the applicant has sought to address concerns identified with the development, including reducing the number of proposed new group dwellings from four (4) to three (3).

Notwithstanding, there remains a fundamental concern regarding the functionality of the proposal and the resultant intensity of development on the site. The proposed group dwellings contain small internal areas (Ground level – 22.38m² to 33.72m² and Upper level – 48.17m² to 50.83m²), with minimal private open space for future occupants. Furthermore, the dwellings are located immediately opposite the service areas of the adjoining shopping centre and adjoining carpark. The level of amenity for the future occupants is considered to be poor.

The setbacks of Dwelling 1 to the public laneway and the siting of all dwellings on side boundaries results in a built form outcome that is inconsistent with prevailing built form characteristics and various Design and Appearance provisions of the Development Plan.

The proposed dwellings are provided with a significant shortfall of private open space. The small upper storey balconies are to contain fixed screens to minimise overlooking into adjoining properties. This results in both an increase in the visual mass of the buildings and reduces the functionality and enjoyment of future residents using these outdoor areas. The reduced extent of the private open space, including the lack of areas on the ground floor, reiterate the concerns of the proposal being an overdevelopment of the site.

The siting of the proposed group dwellings from the existing two storey residential flat building is also considered to be undesirable. Dwelling 2 is to be sited 2.1 metres from the upper level balcony and 3.3 metres from the main face of the residential flat building. Dwelling 3 is to be sited 2.35 metres from the external stairwell and 4.5 metres from the main face of the of the residential flat building.

Combined with a separation of 4.4 metres between Dwelling 1 and 3, results in minimal separation between the existing and proposed built form. Given the height, mass and scale of the buildings involved, it is considered the siting of the proposal is inconsistent with the prevailing built form characteristics found within the immediate locality.

The existing residential flat building contains a finished floor level higher than that of the proposed group dwellings. This results in the potential for the proposed balcony screening (on the group dwellings) not achieving their desired outcome as occupants of the existing dwellings may be afforded direct views into the main living area of Dwelling 2 and the balcony area of Dwelling 3. This is not a desirable outcome.

It is recognised that the proposal seeks to make improvements to the current residential flat building and maximise the use of the land. Notwithstanding, the proposed three (3) group dwellings would not result in an orderly outcome but rather an overdevelopment of the site and contravene the overall intent of the Orderly and Sustainable Development provisions of the Development Plan.

Engineering Matters

As noted above, Council's Development Engineer has identified that further information is required in relation to drainage and car parking design outcomes, to ensure the proposal complies with relevant Natural Resources and Transportation and Access General Sections of the Development Plan. It is possible these matters could be reasonably addressed; however, further details are required from the Applicant to confirm this can be achieved.

13. CONCLUSION

The proposed development has been assessed 'on-merit' as a Category 2 form of development. Two (2) valid representations were received, with both submitting objections to the development. The applicant has provided a response to these submissions and no additional changes have been made to the proposal in response to the representations. One (1) representor has requested to be heard before the panel.

When assessed against the relevant provisions of the Salisbury Council Development Plan, it is considered the proposed development is at variance with important provisions of the Plan in relation to setbacks, private open space and preserving the amenity of the locality. The proposal, having regard to the context of the locality, the increased residential densities and functionality of the development, is considered to be an over-development of the site. As such, it is considered that on balance, the proposed development does not warrant support and is recommended for refusal.

Accordingly, it is recommended that Development Plan Consent be refused.

14. STAFF RECOMMENDATION

That the Development Assessment Panel resolve that:

That Development Application No 361/1618/2020/2A for RETENTION OF EXISTING RESIDENTIAL UNITS, DEMOLITION OF EXISTING UTILITY BUILDING, CONSTRUCTION OF THREE (3) TWO-STOREY GROUP DWELLINGS AND PERGOLA, VEHICULAR ACCESS FROM REAR LANEWAY, ALTERATIONS TO ONSITE CAR PARKING, RETAINING WALLS, FENCING, LANDSCAPING AND PROVISION OF COMMUNAL AREAS at 173-175 Park Terrace, Brahma Lodge, SA 5109 is not considered to be seriously at variance with the Objectives and Principles of the City of Salisbury Development Plan – Consolidated 4 April 2019 but is **REFUSED** Development Plan Consent for the following reasons:

- a) The proposed development is at variance with the Residential Zone Desired Character and Principle of Development Control 6 of the Residential Development Provisions that seeks low to medium density housing in appropriate locations.

- b) The siting, bulk and scale of the proposed dwellings do not complement the existing character of the locality, which is at odds with Design and Appearance Objective 1 and Principle of Development Control 1 and the Desired Character Statement for the Residential Zone;
- c) The proposed development is also considered to be at odds with Principle of Development Control 17 and 18 of the Residential Development Provisions and Principle of Development Control 4 of the Design and Appearance Provisions that seek to minimise the visual impacts of boundary walls;
- d) The proposed development is at variance with the private open space Principles of Development Control 21, 22, 24 and 25 of the Residential Development provisions;
- e) The proposed development is considered an overdevelopment of the site and not in accordance with the Orderly and Sustainable Development provisions of the Development Plan.

ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Application Documents
2. Copy of Public Notice and Representations
3. Response to Representations
4. Agency Response
5. Extract of Relevant Development Plan Provisions

Attachment 1

Proposal Plans and Supporting Documentation



Product
Date/Time

Register Search (CT 5033/380)
31/08/2020 03:03PM



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5033 Folio 380

Parent Title(s) CT 4116/655
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 18/07/1991 Edition 13 Edition Issued 20/12/2019

Estate Type

FEE SIMPLE (UNIT)

Registered Proprietor

N27 PTY. LTD. (ACN: 151 592 433)
 OF 36 NINTH STREET WINGFIELD SA 5013

Description of Land

UNIT 6 STRATA PLAN 3713
 IN THE AREA NAMED BRAHMA LODGE
 HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13224738	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time

Register Search (CT 5033/378)
31/08/2020 03:03PM



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5033 Folio 378

Parent Title(s) CT 4116/653
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 18/07/1991 Edition 13 Edition Issued 20/12/2019

Estate Type

FEE SIMPLE (UNIT)

Registered Proprietor

N27 PTY. LTD. (ACN: 151 592 433)
OF 36 NINTH STREET WINGFIELD SA 5013

Description of Land

UNIT 4 STRATA PLAN 3713
IN THE AREA NAMED BRAHMA LODGE
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13224738	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time

Register Search (CT 5033/377)
31/08/2020 03:03PM



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5033 Folio 377

Parent Title(s) CT 4116/652
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 18/07/1991 Edition 14 Edition Issued 20/12/2019

Estate Type

FEE SIMPLE (UNIT)

Registered Proprietor

N27 PTY. LTD. (ACN: 151 592 433)
 OF 36 NINTH STREET WINGFIELD SA 5013

Description of Land

UNIT 3 STRATA PLAN 3713
 IN THE AREA NAMED BRAHMA LODGE
 HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13224738	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time

Register Search (CT 5033/375)
31/08/2020 03:03PM



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5033 Folio 375

Parent Title(s) CT 4116/650
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 18/07/1991 Edition 14 Edition Issued 20/12/2019

Estate Type

FEE SIMPLE (UNIT)

Registered Proprietor

N27 PTY. LTD. (ACN: 151 592 433)
OF 36 NINTH STREET WINGFIELD SA 5013

Description of Land

UNIT 1 STRATA PLAN 3713
IN THE AREA NAMED BRAHMA LODGE
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13224738	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time

Register Search (CT 5969/945)
31/08/2020 03:03PM



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5969 Folio 945

Parent Title(s) CT 5033/381
 Creating Dealing(s) SC 10491622
 Title Issued 25/08/2006 Edition 1 Edition Issued 25/08/2006

Estate Type

FEE SIMPLE (COMMON PROPERTY)

Registered Proprietor

STRATA CORPORATION NO. 3713 INC.
OF 173-175 PARK TERRACE BRAHMA LODGE SA 5109

Description of Land

COMMON PROPERTY STRATA PLAN 3713
IN THE AREA NAMED BRAHMA LODGE
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

D1 AREAS:	
GROUND LIVING	33.33m2
UPPER LIVING	49.65m2
BALCONY	10.26m2
TOTAL	93.24m2
P.O.S.	10.26m2

D2 AREAS:	
GROUND LIVING	22.38m2
UPPER LIVING	48.17m2
BALCONY	10.40m2
TOTAL	80.95m2
P.O.S.	10.40m2

D3 AREAS:	
GROUND LIVING	33.72m2
UPPER LIVING	50.83m2
BALCONY	10.84m2
TOTAL	95.39m2
P.O.S.	30.27m2

TOTAL GROUND AREAS:	
EXIST. GROUND	202.22m2
PROP. GROUND	89.43m2
TOTAL GROUND	291.65m2
SITE	1393.70m2
SITE COVERAGE	20.92%
NEW CARPARKS PROVIDED	12

LANDSCAPING NOTES:

ALL GARDEN BEDS ARE TO RECEIVE 100mm THICKNESS OF JEFFRIES SPECIAL MIX SOIL OR SIMILAR.

ALL GARDEN BEDS ARE TO RECEIVE 80mm THICKNESS OF JEFFRIES DURA MULCH OR SIMILAR.

ALL GARDEN BEDS ARE TO RECEIVE DRIP LINE IRRIGATION SYSTEM ON TIMER.



DIETES GRANDIFOLIA
'LARGE WILD IRIS'
1.2m IN HEIGHT x 1.2m IN WIDTH



DIANELLA CAERULEA
'KING ALFRED'
70cm IN HEIGHT x 70cm IN WIDTH



ALL GARDEN BEDS TO RECEIVE 80mm THICKNESS OF JEFFRIES 'DURA MULCH'.



LIMONIUM PEREZII
'SEA LAVENDER'
60 - 90cm IN HEIGHT x 90cm IN WIDTH



SYZYGIIUM AUSTRALE
'LILLY PILLY' BIG RED
3m - 4m IN HEIGHT



LOCALITY PLAN
SCALE 1:500



FOR PLANNING ASSESSMENT

AMENDMENTS

REV	DATE	DESCRIPTION	DRAWN
A	06/10/20	SHADOW DIAGRAMS	EC
B	08/10/20	SHADOW DIAGRAMS	EC
C	25/11/20	CHANGES PER RFI	EC
D	25/01/21	CHANGES PER RFI	EC
E	10/02/21	CHANGES PER RFI	EC
F	23/06/21	CHANGES PER RFI	EC
G	03/08/21	CHANGES PER RFI	EC

SPECTRA

SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
AT:
No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT
RZ7 PTY LTD

DRAWN
EC

DATE
27 AUG 20

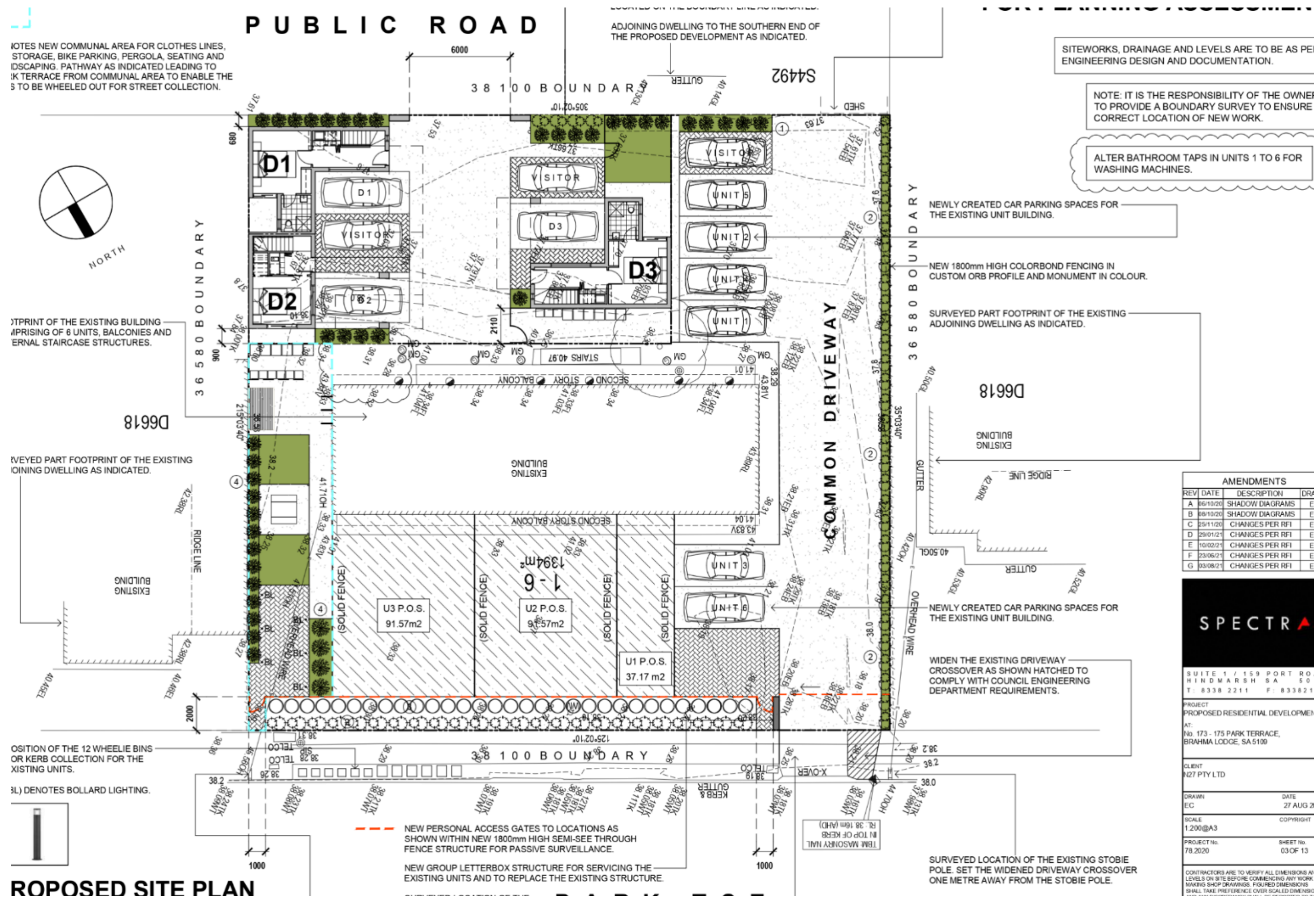
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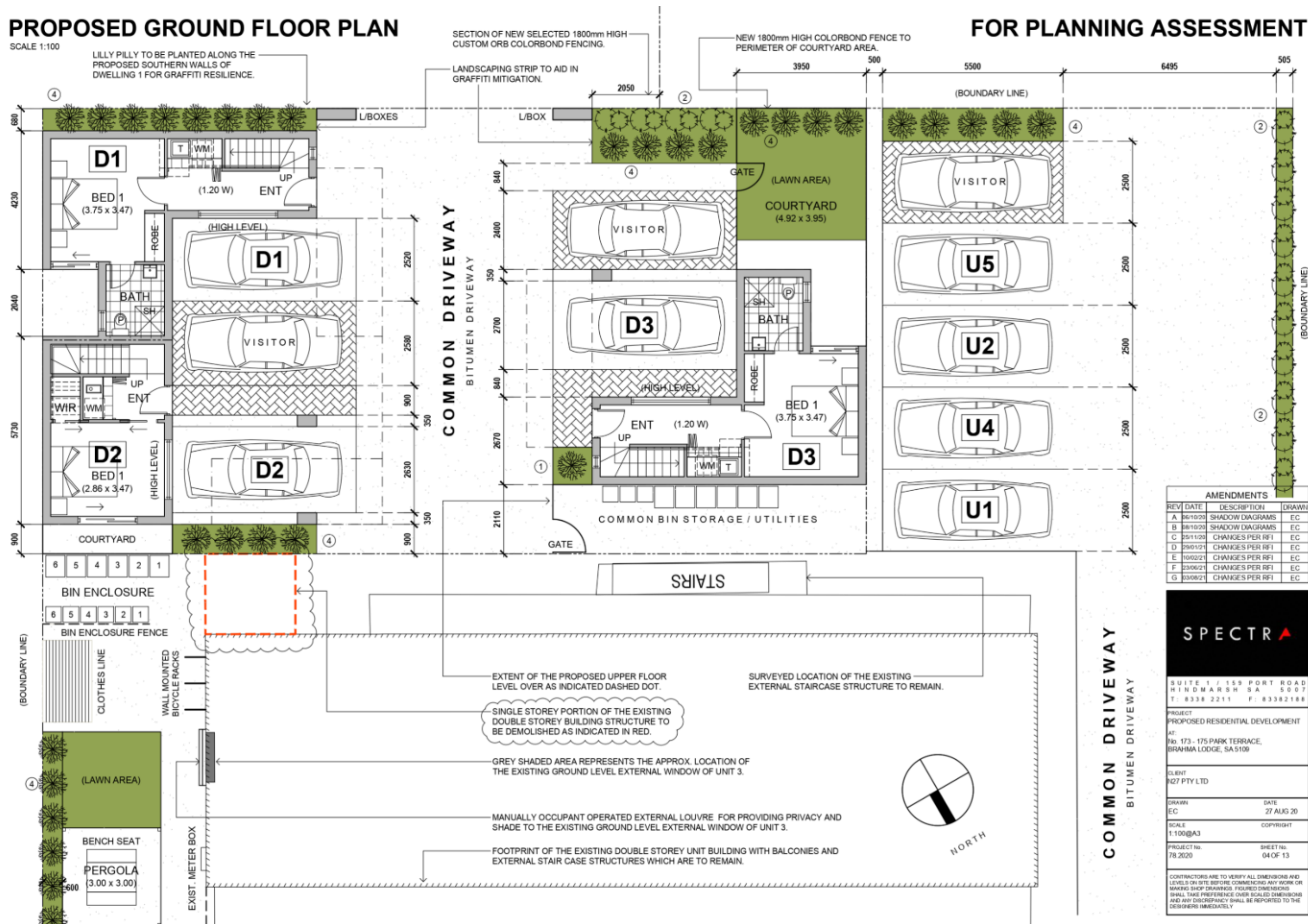
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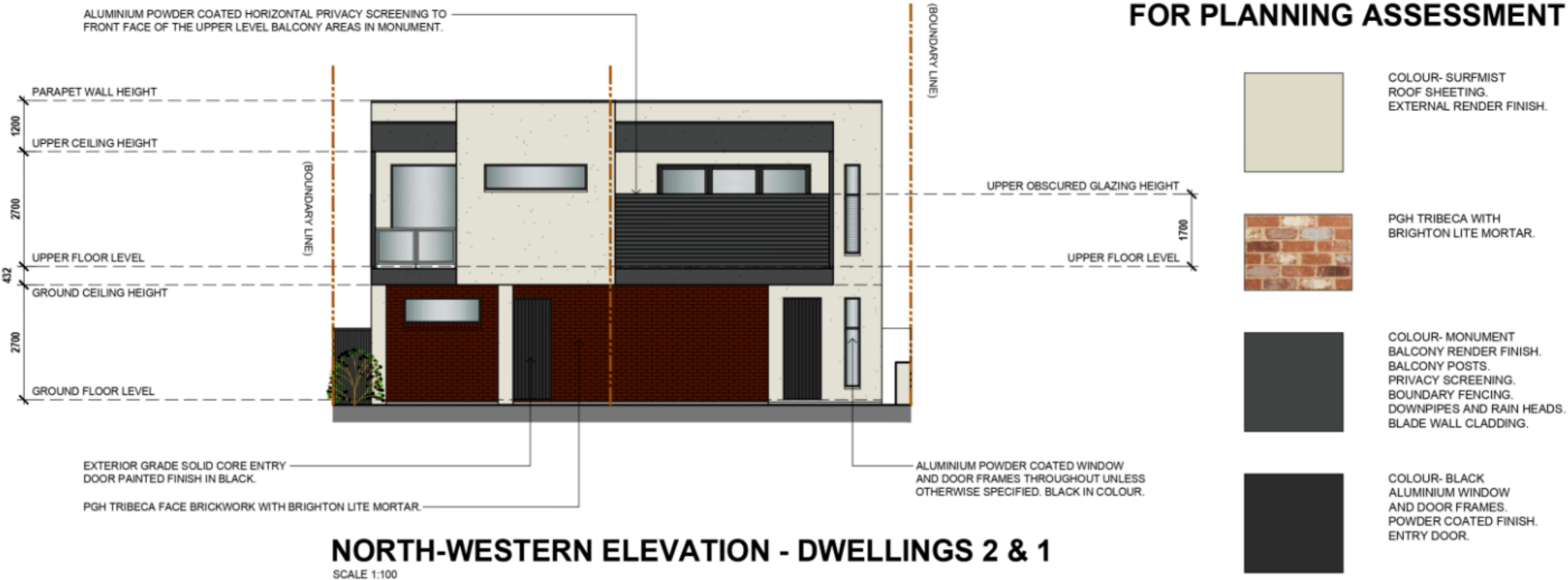
PROJECT No.
78.2020

SHEET No.
01 OF 13

CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY







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PROJECT

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AT:
No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT

R27 PTY LTD

DRAWN

EC

DATE

27 AUG 20

SCALE

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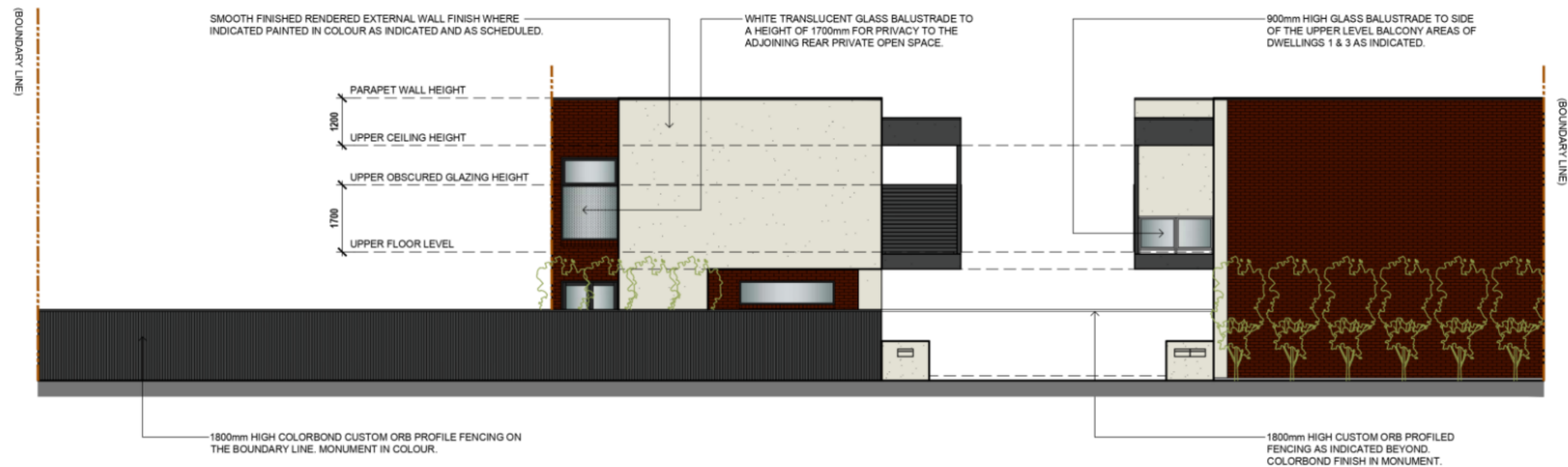
PROJECT No.

78.2020

SHEET No.

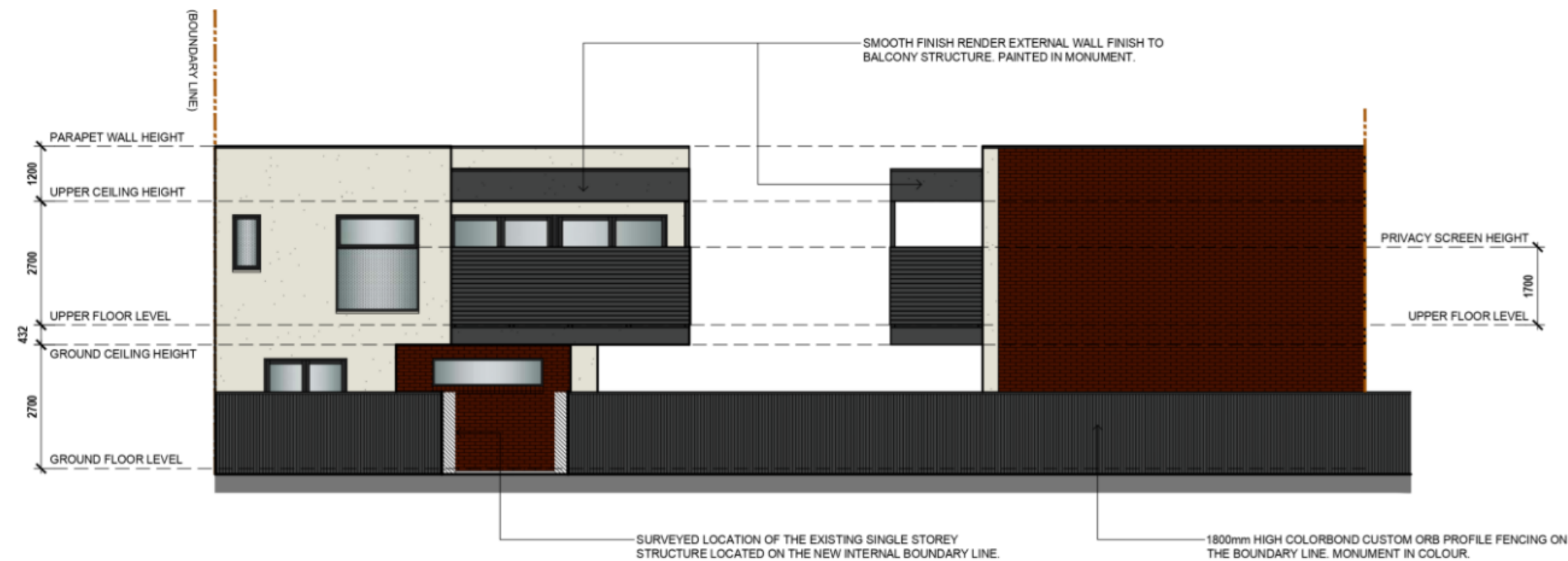
06 OF 13

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SOUTH-WESTERN ELEVATION - DWELLINGS 3 & 1

SCALE 1:100



NORTH-EASTERN ELEVATION - DWELLINGS 2 & 3

SCALE 1:100

FOR PLANNING ASSESSMENT

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PROJECT
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No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT
R27 PTY LTD

DRAWN
EC

DATE
27 AUG 20

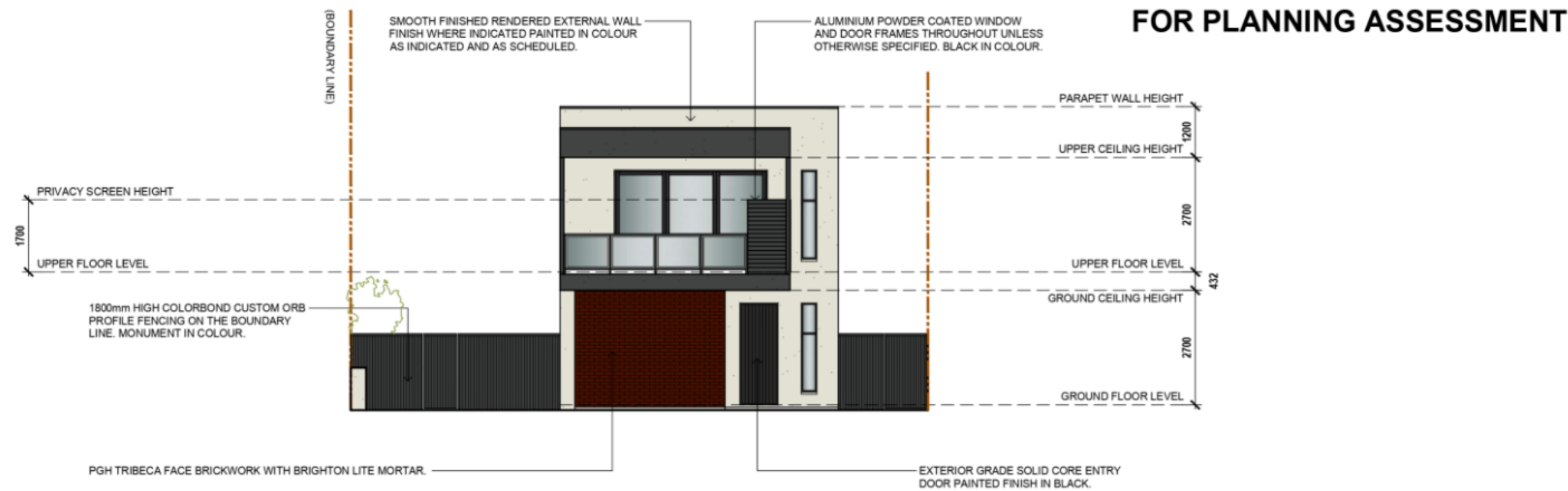
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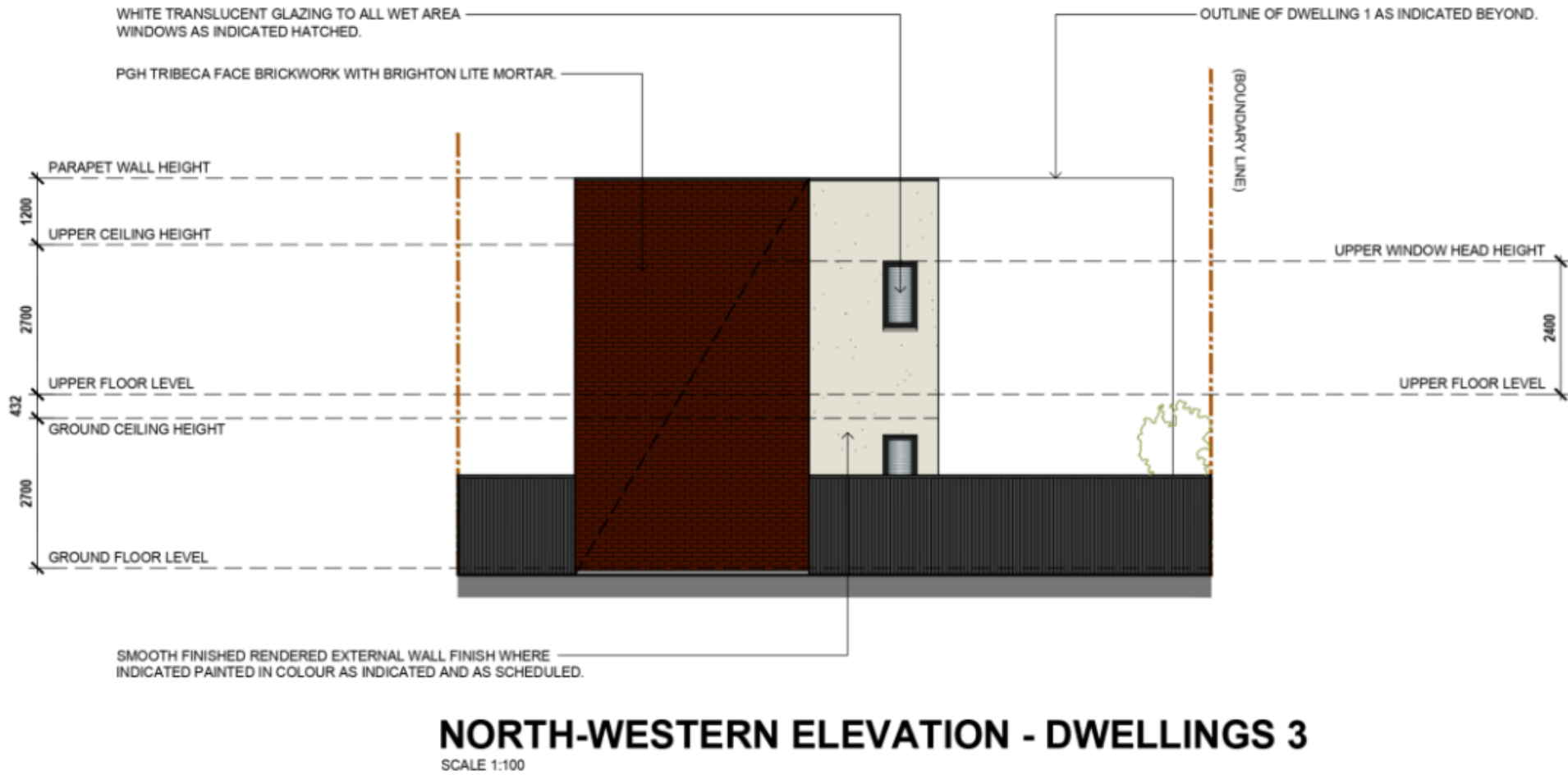
PROJECT No.
78.2020

SHEET No.
07 OF 13

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SOUTH-EASTERN ELEVATION - DWELLING 3
SCALE 1:100



NORTH-WESTERN ELEVATION - DWELLINGS 3
SCALE 1:100

AMENDMENTS			
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G	03/08/21	CHANGES PER RFI	EC

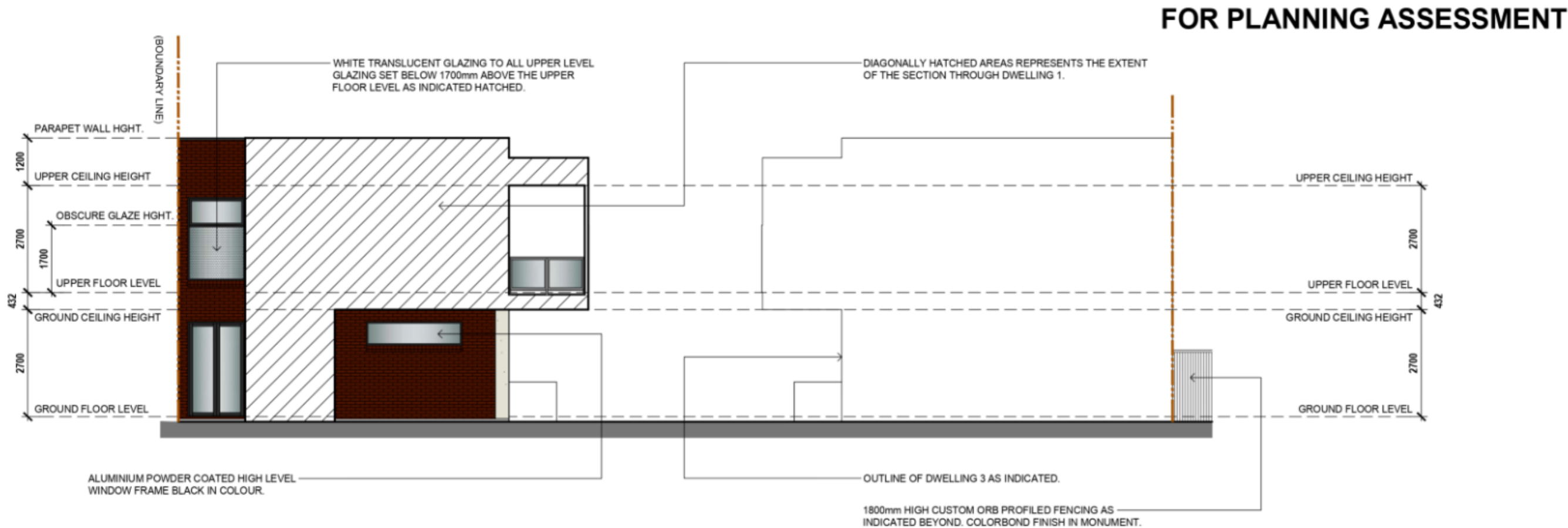
SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
AT:
No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT
P27 PTY LTD

DRAWN EC	DATE 27 AUG 20
SCALE 1:100@A3	COPYRIGHT
PROJECT No. 78.2020	SHEET No. 08 OF 13

CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FOURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY



NORTH-EASTERN ELEVATION - DWELLINGS 1 & 3
SCALE 1:100

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SPECTR

SUITE 1 / 159 PORT ROAD
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AT:
No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT
R27 PTY LTD

DRAWN
EC

DATE
27 AUG 20

SCALE
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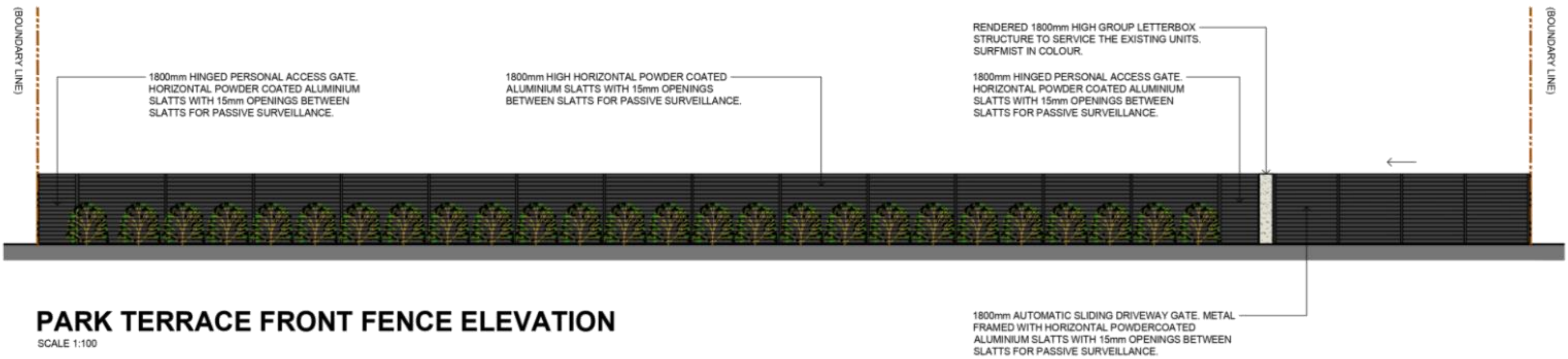
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PROJECT No.
78.2020

SHEET No.
09 OF 13

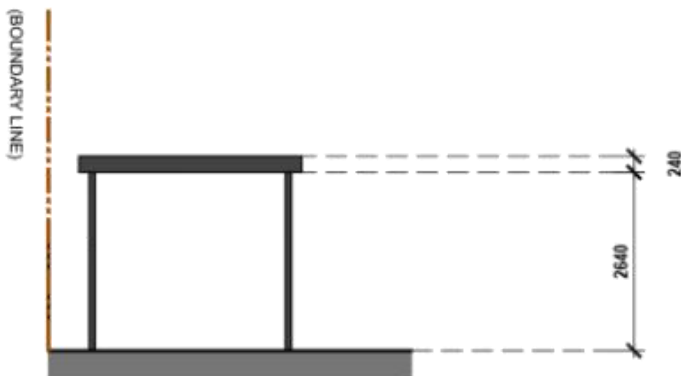
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FOR PLANNING ASSESSMENT



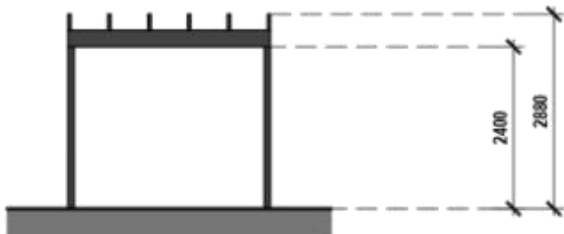
PARK TERRACE FRONT FENCE ELEVATION

SCALE 1:100



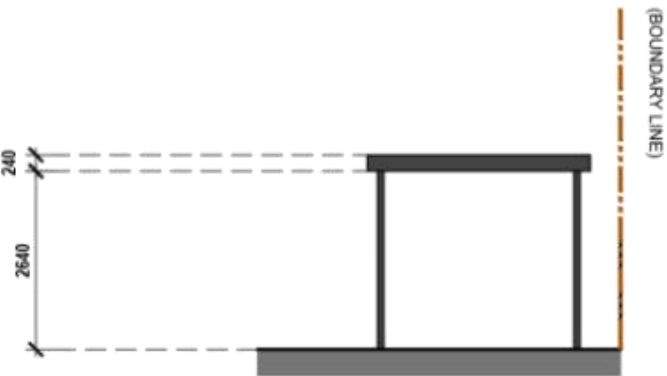
NORTH-EASTERN ELEVATION - PERGOLA

SCALE 1:100



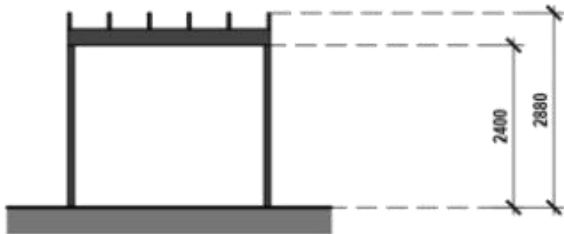
SOUTH-EASTERN ELEVATION - PERGOLA

SCALE 1:100



SOUTH-WESTERN ELEVATION - PERGOLA

SCALE 1:100



NORTH-WESTERN ELEVATION - PERGOLA

SCALE 1:100

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G	03/08/21	CHANGES PER RFI

SPECTR		
SUITE 1 / 159 PORT ROAD		
HINDMARSH SA 5007		
T: 8338 2211 F: 8338 2188		
PROJECT		
PROPOSED RESIDENTIAL DEVELOPMENT		
AT:		
No. 173 - 175 PARK TERRACE,		
BRAHMA LODGE, SA 5109		
CLIENT		
M27 PTY LTD		
DRAWN		DATE
EC		27 AUG 20
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PROJECT No.		SHEET No.
78.2020		10 OF 13
CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY		



SHADOW DIAGRAM 9AM - 21 JUNE
SCALE N.T.S.



FOR PLANNING ASSESSMENT

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SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
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PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
AT:
No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT
RZ7 PTY LTD

DRAWN EC	DATE 27 AUG 20
SCALE N.T.S. @ A3	COPYRIGHT
PROJECT No. 78.2020	SHEET No. 11 OF 13

CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY.



SHADOW DIAGRAM 12PM - 21 JUNE
SCALE N.T.S.



FOR PLANNING ASSESSMENT

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A	06/10/20	SHADOW DIAGRAMS
B	08/10/20	SHADOW DIAGRAMS
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G	03/08/21	CHANGES PER RFI

SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
AT:
No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT
M27 PTY LTD

DRAWN EC	DATE 27 AUG 20
SCALE N.T.S. @ A3	COPYRIGHT
PROJECT No. 78.2020	SHEET No. 12 OF 13

CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY.



SHADOW DIAGRAM 3PM - 21 JUNE
SCALE N.T.S.



FOR PLANNING ASSESSMENT

AMENDMENTS		
REV	DATE	DESCRIPTION
A	06/10/20	SHADOW DIAGRAMS
B	08/10/20	SHADOW DIAGRAMS
C	25/11/20	CHANGES PER RFI
D	25/01/21	CHANGES PER RFI
E	10/02/21	CHANGES PER RFI
F	23/06/21	CHANGES PER RFI
G	03/08/21	CHANGES PER RFI

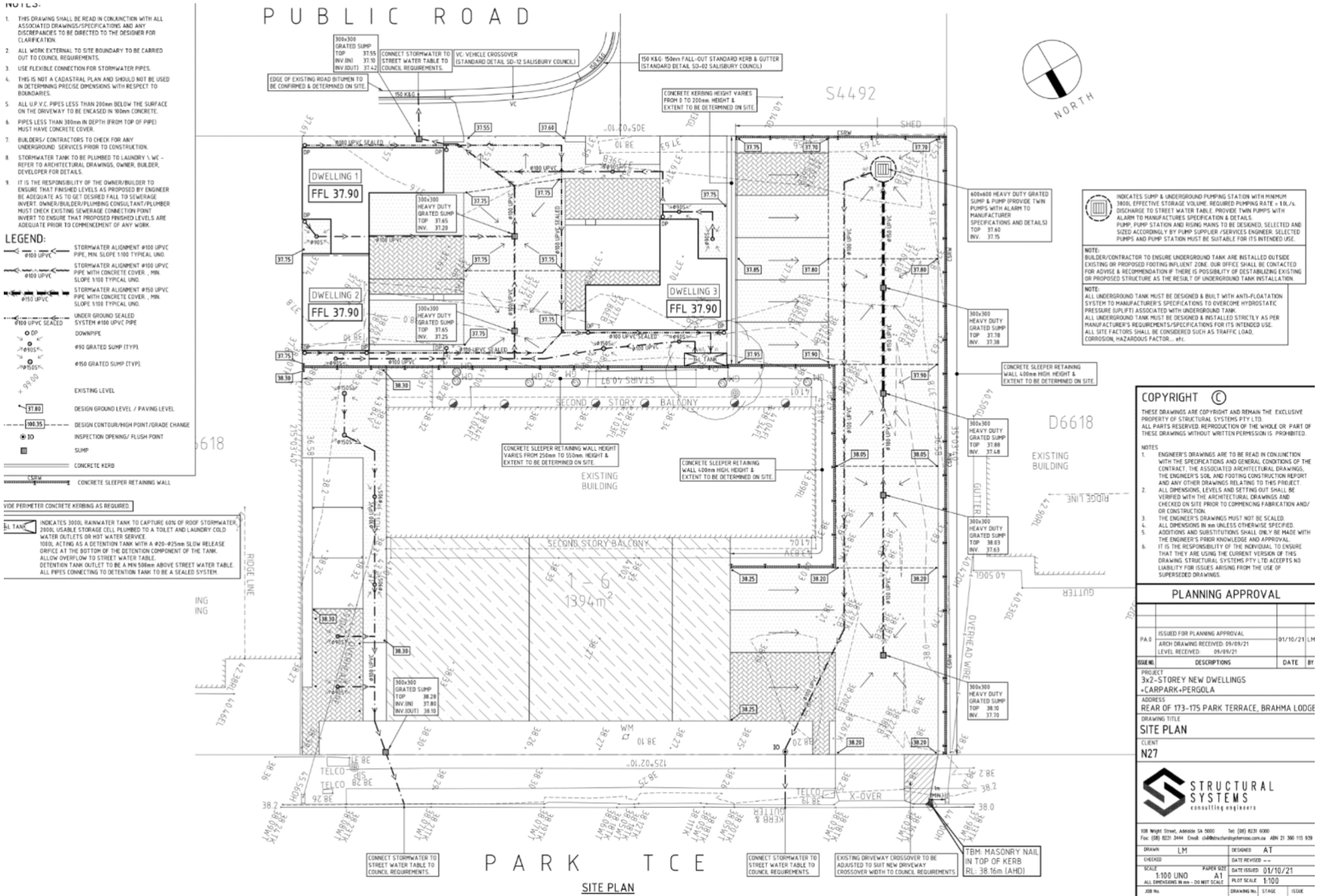
SUITE 1 / 159 PORT ROAD
HINDMARSH SA 5007
T: 8338 2211 F: 8338 2188

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT
AT:
No. 173 - 175 PARK TERRACE,
BRAHMA LODGE, SA 5109

CLIENT
RZ7 PTY LTD

DRAWN EC	DATE 27 AUG 20
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PROJECT No. 78.2020	SHEET No. 13 OF 13

CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS. FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS AND ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNERS IMMEDIATELY.





HEYNEN
PLANNING CONSULTANTS

T 08 8271 7944
Suite 15, 198 Greenhill Road
EASTWOOD SA 5063

ABN 54 159 265 022
ACN 159 265 022

18 October 2021

City of Salisbury
ATT: Chris Carrey
34 Church Street
SALISBURY SA 5108

By Email

Dear Chris

RE: 361/1618/2020 - 173-175 PARK TERRACE, BRAHMA LODGE

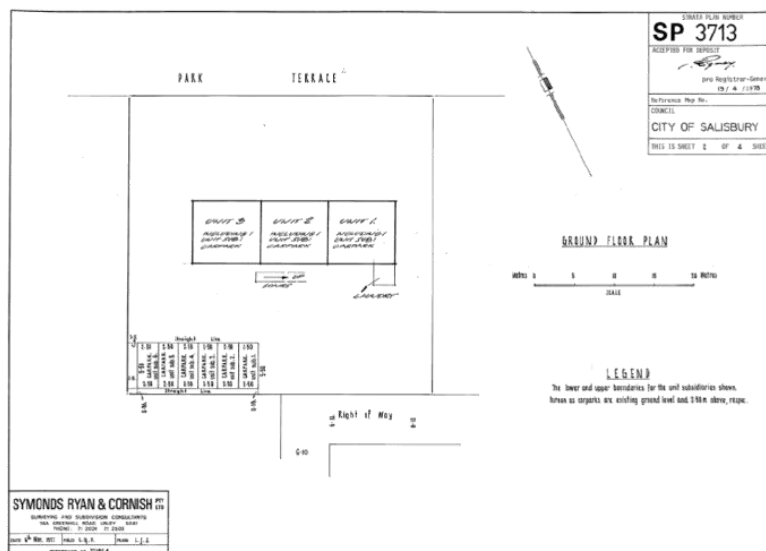
Further to your email of 6 July 2021, please find attached:

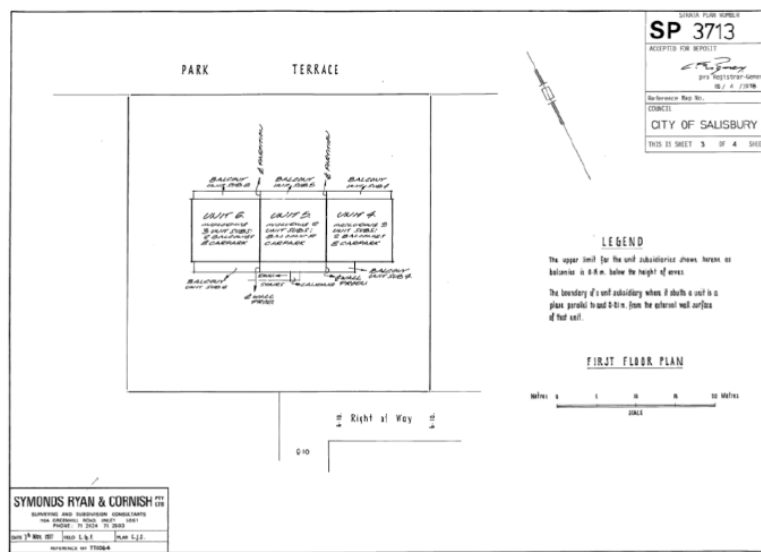
- amended planning drawings (13 Sheets), prepared by Spectra, 03/08/21, Rev G; and
- Site Plan (1 sheet), prepared by Structural Systems, issued 01/10/21.

I understand that the applicant has previously paid the Category 2 re-notification fee (\$116). Can you please proceed to notify the relevant land based upon the attached documents and this covering letter.

Turning to the Spectra drawings (Rev. G), the following key revisions have been made:

- (a) car parking has been re-allocated for each "unit" to correspond with the most convenient location experienced by the occupants (see below for the location of existing units);





(b) bin storage details have been updated such that 9 bins have been allocated to the three proposed dwellings (noting that the future residents would walk their bins to Dorothy Street and that such distance is similar to that associated with adjoining semi-detached dwellings at 80 Dorothy Street), and 6 bins have been provided for the existing residential flat building (consistent with the current allocation);

(c) the communal open space area associated with the residential flat building has been increase in width and area to enable:

- positioning of the bins away from the east facing window of Unit 3;
- inclusion of a clothes line and bike parking facilities;
- repositioning of the pergola and bench seat more centrally within the communal open space area;
- installation of a manually operated external louvre to enable the occupant of Unit 3 to manage personal privacy needs;
- increased landscaping; and
- installation of bollard lighting.

At this point I note that the above items represent a substantial improvement of the current area to be upgraded (see Figure 1) in terms of resident amenity, resident interaction, personal use and functionality (i.e. bin storage, bike parking, pergola, bench seating etc), while addressing a lack of private open space for Units 4, 5 and 6 at the upper level of the residential flat building.

(d) reallocation of the private open space “yards” for Units 1, 2 and 3 to align with the ‘front doors’ of each residence;

(e) alteration of privacy screen for proposed Dwelling 1 such that a view to the south is unobscured (i.e. to the public road), in lieu of screening to the eastern most face;

(f) alteration of the privacy screen for proposed Dwelling 3 such that unobscured views are provided inwards only, but not across to Dwelling 2 (noting the privacy screen on the north-eastern balcony corner); and



Attachment 2

Copy of Public Notice and Representations

**DEVELOPMENT ACT 1993
CITY OF SALISBURY**

NOTICE OF APPLICATION FOR CATEGORY 2 DEVELOPMENT

Pursuant to Section 38(4) of the *Development Act 1993*

An application for development has been lodged with the Council for assessment. The details are as follows:

APPLICATION NO:	361/1618/2020/2A
APPLICANT:	N27 Pty Ltd C/- Heynen Planning Consultants Suite 15/198 Greenhill Rd EASTWOOD SA 5063
NATURE OF DEVELOPMENT:	RETENTION OF EXISTING RESIDENTIAL UNITS, DEMOLITION OF EXISTING UTILITY BUILDING, CONSTRUCTION OF THREE (3) TWO-STOREY GROUP DWELLINGS AND PERGOLA, VEHICULAR ACCESS FROM REAR LANEWAY, ALTERATIONS TO ONSITE CAR PARKING, RETAINING WALLS, FENCING, LANDSCAPING AND PROVISION OF COMMUNAL AREAS
LOCATION:	173-175 Park Terrace , Brahma Lodge SA 5109
CERTIFICATE OF TITLE:	CT-5969/945
ZONE:	Residential

The application may be examined at the Salisbury Community Hub located at 34 Church Street, Salisbury during normal business hours (8.30am – 5pm Monday to Friday) and on Council's web site at www.salisbury.sa.gov.au . Any person or body may make representations in writing, or by email development@salisbury.sa.gov.au, concerning this application and should address their representation to the Chief Executive Officer at PO Box 8, Salisbury or representations@salisbury.sa.gov.au. Representations must be received **no later than Tuesday 16th November 2021**.

Each person making a submission should indicate whether they wish to appear personally, or be represented by another party, in support of their submission. Please note that should you nominate to be heard in support of your representation, you will be required to attend a Council Assessment Panel meeting held at the Council offices, scheduled on the fourth Tuesday of each month at 6.00pm (unless otherwise advised).

Please note that pursuant to Section 38(8) of the *Development Act 1993*, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

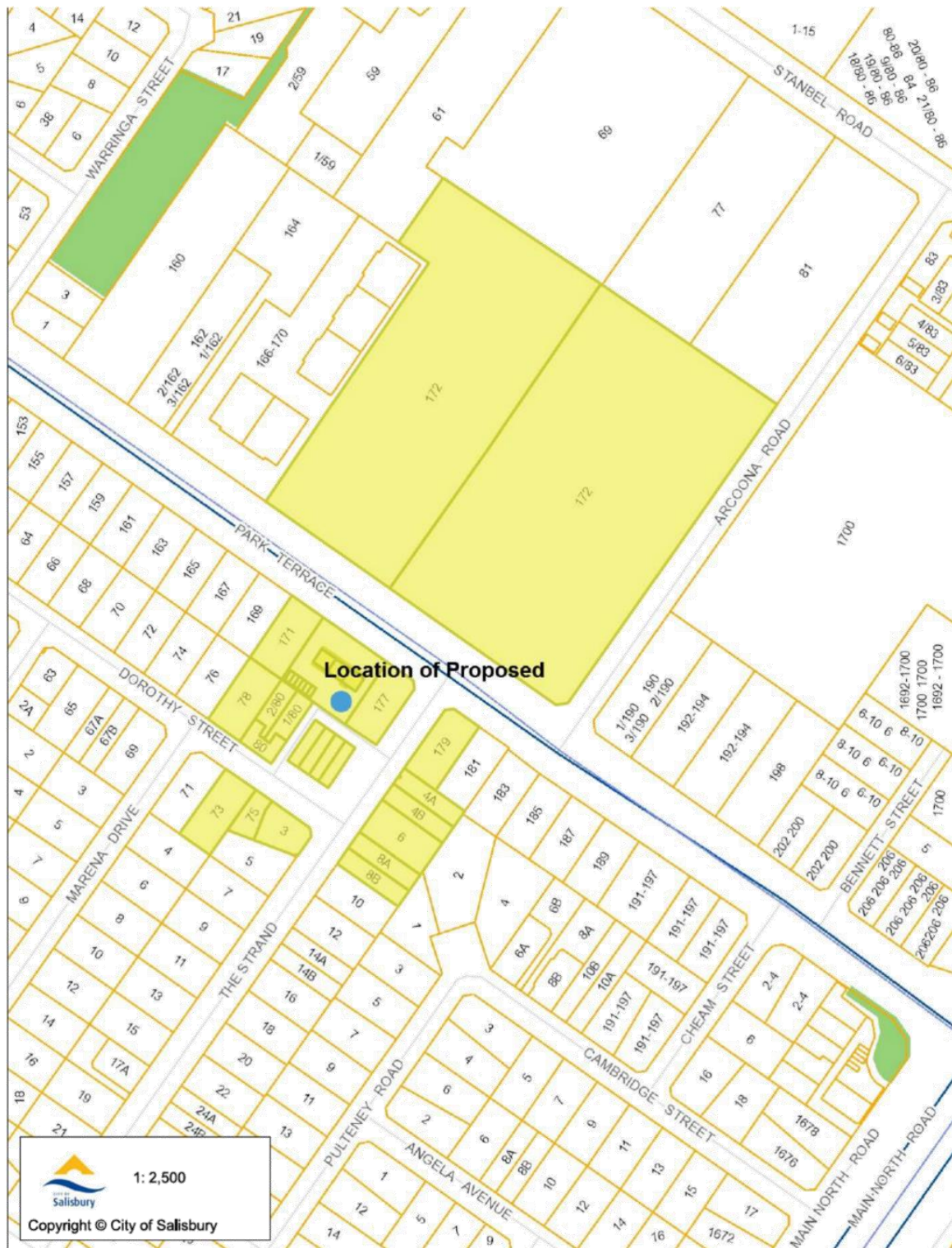
This development is classified as a Category 2 development under the Development Act. Please be aware that there is no right of appeal against Council's decision.

Signed: Chris Carrey, Senior Development Officer - Planning

Date: 03 November 2021

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE

361/1618/2020/2A - Properties Notified





STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

CATEGORY 2

To: City of Salisbury
PO Box 8, SALISBURY SA 5108
Email: representations@salisbury.sa.gov.au

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Application No:	361/1618/2020/2A
Applicant:	N27 Pty Ltd
Location:	173-175 Park Terrace , Brahma Lodge SA 5109
Nature of Development:	RETENTION OF EXISTING RESIDENTIAL UNITS, DEMOLITION OF EXISTING UTILITY BUILDING, CONSTRUCTION OF THREE (3) TWO-STOREY GROUP DWELLINGS AND PERGOLA, VEHICULAR ACCESS FROM REAR LANEWAY, ALTERATIONS TO ONSITE CAR PARKING, RETAINING WALLS, FENCING, LANDSCAPING AND PROVISION OF COMMUNAL AREAS

YOUR DETAILS: (this information must be provided to ensure that this is a valid representation)

NAME(S): Meissa Schultz
ADDRESS: 1/80 Dorothy Street Brahma Lodge
PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

- ☒ The owner/occupier of the property located at:
☐ Other (please state):

YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

- ☐ Support the proposed development.
☒ Oppose the proposed development.

Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.

The Development Bill blocks direct
Sunlight to my back Sunroom which is
the only room that receives direct Sun
therefore there is No Northern Sunlight
benefits to my home & defeats

PTO

361/1618/2020/2A

- the purpose of my back Sunroom.
- * My side fence runs all along the public road proposed to be opened up. There's 15' Council medium strip or public footpath between my fence & the road. This will increase the traffic + cars running too close to my fence line. Tree needs to be a suitable & large gap between the cars & my fence line if its being opened up to more traffic.
 - * The Communal area right on my back fence line will encourage more gatherings + noise at the back of my property.

My concerns would be addressed by: (state changes/actions to the proposal sought)

- * Single story developments
- * Not opening the side road for more public access or adding a medium strip to move the increased traffic further away from my fence line
- * Moving the Communal area away from back fence or not having it.

PTO

Regulation 35(e) of the *Development Regulations 2008* requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

- ☐ Do not wish to be heard in support of my representation.
- ☒ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

OR

☐ Represented by the following person:

Contact details:

(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).

Your written representation must be received by Council no later than 11.59pm on Tuesday 16th November 2021, to ensure that it is a valid representation and taken into account.

Representor's Declaration:

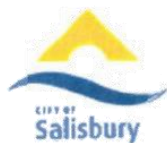
I am aware that the representation will become a public document as prescribed in the *Freedom of Information Act 1991*, and will be made available to the applicant, agencies and other bodies pursuant to the *Development Act 1993*, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: 

Date: 7 / 11 / 21

Please complete this checklist to ensure your representation is valid:

- ☐ Name and address of person (or persons).
- ☐ If more than one person, details of person making the representation.
- ☐ Detail of reasons for making the representation.
- ☐ Indication whether or not the person (or persons) wishes to be heard.
- ☐ Submitted no later than 11.59pm on **Tuesday 16th November 2021**.



STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the *Development Act 1993*

CATEGORY 2

To: City of Salisbury
PO Box 8, SALISBURY SA 5108
Email: representations@salisbury.sa.gov.au

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Application No:	361/1618/2020/2A
Applicant:	N27 Pty Ltd
Location:	173-175 Park Terrace , Brahma Lodge SA 5109
Nature of Development:	RETENTION OF EXISTING RESIDENTIAL UNITS, DEMOLITION OF EXISTING UTILITY BUILDING, CONSTRUCTION OF THREE (3) TWO-STOREY GROUP DWELLINGS AND PERGOLA, VEHICULAR ACCESS FROM REAR LANEWAY, ALTERATIONS TO ONSITE CAR PARKING, RETAINING WALLS, FENCING, LANDSCAPING AND PROVISION OF COMMUNAL AREAS

YOUR DETAILS: (this information must be provided to ensure that this is a valid representation)

NAME(S): MR GERALD BRADSHAW

ADDRESS: UNIT 2/80 - DOROTHY ST - BRAHMA LODGE - SA5109

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at:

☐ Other (please state):

YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.

MANY CARS IN THIS DEVELOPMENT I DONT LIKE

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PTO

361/1618/2020/2A

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My concerns would be addressed by: *(state changes/actions to the proposal sought)*

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PTO

CATEGORY 2

Regulation 35(e) of the *Development Regulations 2008* requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☒ Do not wish to be heard in support of my representation.

☐ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

OR

☐ Represented by the following person:


Contact details:

(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).

Your written representation must be received by Council no later than 11.59pm on Tuesday 16th November 2021, to ensure that it is a valid representation and taken into account.

Representor's Declaration:

I am aware that the representation will become a public document as prescribed in the *Freedom of Information Act 1991*, and will be made available to the applicant, agencies and other bodies pursuant to the *Development Act 1993*, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: 

Date: 8 / 11 / 2021

Please complete this checklist to ensure your representation is valid:

- ☐ Name and address of person (or persons).
- ☐ If more than one person, details of person making the representation.
- ☐ Detail of reasons for making the representation.
- ☐ Indication whether or not the person (or persons) wishes to be heard.
- ☐ Submitted no later than 11.59pm on **Tuesday 16th November 2021.**

Attachment 3

Response to Representations



HEYNEN
PLANNING CONSULTANTS

T 08 8271 7944
Suite 15, 198 Greenhill Road
EASTWOOD SA 5063

ABN 54 159 265 022
ACN 159 265 022

25 November 2021

City of Salisbury
ATT: Chris Carrey
PO Box 8
SALISBURY SA 5108

By Email

Dear Chris

RE: 361/1618/2020/2A – 173-175 PARK TERRACE, BRAHMA LODGE

I understand that Council has undertaken a “second round” of Category 2 notification pursuant to Section 38 of the *Development Act* as a consequence of substantive revisions made to the proposed development at 173-175 Park Terrace, Brahma Lodge. The relevant drawings placed on notification were Revision G.

I note that on this occasion two representations were received, one of which wishes to be heard. For completeness, I recall that Revision E was previously “notified” and that on that occasion five representation were received.

I confirm that the applicant has requested my opinion on the items raised in the two representations received most recently by Council.

RESPONSE TO THE REPRESENTATION

For brevity the various items have been summarised and paraphrased in *Italics*, with my opinion following each topic.

Before doing so, I note that one objection raises concerns which stem from the suggested “opening of the public road”. I confirm in this regard that a public road already exists and that the proposed development simply seeks to make use of the frontage and access/egress afforded by the public road. I note that, for example, the existing residents of the 6 units on the land could drive onto the public road if a gate was installed. In this scenario, the vehicle movements per day would theoretically be equal to or greater than the proposed number of vehicle movements per day.

The suggestion also that the representors fence will be damaged by the proposed development is not well founded, noting that the three new dwellings are designed such that vehicles will enter and exit the site in a forward facing direction (including the two visitor car parks (which exceeds the Development Plan guideline). Accordingly, vehicles will not be “reversing onto” the public road and not reversing in proximity to the eastern fence of the residence at 1/80 Dorothy Street.

In my opinion, these comments do not diminish the planning merit of the proposed development.

I turn now to the remaining matters.

- o *Increased noise from the communal area on the “back fence line” of 1/80 Dorothy Street*

Respectfully, the representor has misunderstood the planning drawings. The area adjoining the “back fence” (per Figure 1) is the private open space of Dwelling 3 only.

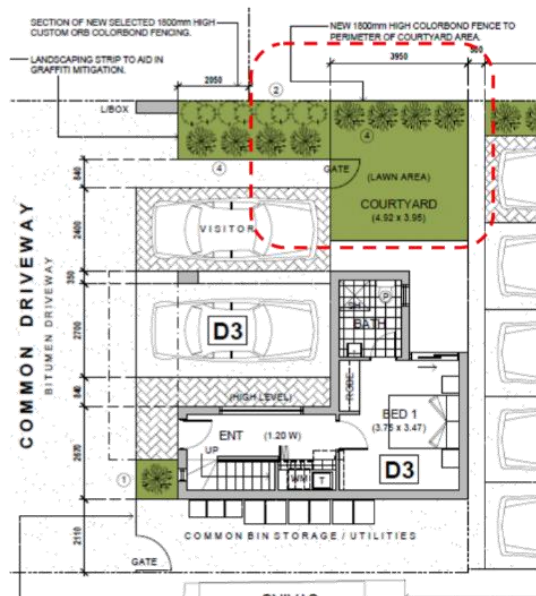


Figure 1: Dwelling 3 Private Open Space Adjoining 1/80 Dorothy Street

Accordingly, any noise generated is reasonable for a residential development in a residential type zone. No impact on the planning merit of the application arises in this regard.

- o *Too many cars in the development*

I understand this representation to mean that insufficient car parking is provided on site. If this is the case extrapolating the Circa advice of 2 July 2020 (noting that the number of new dwellings has reduced from four to 3) the car parking and visitor parking is in accordance with and exceeds the Development Plan.

The number of vehicle movements per day in association with the three proposed dwellings is likely to be in the order of 21 per day. Furthermore, it is likely that these movements would be “tidal” on week days (associated with journeys to work or school or the like) and as such, for much of the day vehicle movements on the public road would be very low. Likewise, visitors attracted to the dwellings would mostly be in the evenings, which will likely be when the chemist and deli are not experiencing high demand for services.

In my opinion, the supply of car parking for the new dwellings, and as provided for the existing 6 units is appropriate, while the vehicle movements per day will not affect the amenity of the locality or safe and convenient use of public roads.

- o *The shadow will block direct sunlight into a sunroom*

The Development Plan provisions of relevance in relation to access to sunlight are provided below:

General Section – Residential Development

PDC 10 The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:

- (a) windows of habitable rooms, particularly living areas
- (b) ground-level private open space...

PDC 11 Development should ensure that north-facing windows to habitable rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9 am and 5 pm on the 21 June.

PDC 12 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9 am and 3 pm on 21 June to at least the smaller of the following:

- (a) half of the existing ground-level open space
- (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres).

Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

On review of the shadow diagrams, Sheets 11, 12 and 13, of the Spectra drawings, Revision G, it is apparent that shadow will be cast on the land at 1/80 Dorothy Street at 9 AM on the winter solstice. From 12 noon however (and in my experience more likely 11 AM) the sunroom will experience no shading from the proposed dwellings (i.e. at least 5 hours, which is 2 hours beyond the guidance per PDC 11). The same access to sunlight is afforded in relation to "ground-level open space". Accordingly, the proposed development is entirely consistent with the Development Plan provisions (my underlining added).

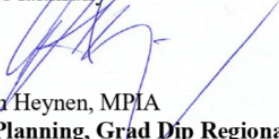
SUMMARY

Having considered the representations I am of the view that the proposed development displays substantial planning merit. Furthermore, considering the improvements experienced for the existing residential flat building (i.e. better demarcation of parking, improved stormwater management, secure fencing and bollard lighting, enhanced privacy, dedicated and functional communal open space, provision for bike parking and bin storage, increased landscaping, and provision for personal washing machines (in lieu of the common laundry facility) the development is worthy of Development Plan consent.

Additionally, the development will introduce new residents into the locality so as to take advantage of and provide custom to the existing local shopping centre and provide passive surveillance of the public road. The development will also provide a mix of housing types (2 bedroom accommodation) and increase the orderly and economic use of existing services and facilities. These "outcomes" also clearly align with the Development Plan.

I understand that this application will be considered by the Council Assessment Panel. Should the opportunity arise to speak before the CAP, the applicant (or representative) has expressed a desire to do so.

Yours faithfully



Garth Heynen, MPIA
BA Planning, Grad Dip Regional & Urban Planning, Grad Dip Property

cc. N27 Pty Ltd, by email
Spectra, by email

Attachment 4

DIT – Agency Response

In reply please quote: 2020/00287, Process ID: 651755
 Enquiries to: Reece Loughron
 Telephone: 08 7109 7876
 E-mail: dlt.landusecoordination@sa.gov.au



Government of South Australia
 Department for Infrastructure
 and Transport

TRANSPORT PLANNING AND
 PROGRAM DEVELOPMENT

Transport Assessment

GPO Box 1533
 ADELAIDE SA 5001

ABN 92 366 288 135

21 December 2020

Mr Chris Carrey
 City of Salisbury
 PO Box 8
 SALISBURY SA 5108

Dear Mr Carrey,

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	361/1618/2020
Applicant	N27 Pty Ltd C/- Garth Heynen
Location	173-175 Park Terrace, Brahma Lodge
Proposal	Construction of 4 dwellingsm, site alterations and access upgrade

I refer to the above development application forwarded to the Commissioner of Highways (CoH) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above. The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

CONSIDERATION

The subject site abuts Park Terrace which is a four lane undivided road and a rear public lane. Park Terrace is identified as a Public Transport Corridor under Department for Infrastructure and Transport's 'A Functional Hierarchy for South Australia's Land Transport Network'. At this location Park Terrace carries approximately 14,500 vehicles per day (4% commercial vehicles) and has a posted speed limit of 60 km/h.

Access and Road Safety

DIT has reviewed the Heynen Planning correspondence (dated 2 September 2020 & 4 November 2020), the CIRQA Parking Review (refer 2015/BNW dated 2 July 2020) and associated Spectra Plan set (project 78.2020 dated Rev C 25/11/20). The existing complex (6 units) gains access to Park Terrace adjacent the western property boundary and the proposed development seeks to widen this access to cater for two-way vehicle movements which is supported. The access should be a minimum width of 6.0 metres at the property boundary with additional flaring to the existing kerb. A clear 1 metre separation should be provided from any flaring to the stobie pole adjacent the western boundary. The additional four dwellings will gain access to the rear of the site via an abutting public lane way which is supported by DIT

The proposed design includes a sliding gate across the widened Park Terrace access (refer Spectra Sheet 10). Any new gate should be set back a sufficient distance to ensure a car can store completely clear of the road and preferably fully on private property prior to the gate being opened/closed. Council should be fully satisfied that the design will not result in vehicles queuing back onto Park Terrace.

16462450

In regards to other infrastructure adjacent the access, the access design should be clear of all impediments including utility meters, letterboxes and visitor parking with access to the letterboxes gained outside of the 6.0 metres wide vehicular access.

In addition, all new shared access, parking/common areas shall be clearly designated in any future land division.

ADVICE

The Department for Infrastructure and Transport's supports the proposed development and advises the planning authority to attach the following conditions to any approval:

1. Access to Park Terrace shall be gained as shown on Spectra Proposed Site Plan, Project 78.2020, Sheet 3 of 15, Revision C dated 25 November 2020 with suitable flaring to the road
2. The Park Terrace access shall be a minimum width of 6.0 meters at the property boundary with 1 metre clearance from the adjacent stobie pole.
3. All vehicles shall enter and exit the site in a forward direction.
4. The gate shall be setback a sufficient distance so that a vehicle is completely clear of the road prior to opening/closing.
5. The shared driveway and internal manoeuvring areas shall be clear of all obstructions.
6. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Yours sincerely



MANAGER, TRANSPORT ASSESSMENT
for **COMMISSIONER OF HIGHWAYS**

A copy of the decision notification form should be forwarded to dit.developmentapplications@sa.gov.au

16462450

Attachment 5

Extract of relevant Development Plan Provisions 4 April 2019

Crime Prevention

OBJECTIVES

- 1 A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be designed to maximise surveillance of public spaces through the incorporation of clear lines of sight, appropriate lighting and the use of visible permeable barriers wherever practicable.
- 2 Buildings should be designed to overlook public and communal streets and public open space to allow casual surveillance.
- 3 Development should provide a robust environment that is resistant to vandalism and graffiti.
- 4 Development should provide lighting in frequently used public spaces including those:
 - (a) along dedicated cyclist and pedestrian pathways, laneways and access routes
 - (b) around public facilities such as toilets, telephones, bus stops, seating, litter bins, automatic teller machines, taxi ranks and car parks.
- 5 Development, including car park facilities should incorporate signage and lighting that indicate the entrances and pathways to, from and within sites.
- 6 Landscaping should be used to assist in discouraging crime by:
 - (a) screen planting areas susceptible to vandalism
 - (b) planting trees or ground covers, rather than shrubs, alongside footpaths
 - (c) planting vegetation other than ground covers a minimum distance of two metres from footpaths to reduce concealment opportunities.
- 7 Site planning, buildings, fences, landscaping and other features should clearly differentiate public, communal and private areas.
- 8 Buildings should be designed to minimise and discourage access between roofs, balconies and windows of adjoining dwellings.
- 9 Public toilets should be located, sited and designed:
 - (a) to promote the visibility of people entering and exiting the facility (eg by avoiding recessed entrances and dense shrubbery that obstructs passive surveillance)
 - (b) near public and community transport links and pedestrian and cyclist networks to maximise visibility.
- 10 Development should avoid pedestrian entrapment spots and movement predictors (eg routes or paths that are predictable or unchangeable and offer no choice to pedestrians).

Salisbury Council
General Section
Crime Prevention

- 11 Development should be designed to maximise surveillance of open space, pedestrian routes, centres and residential areas by:
- (a) orienting the frontages and entrances of buildings towards the public street
 - (b) avoiding screens, high walls, carports and landscaping that obscure direct views to public areas
 - (c) placing the entrances of buildings opposite each other across a street, or group entrances of multiple dwelling developments onto a commonly visible area to provide maximum mutual surveillance
 - (d) arranging living areas, windows, access ways and balconies to overlook open space and recreation areas and provide observation points to all areas of a site, particularly entrances and car parks.

Design and Appearance

OBJECTIVES

- 1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.
- 2 Roads, open spaces, buildings and land uses laid out and linked so that they are easy to understand and navigate.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 The design of a building may be of a contemporary nature and exhibit an innovative style provided the overall form is sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour.
- 2 Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.
- 3 Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:
 - (a) articulation
 - (b) colour and detailing
 - (c) small vertical and horizontal components
 - (d) design and placing of windows
 - (e) variations to facades.
- 4 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:
 - (a) the visual impact of the building as viewed from adjoining properties
 - (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.
- 5 Building form should not unreasonably restrict existing views available from neighbouring properties and public spaces.
- 6 Transportable buildings and buildings which are elevated on stumps, posts, piers, columns or the like, should have their suspended footings enclosed around the perimeter of the building with brickwork or timber, and the use of verandas, pergolas and other suitable architectural detailing to give the appearance of a permanent structure.
- 7 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.
- 8 Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.
- 9 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.

Salisbury Council
General Section
Design and Appearance

- 10 Development should provide clearly recognisable links to adjoining areas and facilities.
- 11 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.
- 12 Buildings (other than ancillary buildings or group dwellings) should be designed so that their main façade faces the primary street frontage of the land on which they are situated.
- 13 Where applicable, development should incorporate verandas over footpaths to enhance the quality of the pedestrian environment.
- 14 Development should be designed and sited so that outdoor storage, loading and service areas are screened from public view by an appropriate combination of built form, solid fencing and/or landscaping.
- 15 Outdoor lighting should not result in light spillage on adjacent land.
- 16 Balconies should:
 - (a) be integrated with the overall architectural form and detail of the building
 - (b) be sited to face predominantly north, east or west to provide solar access
 - (c) have a minimum area of 2 square metres.

Development Adjacent Heritage Places

- 17 The design of multi-storey buildings should not detract from the form and materials of adjacent State and local heritage places listed in [Table Sal/4 - State Heritage Places](#).
- 18 Development on land adjacent to a State or local heritage place, as listed in [Table Sal/4 - State Heritage Places](#) should be sited and designed to reinforce the historic character of the place and maintain its visual prominence.

Overshadowing

- 19 The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of:
 - (a) windows of habitable rooms
 - (b) upper-level private balconies that provide the primary open space area for a dwelling
 - (c) solar collectors (such as solar hot water systems and photovoltaic cells).

Visual Privacy

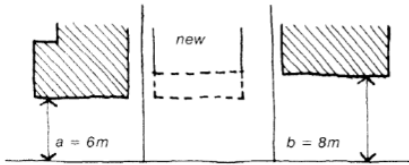
- 20 Development should minimise direct overlooking of habitable rooms and private open spaces of dwellings through measures such as:
 - (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct
 - (b) building 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
 - (c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.
- 21 Permanently fixed external screening devices should be designed and coloured to complement the associated building's external materials and finishes

Building Setbacks from Road Boundaries

22 The setback of buildings from public roads should:

- (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
- (b) contribute positively to the streetscape character of the locality
- (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.

23 Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table:

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:
 <p>When $b - a \leq 2$, setback of new dwelling = a or b</p>	
Greater than 2 metres	At least the average setback of the adjacent buildings.

- 24 Except where specified in a particular zone, policy area, or precinct, buildings and structures should be set back from road boundaries having regard to the requirements set out in [Table Sal/1 - Building Setbacks from Road Boundaries](#).
- 25 Except where specified in a zone, policy area or precinct, the setback of development from a secondary street frontage should reflect the setbacks of the adjoining buildings and other buildings in the locality.
- 26 Development likely to encroach within a road widening setback under the *Metropolitan Adelaide Road Widening Plan Act 1972* should be set back sufficiently from the boundary required for road widening.

Energy Efficiency

OBJECTIVES

- 1 Development designed and sited to conserve energy.
- 2 Development that provides for on-site power generation including photovoltaic cells and wind power.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should provide for efficient solar access to buildings and open space all year around.
- 2 Buildings should be sited and designed:
 - (a) to ensure adequate natural light and winter sunlight is available to the main activity areas of adjacent buildings
 - (b) so that open spaces associated with the main activity areas face north for exposure to winter sun.

On-site Energy Generation

- 3 Development should facilitate the efficient use of photovoltaic cells and solar hot water systems by:
 - (a) taking into account overshadowing from neighbouring buildings
 - (b) designing roof orientation and pitches to maximise exposure to direct sunlight.
- 4 Public infrastructure and lighting, should be designed to generate and use renewable energy.

Hazards

OBJECTIVES

- 1 Maintenance of the natural environment and systems by limiting development in areas susceptible to natural hazard risk.
- 2 Development located away from areas that are vulnerable to, and cannot be adequately and effectively protected from the risk of natural hazards.
- 3 Critical community facilities such as hospitals, emergency control centres, major service infrastructure facilities, and emergency service facilities located where they are not exposed to natural hazard risks.
- 4 Development located and designed to minimise the risks to safety and property from flooding.
- 5 Development located to minimise the threat and impact of bushfires on life and property.
- 6 Expansion of existing non-rural uses directed away from areas of high bushfire risk.
- 7 The environmental values and ecological health of receiving waterways and marine environments protected from the release of acid water resulting from the disturbance of acid sulphate soils.
- 8 Protection of human health and the environment wherever site contamination has been identified or is suspected to have occurred.
- 9 Appropriate assessment and remediation of site contamination to ensure land is suitable for the proposed use and provides a safe and healthy living and working environment.
- 10 Minimisation of harm to life, property and the environment through appropriate location of development and appropriate storage, containment and handling of hazardous materials.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be excluded from areas that are vulnerable to, and cannot be adequately and effectively protected from, the risk of hazards.
- 2 Development located on land subject to hazards as shown on the *Overlay Maps - Development Constraints* should not occur unless it is sited, designed and undertaken with appropriate precautions being taken against the relevant hazards.
- 3 There should not be any significant interference with natural processes in order to reduce the exposure of development to the risk of natural hazards.

Flooding

- 4 Development should not occur on land where the risk of flooding is likely to be harmful to safety or damage property.
- 5 Development should not be undertaken in areas liable to inundation by tidal, drainage or flood waters unless the development can achieve all of the following:
 - (a) it is developed with a public stormwater system capable of catering for a 1-in-100 year average return interval flood event
 - (b) buildings are designed and constructed to prevent the entry of floodwaters in a 1-in-100 year average return interval flood event.

Salisbury Council
General Section
Hazards

- 6 Development, including earthworks associated with development, should not do any of the following:
- (a) impede the flow of floodwaters through the land or other surrounding land
 - (b) increase the potential hazard risk to public safety of persons during a flood event
 - (c) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood
 - (d) cause any adverse effect on the floodway function
 - (e) increase the risk of flooding of other land
 - (f) obstruct a watercourse.

Bushfire

- 7 The following bushfire protection principles of development control apply to development of land identified as General, Medium and High bushfire risk areas as shown on the *Bushfire Protection Area BPA Maps - Bushfire Risk*.
- 8 Development in a Bushfire Protection Area should be in accordance with those provisions of the *Minister's Code: Undertaking development in Bushfire Protection Areas* that are designated as mandatory for Development Plan Consent purposes.
- 9 Buildings and structures should be located away from areas that pose an unacceptable bushfire risk as a result of one or more of the following:
 - (a) vegetation cover comprising trees and/or shrubs
 - (b) poor access
 - (c) rugged terrain
 - (d) inability to provide an adequate building protection zone
 - (e) inability to provide an adequate supply of water for fire-fighting purposes.
- 10 Residential, tourist accommodation and other habitable buildings should:
 - (a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect
 - (b) be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation
 - (c) have a dedicated and accessible water supply available at all times for fire fighting.
- 11 Extensions to existing buildings, outbuildings and other ancillary structures should be sited and constructed using materials to minimise the threat of fire spread to residential, tourist accommodation and other habitable buildings in the event of bushfire.
- 12 Buildings and structures should be designed and configured to reduce the impact of bushfire through using simple designs that reduce the potential for trapping burning debris against the building or structure, or between the ground and building floor level in the case of transportable buildings.
- 13 Land division for residential or tourist accommodation purposes within areas of high bushfire risk should be limited to those areas specifically set aside for these uses.

Infrastructure

OBJECTIVES

- 1 Infrastructure provided in an economical and environmentally sensitive manner.
- 2 Infrastructure, including social infrastructure, provided in advance of need.
- 3 Suitable land for infrastructure identified and set aside in advance of need.
- 4 The visual impact of infrastructure facilities minimised.
- 5 The efficient and cost-effective use of existing infrastructure.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not occur without the provision of adequate utilities and services, including:
 - (a) electricity supply
 - (b) water supply
 - (c) drainage and stormwater systems
 - (d) waste disposal
 - (e) effluent disposal systems
 - (f) formed all-weather public roads
 - (g) telecommunications services
 - (h) social infrastructure, community services and facilities
 - (i) gas services.
- 2 Development should only occur where it provides, or has access to, relevant easements for the supply of infrastructure.
- 3 Development should incorporate provision for the supply of infrastructure services to be located within common service trenches where practicable.
- 4 Development should not take place until adequate and co-ordinated drainage of the land is assured.
- 5 Development in urban areas should not occur without provision of an adequate reticulated domestic quality mains water supply and an appropriate waste treatment system.
- 6 In areas where no reticulated water supply is available, buildings whose usage is reliant on a water supply should be equipped with an adequate and reliable on-site water storage system.
- 7 Electricity infrastructure should be designed and located to minimise its visual and environmental impacts.
- 8 Development and landscaping within 25 metres of the 275 kV overhead electricity lines should ensure that all clearances and safety restrictions are met.

Interface between Land Uses

OBJECTIVES

- 1 Development located and designed to minimise adverse impact and conflict between land uses.
- 2 Protect community health and amenity from adverse impacts of development.
- 3 Protect desired land uses from the encroachment of incompatible development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:
 - (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants
 - (b) noise
 - (c) vibration
 - (d) electrical interference
 - (e) light spill
 - (f) glare
 - (g) hours of operation
 - (h) traffic impacts.
- 2 Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.
- 3 Development adjacent to a **Residential Zone** should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.
- 4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.
- 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.
- 6 Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.

Noise Generating Activities

- 7 Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant *Environment Protection (Noise) Policy* criteria when assessed at the nearest existing noise sensitive premises.
- 8 Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.

Landscaping, Fences and Walls

OBJECTIVES

- 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- 2 Functional fences and walls that enhance the attractiveness of development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:
 - (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)
 - (b) enhance the appearance of road frontages
 - (c) screen service yards, loading areas and outdoor storage areas
 - (d) minimise maintenance and watering requirements
 - (e) enhance and define outdoor spaces, including car parking areas
 - (f) maximise shade and shelter
 - (g) assist in climate control within and around buildings
 - (h) minimise heat absorption and reflection
 - (i) maintain privacy
 - (j) maximise stormwater re-use
 - (k) complement existing vegetation, including native vegetation
 - (l) contribute to the viability of ecosystems and species
 - (m) promote water and biodiversity conservation.
- 2 Landscaping should:
 - (a) include the planting of locally indigenous species where appropriate
 - (b) be oriented towards the street frontage
 - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.
- 3 Landscaping should not:
 - (a) unreasonably restrict solar access to adjoining development
 - (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding

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- (c) introduce pest plants
- (d) increase the risk of bushfire
- (e) remove opportunities for passive surveillance
- (f) increase leaf fall in watercourses
- (g) increase the risk of weed invasion
- (h) obscure driver sight lines
- (i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.

4 Fences and walls, including retaining walls, should:

- (a) not result in damage to neighbouring trees
- (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality
- (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance
- (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street
- (e) assist in highlighting building entrances
- (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites
- (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land
- (h) be constructed of non-flammable materials.

Natural Resources

OBJECTIVES

- 1 Retention, protection and restoration of the natural resources and environment.
- 2 Protection of the quality and quantity of South Australia's surface waters, including inland, *marine and estuarine* and underground waters.
- 3 The ecologically sustainable use of natural resources including water resources, including *marine waters*, ground water, surface water and watercourses.
- 4 Natural hydrological systems and environmental flows reinstated, and maintained and enhanced.
- 5 Development consistent with the principles of water sensitive design.
- 6 Development sited and designed to:
 - (a) protect natural ecological systems
 - (b) achieve the sustainable use of water
 - (c) protect water quality, including receiving waters
 - (d) reduce runoff and peak flows and prevent the risk of downstream flooding
 - (e) minimise demand on reticulated water supplies
 - (f) maximise the harvest and use of stormwater
 - (g) protect stormwater from pollution sources.
- 7 Storage and use of stormwater which avoids adverse impact on public health and safety.
- 8 Native flora, fauna and ecosystems protected, retained, conserved and restored.
- 9 Restoration, expansion and linking of existing native vegetation to facilitate habitat corridors for ease of movement of fauna.
- 10 Minimal disturbance and modification of the natural landform.
- 11 Protection of the physical, chemical and biological quality of soil resources.
- 12 Protection of areas prone to erosion or other land degradation processes from inappropriate development.
- 13 Protection of the scenic qualities of natural and rural landscapes.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be undertaken with minimum impact on the natural environment, including air and water quality, land, soil, biodiversity, and scenically attractive areas.
- 2 Development should ensure that South Australia's natural assets, such as biodiversity, water and soil, are protected and enhanced.

- 3 Development should not significantly obstruct or adversely affect sensitive ecological areas such as creeks, wetlands, estuaries and significant seagrass and mangrove communities.
- 4 Development should be appropriate to land capability and the protection and conservation of water resources and biodiversity.

Water Sensitive Design

- 5 Development should be designed to maximise conservation, minimise consumption and encourage re-use of water resources.
- 6 Development should not take place if it results in unsustainable use of surface or underground water resources.
- 7 Development should be sited and designed to:
 - (a) capture and re-use stormwater, where practical
 - (b) minimise surface water runoff
 - (c) prevent soil erosion and water pollution
 - (d) protect and enhance natural water flows
 - (e) protect water quality by providing adequate separation distances from watercourses and other water bodies
 - (f) not contribute to an increase in salinity levels
 - (g) avoid the water logging of soil or the release of toxic elements
 - (h) maintain natural hydrological systems and not adversely affect:
 - (i) the quantity and quality of groundwater
 - (ii) the depth and directional flow of groundwater
 - (iii) the quality and function of natural springs.
- 8 Water discharged from a development site should:
 - (a) be of a physical, chemical and biological condition equivalent to or better than its pre-developed state
 - (b) not exceed the rate of discharge from the site as it existed in pre-development conditions.
- 9 Development should include stormwater management systems to protect it from damage during a minimum of a 1-in-100 year average return interval flood.
- 10 Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.
- 11 Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded.
- 12 Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.

Orderly and Sustainable Development

OBJECTIVES

- 1 Orderly and economical development that creates a safe, convenient and pleasant environment in which to live.
- 2 Development occurring in an orderly sequence and in a compact form to enable the efficient provision of public services and facilities.
- 3 Development that does not jeopardise the continuance of adjoining authorised land uses.
- 4 Development that does not prejudice the achievement of the provisions of the Development Plan.
- 5 Development abutting adjoining Council areas having regard to the policies of that Council's Development Plan.
- 6 Urban development contained within existing townships and settlements and located only in zones designated for such development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not prejudice the development of a zone for its intended purpose.
- 2 Land outside of townships and settlements should primarily be used for primary production and conservation purposes.
- 3 The economic base of the region should be expanded in a sustainable manner.
- 4 Urban development should form a compact extension to an existing built-up area.
- 5 Ribbon development should not occur along the coast, water frontages or arterial roads shown in *Overlay Maps - Transport*.
- 6 Development should be located and staged to achieve the economical provision of public services and infrastructure, and to maximise the use of existing services and infrastructure.
- 7 Where development is expected to impact upon the existing infrastructure network (including the transport network), development should demonstrate how the undue effect will be addressed.
- 8 Vacant or underutilised land should be developed in an efficient and co-ordinated manner to not prejudice the orderly development of adjacent land.

Residential Development

OBJECTIVES

- 1 Safe, convenient, pleasant and healthy-living environments that meet the full range of needs and preferences of the community.
- 2 An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.
- 3 Higher dwelling densities in areas close to centres, public and community transport and public open spaces.
- 4 The regeneration of selected areas identified at zone and/or policy area levels.
- 5 Affordable housing and housing for aged persons provided in appropriate locations.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Residential allotments and sites should have the appropriate orientation, area, configuration and dimensions to accommodate:
 - (a) the siting and construction of a dwelling and associated ancillary outbuildings
 - (b) the provision of landscaping and private open space
 - (c) convenient and safe vehicle access and off street parking
 - (d) passive energy design.
- 2 Buildings on battleaxe allotments or the like should be single storey and be designed to maintain the privacy of adjoining properties.
- 3 Residential allotments should be of varying sizes to encourage housing diversity.
- 4 Dwellings constituting affordable housing should be located to optimise access to shops, social services and facilities, or public transport.
- 5 Medium density development that achieves gross densities of between 23 and 45 dwellings per hectare (which translates to net densities of between 40 and 67 dwellings per hectare) should typically be in the form of 2 to 4 storey buildings.
- 6 High density development that achieves gross densities of more than 45 dwellings per hectare (which translates to net densities of more than 67 dwellings per hectare) should typically be in the form of over 4 storey buildings.

Design and Appearance

- 7 Where a dwelling has direct frontage to a street the dwelling should be designed to provide surveillance and address the street.
- 8 Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.

- 9 The design of residential flat buildings should:
- (a) define individual dwellings in the external appearance of the building
 - (b) provide transitional space around the entry
 - (c) ensure building entrances provide shelter, are visible and easily identifiable from the street.

Overshadowing

- 10 The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:
- (a) windows of habitable rooms, particularly living areas
 - (b) ground-level private open space
 - (c) upper-level private balconies that provide the primary open space area for any dwelling
 - (d) access to solar energy.
- 11 Development should ensure that north-facing windows to habitable rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9 am and 5 pm on the 21 June.
- 12 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9 am and 3 pm on 21 June to at least the smaller of the following:
- (a) half of the existing ground-level open space
 - (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres).

Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

Garages, Carports and Outbuildings

- 13 Garages, carports and outbuildings should have a roof form and pitch, building materials and detailing that complement the associated dwelling.
- 14 Garages and carports facing the street should not dominate the streetscape.
- 15 Residential outbuildings, including garages and sheds, should not be constructed unless in association with an existing dwelling.

Street and Boundary Setbacks

- 16 Dwellings should be set back from allotment or site boundaries to:
- (a) contribute to the desired character of the area
 - (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.
- 17 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:
- (a) minimise the visual impact of buildings from adjoining properties
 - (b) minimise the overshadowing of adjoining properties.

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18 Side boundary walls in residential areas should be limited in length and height to:

- (a) minimise their visual impact on adjoining properties
- (b) minimise the overshadowing of adjoining properties.

19 Carports and garages should be set back from road and building frontages so as to:

- (a) contribute to the desired character of the area
- (b) not adversely impact on the safety of road users
- (c) provide safe entry and exit
- (d) not dominate the appearance of dwellings from the street.

Site Coverage

20 Site coverage should be limited to ensure sufficient space is provided for:

- (a) pedestrian and vehicle access and vehicle parking
- (b) domestic storage
- (c) outdoor clothes drying
- (d) a rainwater tank
- (e) private open space and landscaping
- (f) front, side and rear boundary setbacks that contribute to the desired character of the area
- (g) convenient storage of household waste and recycling receptacles.

Private Open Space

21 Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling and should be sited and designed:

- (a) to be accessed directly from the internal living areas of the dwelling
- (b) generally at ground level to the side or rear of a dwelling and screened for privacy
- (c) to take advantage of but not adversely affect natural features of the site
- (d) to minimise overlooking from adjacent buildings
- (e) to achieve separation from bedroom windows on adjoining sites
- (f) to have a northerly aspect to provide for comfortable year-round use
- (g) to not be significantly shaded during winter by the associated dwelling or adjacent development
- (h) to be shaded in summer.

22 Dwellings should have associated private open space of sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site.

23 Where an onsite wastewater disposal system is required, areas required for soakage trenches or similar should not be included in private open space calculations.

- 24 Dwellings, particularly those with ground-level habitable rooms should include private open space that conforms to the requirements identified in the following table:

Site area of dwelling	Minimum area of private open space	Provisions
250 square metres or greater	20 per cent of site area	<p>Balconies, roof patios, decks and the like, can comprise part of this area provided the area of each is 10 square metres or greater.</p> <p>One part of the space should be directly accessible from a living room and have an area equal to or greater than 10 per cent of the site area with a minimum dimension of 5 metres and a maximum gradient of 1-in-10.</p>
Less than 250 square metres	35 square metres	<p>Balconies, roof patios and the like can comprise part of this area provided the area of each is 8 square metres or greater.</p> <p>One part of the space is directly accessible from a living room and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.</p>

- 25 Private open space should not include driveways, effluent drainage areas, rubbish bin storage, sites for rainwater tanks and other utility areas, and common areas such as parking areas and communal open space in residential flat buildings and group dwellings, and should have a minimum dimension of:
- (a) 2.5 metres for ground level or roof-top private open space
 - (b) 2 metres for upper level balconies or terraces.
- 26 Balconies should make a positive contribution to the internal and external amenity of residential buildings and should be sited adjacent to the main living areas, such as the living room, dining room or kitchen, to extend the dwelling's living space.
- 27 Rooftop gardens should be incorporated into residential flat buildings.

Site Facilities and Storage

- 28 Site facilities for group dwellings, residential parks and residential flat buildings should include:
- (a) mail box facilities sited close to the major pedestrian entrance to the site
 - (b) bicycle parking for residents and visitors
 - (c) household waste and recyclable material storage areas away from dwellings
 - (d) external clothes drying areas, which are readily accessible to each dwelling and complement the development and streetscape character for dwellings which do not incorporate ground level private open space.

Visual Privacy

- 29 Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.
- 30 Permanently fixed external screening devices should be designed and coloured to blend with the associated building's external material and finishes.

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Noise

- 31 Noise generated by fixed noise sources such as air conditioning units and pool pumps should be located, designed and attenuated to avoid causing potential noise nuisance to adjoining landowners and occupiers.
- 32 Residential development close to high noise sources (eg major roads, railway lines, tram lines, industry, and airports) should be designed to locate bedrooms, living rooms and private open spaces away from those noise sources, or protect these areas with appropriate noise attenuation measures.
- 33 Residential development on sites abutting established collector or higher order roads should include front fences and walls that will supplement the noise control provided by the building facade.
- 34 The number of dwellings sharing a common internal pedestrian entry within a residential flat building should be minimised to limit noise generation in internal access ways.
- 35 External noise and light intrusion to bedrooms should be minimised by separating or shielding these rooms from:
 - (a) active communal recreation areas, parking areas and vehicle access ways
 - (b) service equipment areas and fixed noise sources on the same or adjacent sites.

Car Parking and Access

- 36 The number of driveway crossovers should be minimised and appropriately separated to optimise the provision of on-street visitor parking and preserve and enhance street character including opportunities for landscaping, tree planting and fences.
- 37 On-site parking should be provided having regard to:
 - (a) the number, nature and size of proposed dwellings
 - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
 - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons
 - (d) availability of on-street car parking
 - (e) any loss of on-street parking arising from the development (eg an increase in number of driveway crossovers).
- 38 Parking areas and internal driveways servicing more than one dwelling should be of a size and location to:
 - (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely
 - (b) provide adequate space for vehicles to manoeuvre between the street and the parking area
 - (c) reinforce or contribute to attractive streetscapes.
- 39 On-site visitor parking spaces for group and multiple dwellings and residential flat buildings should be sited and designed to:
 - (a) serve users efficiently and safely
 - (b) not dominate internal site layout

- (c) be clearly defined as visitor spaces not specifically associated with any particular dwelling
 - (d) ensure they are not sited behind locked garages and are accessible to visitors at all times.
- 40 Driveways on arterial roads that serve more than one dwelling should be designed to cater for the simultaneous two-way movements of the largest vehicles expected to enter and exit the site.
- 41 On-site parking and manoeuvring areas servicing development abutting arterial roads should be designed to enable all vehicles to enter and exit the site in a forward direction.

Undercroft Garaging of Vehicles

- 42 Undercroft garaging of vehicles should occur only where:
- (a) the overall height and bulk of the development does not adversely impact on streetscape character or the amenity of adjacent properties
 - (b) vehicles can safely exit from the site without compromising pedestrian safety or causing conflict with other vehicles
 - (c) driveway gradients provide for safe and functional entry and exit
 - (d) driveways and adjacent walls, fencing and landscaping are designed to provide adequate sightlines from vehicles to pedestrians using the adjacent footpath
 - (e) openings into undercroft garage areas are designed to integrate with the main building so as to minimise visual impact
 - (f) landscaping, mounding and/or fencing is incorporated to improve its presentation to the street and to adjacent properties
 - (g) the overall streetscape character of the locality is not adversely impaired (eg visual impact, building bulk, front setbacks relative to adjacent development).
- 43 Buildings with four storeys or more above natural surface level should include provision for undercroft parking.
- 44 Semi-basement or undercroft car parking should be suitably integrated with building form.
- 45 In the case of semi-basement car parks where cars are visible, adequate screening and landscaping should be provided.

Dependent Accommodation

- 46 Dependent accommodation (ie accommodation where the living unit is connected to the same services of the main dwelling) should be developed on the same allotment as the existing dwelling only where:
- (a) the site is of adequate size and configuration
 - (b) the accommodation has a small floor area relative to the associated main
 - (c) adequate outdoor space
 - (d) adequate on-site car parking is provided
 - (e) the building is designed to, and comprises colours and materials that will, complement the original dwelling.

Swimming Pools and Outdoor Spas

- 47 Swimming pools, outdoor spas and associated ancillary equipment and structures should be sited so as to protect the privacy and amenity of adjoining residential land.

Transportation and Access

OBJECTIVES

- 1 A comprehensive, integrated, affordable and efficient air, rail, sea, road, cycle and pedestrian transport system that will:
 - (a) provide equitable access to a range of public, community and private transport services for all people
 - (b) ensure a high level of safety
 - (c) effectively support the economic development of the State
 - (d) have minimal negative environmental and social impacts
 - (e) maintain options for the introduction of suitable new transport technologies.
- 2 Development that:
 - (a) provides safe and efficient movement for all motorised and non-motorised transport modes
 - (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles
 - (c) provides off street parking
 - (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks.
- 3 A road hierarchy that promotes safe and efficient transportation in an integrated manner throughout the State.
- 4 Provision of safe, pleasant, accessible, integrated and permeable pedestrian and cycling networks.
- 5 Safe and convenient freight movement throughout the State.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.

Movement Systems

- 2 Development should be integrated with existing transport networks, particularly major rail and road corridors as shown on *Location Maps* and *Overlay Maps - Transport*, and designed to minimise its potential impact on the functional performance of the transport networks.
- 3 Transport corridors should be sited and designed so as to not unreasonably interfere with the health and amenity of adjacent sensitive land uses.
- 4 Roads should be sited and designed to blend with the landscape and be in sympathy with the terrain.

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- 5 Land uses that generate large numbers of visitors such as shopping centres and areas, places of employment, schools, hospitals and medium to high density residential uses should be located so that they can be serviced by existing transport networks and encourage walking and cycling.
- 6 Development generating high levels of traffic, such as schools, shopping centres and other retail areas, entertainment and sporting facilities, should incorporate passenger pick-up and set down areas. The design of such areas should ensure interference to existing traffic is minimised and give priority to pedestrians, cyclists and public and community transport users.
- 7 The location and design of public and community transport set-down and pick-up points should maximise safety and minimise the isolation and vulnerability of users.
- 8 Development should provide safe and convenient access for all anticipated modes of transport including cycling, walking, public and community transport, and motor vehicles.
- 9 Development at intersections, pedestrian and cycle crossings, and crossovers to allotments should maintain or enhance sightlines for motorists, cyclists and pedestrians to ensure safety for all road users and pedestrians.
- 10 Driveway crossovers affecting pedestrian footpaths should maintain the level of the footpath.
- 11 Development should discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive land uses such as schools.
- 12 Industrial/commercial vehicle movements should be separated from passenger vehicle car-parking areas.
- 13 Development should make sufficient provision on site for the loading, unloading and turning of all traffic likely to be generated.

Cycling and Walking

- 14 Development should ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, open spaces, schools, public and community transport stops and activity centres.
- 15 Development should provide access, and accommodate multiple route options, for cyclists by enhancing and integrating with:
 - (a) open space networks, recreational trails, parks, reserves and recreation areas
 - (b) Adelaide's Metropolitan Open Space System.
- 16 Cycling and pedestrian networks should be designed to be permeable and facilitate direct and efficient passage to neighbouring networks and facilities.
- 17 New developments should give priority to and not compromise existing designated bicycle routes.
- 18 Where development coincides with, intersects or divides a proposed bicycle route or corridor, development should incorporate through-access for cyclists.
- 19 Developments should encourage and facilitate cycling as a mode of transport by incorporating end-of-journey facilities including:
 - (a) showers, changing facilities, and secure lockers
 - (b) signage indicating the location of bicycle facilities

- (c) secure bicycle parking facilities provided at the rate set out in [Table Sal/3 - Off Street Bicycle Parking Requirements](#).
- 20 Pedestrian facilities and networks should be designed and provided in accordance with relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 13*.
- 21 Cycling facilities and networks should be designed and provided in accordance with the relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 14*.

Access

- 22 Development should have direct access from an all weather public road.
- 23 Development should be provided with safe and convenient access which:
 - (a) avoids unreasonable interference with the flow of traffic on adjoining roads
 - (b) provides appropriate separation distances from existing roads or level crossings
 - (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision
 - (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.
- 24 Development should not restrict access to publicly owned land such as recreation areas.
- 25 The number of vehicle access points onto arterial roads shown on *Overlay Maps - Transport* should be minimised, and where possible access points should be:
 - (a) limited to local roads
 - (b) shared between developments.
- 26 The number of access points for cyclists and pedestrians onto all adjoining roads should be maximised.
- 27 Development with access from roads with existing or projected traffic volumes exceeding 6000 vehicles per day should be sited to avoid the need for vehicles to reverse on to or from the road.
- 28 Development with access from arterial roads or roads as shown on *Overlay Maps - Transport* should be sited to avoid the need for vehicles to reverse on to or from the road.
- 29 Driveways, access tracks and parking areas should be designed and constructed to:
 - (a) follow the natural contours of the land
 - (b) minimise excavation and/or fill
 - (c) minimise the potential for erosion from run-off
 - (d) avoid the removal of existing vegetation
 - (e) be consistent with *Australian Standard AS 2890 Parking facilities*.

Access for People with Disabilities

- 30 Development should be sited and designed to provide convenient access for people with a disability.
- 31 Where appropriate and practical, development should provide for safe and convenient access to the coast and beaches for disabled persons.

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Vehicle Parking

- 32 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with [Table Sal/2 - Off Street Vehicle Parking Requirements](#) or [Table Sal/2A - Off Street Vehicle Parking Requirements for Designated Areas](#) (whichever applies) unless an agreement is reached between the Council and the applicant for a reduced number of parking spaces where one of the following applies:
- (a) a financial contribution is paid into the Council Car Parking Funds specified by the Council, in accordance with the gazetted rate per car park associated with the 'Car Park Fund Areas' identified on [Concept Plan Map Sal/27 - Salisbury District Centre Car Park Fund Area](#), [Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area](#) and [Concept Plan Map Sal/32 - Mawson Lakes Town Centre Car Parking Fund Area](#)
 - (b) it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.
- 33 Development should be consistent with [Australian Standard AS 2890 Parking facilities](#).
- 34 Vehicle parking areas should be sited and designed in a manner that will:
- (a) facilitate safe and convenient pedestrian linkages to the development and areas of significant activity or interest in the vicinity of the development
 - (b) include safe pedestrian and bicycle linkages that complement the overall pedestrian and cycling network
 - (c) not inhibit safe and convenient traffic circulation
 - (d) result in minimal conflict between customer and service vehicles
 - (e) avoid the necessity to use public roads when moving from one part of a parking area to another
 - (f) minimise the number of vehicle access points to public roads
 - (g) avoid the necessity for backing onto public roads
 - (h) where reasonably possible, provide the opportunity for shared use of car parking and integration of car parking areas with adjoining development to reduce the total extent of vehicle parking areas and the requirement for access points
 - (i) not dominate the character and appearance of a site when viewed from public roads and spaces
 - (j) provide landscaping that will shade and enhance the appearance of the vehicle parking areas.
- 35 Vehicle parking areas should be designed to reduce opportunities for crime by:
- (a) maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads
 - (b) incorporating walls and landscaping that do not obscure vehicles or provide potential hiding places
 - (c) being appropriately lit
 - (d) having clearly visible walkways.
- 36 Where parking areas are not obviously visible or navigated, signs indicating the location and availability of vehicle parking spaces associated with businesses should be displayed at locations readily visible to customers.

- 37 Parking areas that are likely to be used during non daylight hours should provide floodlit entrance and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the car park.
- 38 Parking areas should be sealed or paved in order to minimise dust and mud nuisance.
- 39 To assist with stormwater detention and reduce heat loads in summer, vehicle parking areas should include soft (living) landscaping.
- 40 Parking areas should be line-marked to indicate parking bays, movement aisles and direction of traffic flow.

Vehicle Parking for Residential Development

- 41 On-site vehicle parking should be provided having regard to:
 - (a) the number, nature and size of proposed dwellings
 - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
 - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.
- 42 Vehicle parking areas servicing more than one dwelling should be of a size and location to:
 - (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely
 - (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area
 - (c) reinforce or contribute to attractive streetscapes.

Vehicle Parking for Mixed Use and Corridor Zones

- 43 Loading areas and designated parking spaces for service vehicles should:
 - (a) be provided within the boundary of the site
 - (b) not be located in areas where there is parking provided for any other purpose.
- 44 Vehicle parking spaces and multi-level vehicle parking structures within buildings should:
 - (a) enhance active street frontages by providing land uses such as commercial, retail or other non-car park uses along ground floor street frontages
 - (b) complement the surrounding built form in terms of height, massing and scale
 - (c) incorporate facade treatments along major street frontages that are sufficiently enclosed and detailed to complement neighbouring buildings consistent with the desired character of the locality.
- 45 In mixed use buildings, the provision of vehicle parking may be reduced in number and shared where the operating hours of commercial activities complement the residential use of the site.

Undercroft and Below Ground Garaging and Parking of Vehicles

- 46 Undercroft and below ground garaging of vehicles should only occur where envisaged in the relevant zone or policy area or precinct and ensure:
 - (a) the overall height and bulk of the undercroft structure does not adversely impact on streetscape character of the locality or the amenity of adjacent properties

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- (b) vehicles can safely enter and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles
 - (c) driveway gradients provide for safe and functional entry and exit
 - (d) driveways and adjacent walls, fencing and landscaping are designed to provide adequate sightlines from vehicles to pedestrians using the adjacent footpath
 - (e) openings to undercroft areas are integrated with the main building so as to minimise visual impact
 - (f) landscaping, mounding and/or fencing is incorporated to improve its presentation to the street and to adjacent properties
 - (g) the overall streetscape character of the locality is not adversely impaired (e.g. visual impact, building bulk, front setbacks relative to adjacent development).
- 47 In the case of undercroft and below ground car parks where cars are visible from public areas, adequate screening and landscaping should be provided.

ITEM	8.1.2
	COUNCIL ASSESSMENT PANEL
DATE	21 December 2021
APPLICATION NO.	21023908
APPLICANT	Urban Edge SA
PROPOSAL	Three single storey detached dwellings in terrace arrangement, combined retaining walls and fencing exceeding 2.1 metres in height
LOCATION	19 Penner Crescent, Para Hills
CERTIFICATE OF TITLE	CT Volume 5632 Folio 797
AUTHOR	Chris Zafiropoulos, Assessment Manager, City Development

1. DEVELOPMENT APPLICATION DETAILS

Zone/Subzone	General Neighbourhood Zone
Application Type	Code Assessed - Performance Assessed
Public Notification	Representations received: Two (2) Representations to be heard: Two (2)
Referrals - Statutory	Nil
Referrals – Internal	Nil
Development Plan Version	Planning and Design Code
Assessing Officer	Andrew Humby – Planning Consultant
Recommendation	Grant Planning Consent subject to conditions
Meeting Date	21 December 2021

2. REPORT CONTENTS

Assessment Report

Attachment 1:	Application Documents
Attachment 2:	Copy of Sign Displayed on Land and Representations
Attachment 3:	Applicant's Response to Representations
Attachment 4:	Extract of Planning and Design Code

3. EXECUTIVE SUMMARY

The applicant seeks Planning Consent for three (3) single storey detached dwellings in terrace arrangement, boundary retaining walls and fencing exceeding 2.1 metres in height at 19 Penner Crescent, Para Hills, pursuant to the *Planning, Development and Infrastructure Act 2016*.

The proposed development is subject to a performance assessed pathway and as a publicly notified form of development. Two (2) representations were received during the notification

period, both in opposition to the proposed development. Both representors have requested to be heard.

This report provides a detailed assessment of the application against the relevant provisions of the Planning and Design Code. The assessment found that:

- a) The proposal comprises development that is envisaged with the General Neighbourhood Zone. The proposed development is consistent with the Desired Outcome of the General Neighbourhood Zone and key Performance Outcomes;
- b) The development has been designed to ensure that it will not have an unreasonable visual impact on existing development within the immediately locality and in particular adjoining allotments;
- c) The development has been designed in a similar height, scale and proportions and constructed of materials that complement and reinforce the character and design elements of existing buildings;
- d) The development incorporates appropriate provision for off-street car parking.

Given the above, it is recommended that Planning Consent be granted, subject to conditions.

4. SUBJECT SITE

The subject site is described as 19 Penner Crescent, Para Hills and is comprised of one allotment, formally described as Allotment 172 contained in Deposited Plan 6750, Certificate of Title Volume 5632 Folio 797.

The site is located on the southern side of Penner Crescent, approximately 30 metres west of the intersection of Penner Crescent and Gill Street. The allotment has a 22.86 metre frontage to Penner Crescent, a rear boundary width of 16.94 metres and a maximum depth of 38.55 metres. The site has an overall site area of 758.19 square metres.

The subject site contains an existing single storey detached dwelling and associated structures. Landscaping is found in both the front and rear yards, although none of the existing trees are regulated or significant trees. Access to the existing dwelling is obtained via a single crossover located in the north western corner of the subject site.

The site contains a noticeable slope occurring across the subject site, with the eastern boundary elevated higher than the western boundary.

Site photos are provided on the following page.

Photo 1.
*Looking
south-west
from Penner
Crescent
towards the
subject site*



Photo 2.
*Looking
south towards
1 Gill Street,
from Penner
Crescent*



Photo 3.
*Looking
south-west
from Penner
Crescent
towards
fenceline
between 19
and 17
Penner
Crescent*



Photo 4.
*Looking north
from Penner
Crescent at
recent
housing
constructed at
16A and 16B
Penner
Crescent*



5. LOCALITY

The locality is characterised by a predominance of single storey detached dwellings with allotments of a relative consistent size and configuration. Minor infill development within the locality is found to the north of the subject site (16A and 16B Penner Crescent and 9A & 9B Weir Street) and to the south at 5-7 Gill Street, which have been sub-divided to accommodate smaller single storey detached dwellings.

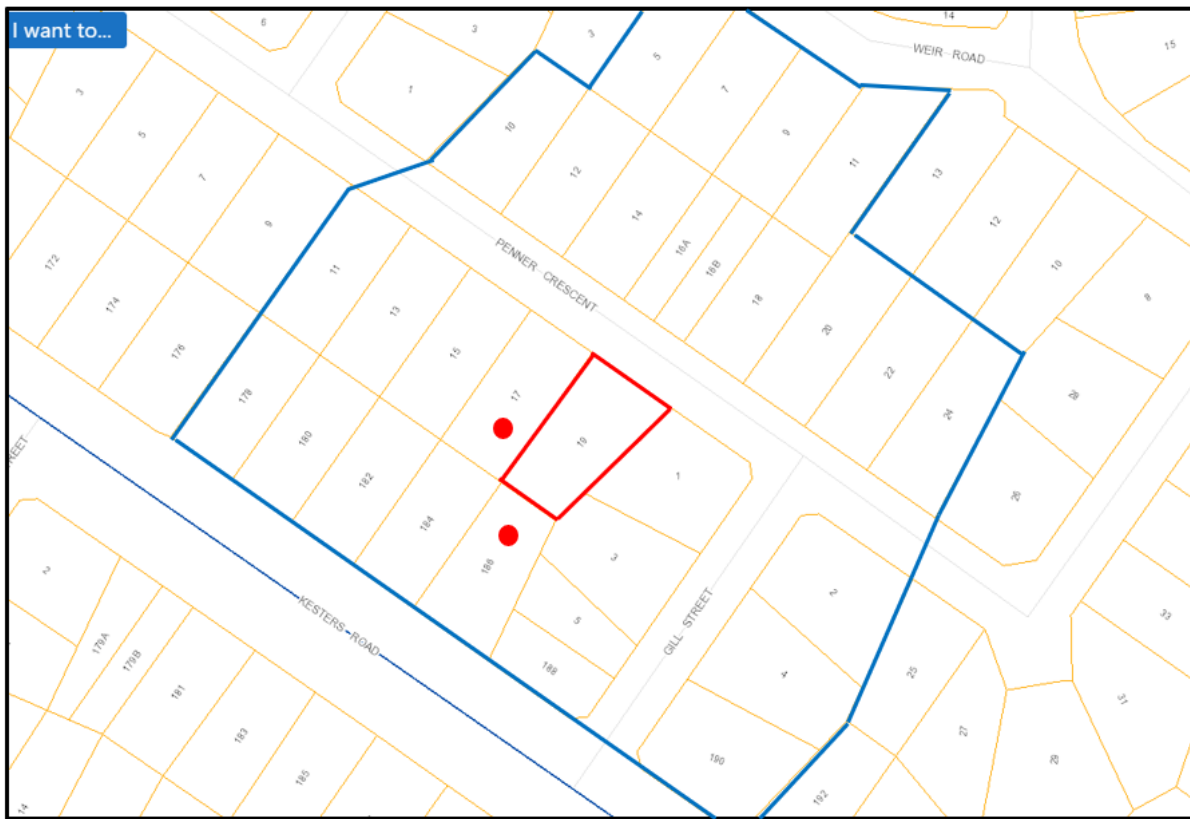
The site is serviced by the Para Hills Shopping Centre, located approximately 200 metres to the southeast, with areas outside the immediate locality consist of primarily low density residential development.




A locality plan and contextual plan are provided below.

Locality Plan - Aerial

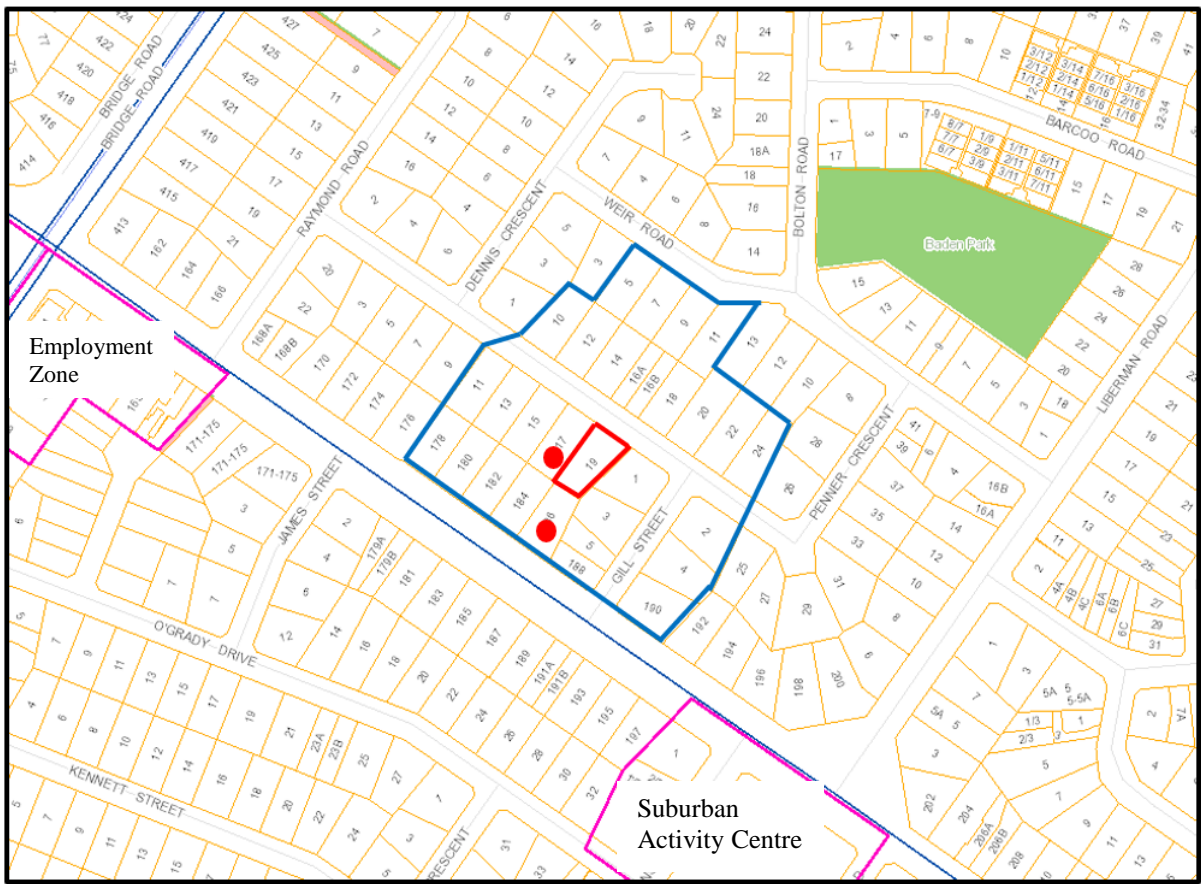


Legend (Source: Geocortex)	
	Site boundary
	Locality boundary
	Representor

Locality Plan – Cadastre

Legend (Source: Geocortex)	
	Site boundary
	Locality boundary
	Properties notified

Contextual Plan:



Legend (Source: Geocortex)	
	Zone Boundary
	Site boundary
	Locality boundary
	Representor

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks Planning Consent to construct three (3) single storey detached dwellings in a terrace arrangement, boundary retaining walls and fencing exceeding 2.1 metres in height at 19 Penner Crescent, Para Hills.

Each dwelling is provided with three (3) bedrooms (main with ensuite and walk in robe), kitchen, family/meals room, lounge room, bathroom/laundry and single undercover garage.

Private open spaces are directly accessible from the main living areas, with a landscaping schedule incorporating medium shrubs in the front yard and lawned area and dwarf shrubs in the rear yard.

The proposed dwellings incorporate a range of materials, cladding materials and finishes that differentiate each residence and provide a contemporary single storey design. Retaining walls are proposed along the side and boundaries, with heights ranging between:

- Eastern boundary – 200mm – 450mm
- Southern boundary – 650mm – 700mm
- Western boundary – 850mm – 950mm

A 1800mm high good neighbour fence is proposed along all side and rear boundaries.

A copy of the proposal plans and supporting documentation are contained in Attachment 1.

7. CLASSIFICATION

The site is located within the General Neighbourhood Zone.

The proposed development is described as the construction of ‘three single storey detached dwellings in a terrace arrangement, boundary retaining walls and fencing exceeding 2.1 metres in height’.

The proposed development is not listed as an Accepted or Deemed to Satisfy form of development in Tables 1 of 2 of the General Neighbourhood Zone, nor is the development listed as a Restricted form of development in Table 3 of the Zone. On this basis, the application is assessed as a Performance Assessed development.

8. PUBLIC NOTIFICATION

Table 5 of the General Neighbourhood Zone identifies land use classes of performance assessed development that are excluded from notification. Dwelling, fence and retaining wall are all listed as excluded from notification, except where:

1. Does not satisfy General Neighbourhood Zone DTS/DPF 4.1 or
2. Involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) and:
 - (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 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).

As the proposed retaining walls exceed 11.5 metres in length, public notification is required.

Public notification commenced on 27th October 2021 and concluded on 16th November 2021. Two (2) representations were received during the notification period, both in opposition to the proposal. Both representors have requested to be heard. The representors are listed below:

Representations received		
Representations received		Wish to be Heard
1	S and R Walker 17 Penner Crescent PARA HILLS SA 5096	✓
2	G Musabayov	✓

	186 Kesters Road PARA HILLS SA 5096	
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A copy of the sign displayed on the land the representations received are contained in Attachment 2. A copy of the applicant's response to the representations is contained in Attachment 3. The content of the representation and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
<i>Concerns regarding structures being built on the side boundaries (excluding fencing) and the potential for overlooking from any windows.</i>	<p><i>The proposal seeks to construct a lightweight garage wall on the boundary with the remaining home a minimum of 900mm off the boundary line.</i></p> <p><i>The General Neighbourhood Zone DTS 7.1 outlines that a boundary wall cannot "exceed 3m in height from the top of the footing" and "exceed 11.5m in length", unless it the middle home of a row dwelling arrangement. The dwelling meets this requirement.</i></p> <p><i>With regards to the overlooking issue the overall height of the fencing along the boundary will be approx. 1800mm – 2100mm high (on 19 Penner side).</i></p> <p><i>Three (3) of the windows will be obscured as they are the Bathroom, Ensuite and Laundry windows. One (1) window will be obstructed by the fence. While the remaining window is a bedroom window and is mostly obstructed by the fence. The proposed development will also site slightly higher than the adjoining home, due to the natural slope of the ground, which means if someone happen to stand on ladder or step within the bedroom, they will see the roof and not down into the garden.</i></p>
<i>Excessive site coverage</i>	<i>PO3.1 "Building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation" and under the DTS 3.1 the code clarifies this by stating "The development does not result in site coverage exceeding 60%".</i>

	<i>The landscaping plan clearly shows that proposed dwelling 1 has a site coverage of 56.39%, dwelling 2 has a site coverage of 56.67% and dwelling 3 has a site coverage of 53.54%. Each one of these homes is well under the 60% site coverage.</i>
<i>Concerns with the recently constructed boundary fencing being removed. Any new fencing is to be of a standard and amenity equal or exceeding those of the current fencing</i>	<i>Urban Edge SA will endeavour to remove the current fencing without causing any damage and reinstall, without cost to neighbours. Neighbours will be provided notice of works as required under the fencing act and should the fencing become damaged during the process Urban Edge SA will rectify this at our costs. Urban Edge SA only use good quality good neighbour, or equivalent, fencing materials. The new fencing will provide added security.</i>
<i>Concerns with the reduced level of security while fencing is being replaced</i>	<i>We understand that privacy is important to neighbours, as it is important to us. Urban Edge SA will endeavour to complete works to the shared boundary fencing, including all retaining walls and dwelling construction, within a timely manner. For periods of time where fencing must remain down will be able to provide suitable temporary fencing. This temporary fencing will be at the cost of Urban Edge SA. Prior to works commencing on the boundary, neighbours will be provided with notice of works as required under the fencing act.</i>
<i>Concerns with the lack of car parking provided and its impact on available street parks</i>	<p><i>PO 19.6 that “Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking”.</i></p> <p><i>DTS /DPF 19.6 which outlines that a “minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)” is to be provided. The development allows for three (3) new dwellings which results in 0.99 on-street spaces required. The proposed development meets that requirement by allowing one carparking spaced in front of dwelling 2 & 3.</i></p> <p><i>The proposal also provides one (1) under cover parking and one (1) off street parking, per dwelling.</i></p>
<i>Reduced areas of open space and associated landscaping due to increased development</i>	<i>The landscaping plan which denotes a medium shrub up to 2.5m high which an</i>

	<i>example being the Willow Myrtle Weeping Bottle Brush. This medium shrub will provide support for the natural environment and bird life. The development also allows for the retention of the council street further supporting the natural environment.</i>
<i>Proposed dwellings are built too close to rear boundaries</i>	<p><i>The General Neighbourhood Zone explains under DTS 3.7 that “Buildings walls are set back from the rear boundary at least 3m for the first building level”.</i></p> <p><i>The proposed development has dwelling 1 approx. 9000mm from your boundary while, dwelling 2 will be approx. 8800mm and dwelling 3 approx. 9200mm.</i></p>
<i>The proposed dwelling densities are too high</i>	<i>PO3.1 “Building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation” and DTS 3.1 clarifies this by stating “The development does not result in site coverage exceeding 60%”. The landscaping plan clearly shows that proposed dwelling 1 has a site coverage of 56.39%, dwelling 2 has a site coverage of 56.67% and dwelling 3 has a site coverage of 53.54%. Each one of these dwellings is well under the 60% site coverage.</i>

9. REFERRALS – STATUTORY

The application was not subject to any referrals pursuant to Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017* or under an Overlay or Referrals Section of the Code.

10. REFERRALS – INTERNAL

No internal referrals have been undertaken or are required as the Site Drainage Plan is deemed to comply with the Planning and Design Code.

11. DEVELOPMENT DATA

Site Characteristics	Guideline	Proposed
Site Area	250m ² (Row dwelling or detached dwelling in a terrace arrangement)	Dwelling 1 – 252.73m ² Dwelling 2 – 252.73m ² Dwelling 3 – 252.73m ²
Site Dimensions	Frontage: 7.0m (averaged)	7.62m (dwellings 1, 2 and 3)
Design Characteristics	Guideline	Proposed
Site Coverage	60% max	Dwelling 1 – 56.39%

		Dwelling 2 – 56.67% Dwelling 3 – 53.54%
Building Levels	2	Single storey
Building Height	9.0 metres	4.35 metres
Wall Height	7.0 metres	2.7 metres
Primary Street Setback	Not more than 1 metre in front of the average setback of buildings or adjoining sites which face the same primary street	Dwelling 1 – Porch – 4.58m – Main face – 5.29-5.68 Dwelling 2 – Porch – 4.58m – Main face – 5.37m-5.63m Dwelling 3 – Porch – 4.37m – Main face – 5.16-5.37m
Primary Street Setback – Garage/Carport	Not forward of any part of the dwelling and minimum 5.5m from front boundary	Dwelling 1 – 6.56m Dwelling 2 – 6.17m Dwelling 3 – 6.09m
Boundary Walls (exc retaining walls)	No more than 3 metres in height or 11.5 metres in length	Height - 3.0 metres Length – 6.3m to 6.5m
Side Boundary Setback – Ground level (ex boundary walls)	0.9 metres where the wall is up to 3 metres measured from the top of the footings	Dwelling 1 – 0.9m Dwelling 2 – 0.9m Dwelling 3 – 0.9m
Side Boundary Setback – Terrace arrangement	0.9 metres from side boundaries shared with allotments outside the development site	Dwelling 1 – 0.9m Dwelling 2 – N/A Dwelling 3 – 0.9m
Rear Boundary Setback – Ground Level (excluding verandahs)	<301m ² – 3 metres	Dwelling 1 – 8.6m Dwelling 2 – 8.6m Dwelling 3 – 8.8m
Private Open Space		
Area	>200-450m ² – 20% min	Dwelling 1 – 51.89m ² (20.5%) Dwelling 2 – 51.76m ² (20.4%) Dwelling 3 – 53.69m ² (21.2%)
Dimension	3 metres min	5.647m (dwellings 1, 2 and 3)
Soft Landscaping		
Area	>200-450m ² – 20% min 30% min located forward of dwelling	Dwelling 1 – 45.9m ² (18.1%) Dwelling 2 – 48.1m ² (19.0%) Dwelling 3 – 49.9m ² (19.7%) All greater than 30% for front yard areas
Tree Plantings	<450m ² – 1 small tree (Small tree – 4m mature height, 2m spread, 10m ² soil area)	1 x Medium shrub (up to 2.5m height)
On-Site Car Parking	2 spaces, 1 of which is covered	1 undercover and 1 visitor park per dwelling.

		1 on-street car park also preserved.
Significant or Regulated Tree		Nil
<i>Street Infrastructure</i>		
Trees		Existing street tree to be retained – setback more than 2m from driveways

12. ASSESSMENT

Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, it is recommended that the Panel determine that the proposed development is not seriously at variance with the Planning and Design Code. The following reasons are given in support of this recommendation:

- a) The proposal comprises development that is envisaged with the General Neighbourhood Zone. The proposed development is consistent with the desired outcome of the General Neighbourhood Zone and key Performance Outcomes;
- b) The development has been designed to ensure that it will not have an unreasonable visual impact on existing development within the immediately locality and in particular adjoining allotments;
- c) The development has been designed in a similar height, scale and proportions and constructed of materials that complement and reinforce the character and design elements of existing buildings; and
- d) Incorporates appropriate provision for off-street car parking.

Assessment

Detailed assessment of the application has taken place against the relevant provisions of the Planning and Design Code and is described below under headings.

An extract of the Planning and Design Code is contained in Attachment 4. The relevant provisions are also highlighted in the Attachment.

Land Use and Desired Outcome

The General Neighbourhood Zone seeks to accommodate primarily a range of low-rise, low and medium density housing that supports the needs and lifestyles of the community. Residential development is to be the predominant form of development with complementary non-residential land uses that support an active and walkable neighbourhood.

Performance Outcome 1.1 and its corresponding Designated Performance Feature 1.1 lists 'dwelling' as an encouraged form the development within the General Neighbourhood Zone.

Performance Outcome 2.1 seeks allotments created for '*residential purposes of a suitable size and dimension to accommodate the anticipated dwelling form and remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood*'. The

corresponding Deemed-to-Satisfy (DTS) criteria/Designated Performance Feature (DPF) suggest that allotments accord with the following:

- Detached/Semi-Detached Dwelling – 300m² and 9m frontage
- Row Dwelling (or detached in a terrace arrangement) – 250m² and 7m frontage
- Group Dwelling – 300m² (average) and 15m frontage
- Residential Flat Building – 300m² (average) and 15m frontage

The proposed site areas of 252.73m² and frontages of 7.62 metres exceed the minimum 250m² site area and 7.0 metre frontage requirements for a row dwelling (or detached dwellings in a terraced arrangement) and satisfies the DTS/DPF criteria.

It is however acknowledged that the existing built form characteristics along Penner Crescent is predominantly single storey detached dwellings at lower densities, with dwellings constructed in a terraced arrangement not found within the immediate locality.

Notwithstanding the existing residential characteristics, the General Neighbourhood Zone has been established as a direct replacement for the former Residential Zone. Unlike other Zones located within the Planning & Design Code, sites areas and frontage requirements are standardised with the intention that the majority of the residential infill across the State will occur within this zone. All forms of dwellings are encouraged within this Zone.

The proposed development has been designed to ensure that it seeks to retain an appropriate streetscape character and satisfy the performance outcomes contained within the General Neighbourhood Zone. The proposed height, setbacks, articulation, materials and finishes are considered to be consistent with the residential areas and encourages consistency with the intent of the General Neighbourhood Zone. The overall bulk and scale has also been reduced by stepping the single storey form to accommodate the slope of the land. This has resulted in the overall height of the retaining walls proposed on the western boundary to be kept to a maximum 950mm to reduce the impact upon the adjoining allotment.

It is therefore considered that the proposal meets with the intent of the Performance Outcome 2.1 of the Zone in that the size and dimensions of the proposed allotments will be compatible with the low-rise and predominantly low-density neighbourhood.

Front Setbacks

Performance Outcome 5.1 and related DTS/DPF of the General Neighbourhood Zone provides guidance on the suitable primary road setbacks:

<i>Performance Outcome</i>	<i>Deemed-to-Satisfy Criteria / Designated Performance Feature</i>
<i>Buildings are setback from primary street boundaries to contribute to the existing/emerging pattern of street setbacks in the streetscape.</i>	<p><i>The building line of a building set back from the primary street boundary:</i></p> <p><i>(a) no more than 1m in front of the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not</i></p>

	<p><i>separated by a public road or a vacant allotment)</i></p> <p><i>(b) where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), no more than 1m in front of the setback to the building line of that building; or</i></p> <p><i>(c) not less than 5m where no building exists on an adjoining site with the same primary street frontage.</i></p>
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The adjoining dwelling to the west (17 Penner Crescent), a recently constructed detached dwelling, is setback 5.0m from the front boundary to its porch and 6.0 metres to the main face of the built form. The adjoining dwelling to the east (1 Gill Street) has a setback to Penner Crescent of about 8.5m to the main wall.

Based upon the DTS/DPF criteria of Performance Outcome 5.1, the proposed dwellings should be setback no more than 1.0 metre in front of the average setback of the adjoining dwellings. The average of the two dwellings setbacks (6.0 metres and 8.5 metres) is 7.25 metres, with 1.0 metre forward of this equating to a recommended setback of 6.25 metres.

Dwelling 1 (the eastern most dwelling) is proposed to be setback between 5.29 metres – 5.68 metres to the main face of the dwelling. Dwelling 2 is proposed to be setback between 5.37 metres – 5.63 metres and Dwelling 3 (the western most dwelling) is proposed to be setback between 5.16 metres to 5.37 metres.

The front setbacks are therefore less than that encouraged by DTS/DPF 5.1.

Part 1 of the Planning and Design Code explains that “*a DPF provides a guide... as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way...*”.

In this circumstance, the proposal satisfies Performance Outcome 5.1 despite not satisfying the corresponding DTS/DPF. The proposed front setbacks are considered to be acceptable in this circumstance when acknowledging the following:

- The emerging pattern of smaller front setbacks found within both the immediate and wider locality (ie reduced setback to the existing more established dwellings).
- Suitable areas of landscaping are proposed forward of the dwelling to assist in screening the proposed built form.
- The stepping of the proposed garaging to contribute to an increased level of articulation.
- The form, scale and mass of the proposal are suitable to the streetscape and are not considered to represent an over-development of the land, particularly when acknowledging the size of the subject land and compliant site coverage.

- The proposal has been designed in a manner that is suitable to the topography of the land.

Soft Landscaping

Performance Outcome 22.1 of the Design in Urban Areas General Development policies seeks soft landscaping to be incorporated to minimise heat absorption, contribute shade and shelter and enhance the appearance of both the subject land and the streetscape. An allotment size between 200m² and 450m² requires a minimum 20% landscaping, 30% of which should be located forward of the dwelling.

The proposed dwellings provide 18.1% - 19.7% of the subject site to be used for soft landscaping. Although this represents a slight shortfall, this is not considered to be fatal to the proposed development given there will be sufficient soft landscaping areas to cater for the required trees (1 small tree per dwelling) pursuant to the Urban Tree Canopy Overlay.

In addition, the proposed development has been designed to provide areas of soft landscaping at the front of the site, in excess of the minimum 30% prescribed by DTS/DPF 22.1, which seeks soft landscaping visible to public view and to limit the street impact of hard surfaces.

It is acknowledged that the Site/Landscaping Plan indicates that one medium 'shrub' (to a height of 2.5 metres) is proposed for each dwelling. To ensure consistency with Performance Outcome 1.1 of the Urban Tree Canopy Overlay, allotments with a site area less than 450m² should be provided with '1 small tree'. A 'small tree' is defined in the DTS/DTF criteria as containing a minimum mature height of 4.0 metres and a minimum mature spread of 2 metres. It is recommended that a condition of approval be applied to ensure an appropriate sized tree is planted for each allotment to contribute to an improved urban tree canopy.

Retaining Walls and Fencing

Performance Outcome 9.1 of the Design in Urban Areas General Development policies encourages fences and retaining walls of a sufficient height to maintain privacy and security without impacting visual amenity and the adjoining land's access to sunlight.

Given the topography of the subject land, the proposed development has been designed to ensure that each dwelling is stepped lower than the eastern adjoining dwelling to reduce the visual impact of the proposed built form and minimise the overall height of retaining walls located on the western most boundary. This design approach results in the western boundary retaining walls having a maximum 850mm-950mm height.

It is acknowledged that the representor at 17 Penner Crescent raised concerns about the potential retaining wall and fencing along this boundary. The proposed retaining wall heights were not so much the issue of concern but rather the removal of the newly constructed fence and retaining wall (a 400mm high retaining wall and 1800 fence) and the potential replacement costs. The applicant has responded to these concerns and advised that all costs (including the temporary fencing during construction) will be borne by the applicant in relation to the proposed new fencing and retaining walls. The applicant has also advised that they will comply with notification requirements of the *Fencing Act 1975*.

The proposal seeks to increase the height of the existing retaining walls and fencing along the western boundary by a further 450mm-550mm. Given the orientation of the allotments, the height of the western retaining walls and 1800mm colourbond fencing is not considered to have an unreasonable visual or overshadowing impact upon the adjoining occupants of 17 Penner Crescent.

The recently constructed single storey dwelling is also setback at least 3m from the side boundary meaning there is adequate separation to ensure that morning sunlight will access the side dwelling windows. Access to midday and afternoon sunlight is not affected by the proposed boundary retaining walls and fencing, with the main private open space area located at the rear of the dwelling.

It is considered that the proposed retaining wall and fencing is suitable within this residential context and supports the intent of Performance Outcome 9.1.

Overlays

The subject land is situated in various Overlays with the proposal satisfying the relevant provisions, including:

- The height of the proposal does not exceed airport building height guidelines.
- The proposal does not pose a hazard to the operational and safety requirements of nearby airfield.
- The proposal does not affect any Regulated or Significant Trees.
- The proposal will not be susceptible to, or increase the existing risk of flooding.
- Stormwater will be discharged in a controlled manner and not onto a neighbouring properties, subject to condition that rainwater tanks are provided, in accordance with the Stormwater Management Overlay.

13. CONCLUSION

The applicant seeks Planning Consent for the construction of three single storey detached dwellings in terrace arrangement, boundary retaining walls and fencing exceeding 2.1 metres in height at 19 Penner Crescent, Para Hills.

The proposed development was assessed as a Performance Assessed development and as a publicly notified form of development. Two (2) representations were received during the notification period, both opposing the development. Both representors have requested to be heard.

This report has provided a detailed assessment of the application against the relevant provisions of the Planning and Design Code. The assessment found that:

- a) The proposal comprises development that is envisaged with the General Neighbourhood Zone. The proposed development is consistent with the Desired Outcome of the General Neighbourhood Zone and key Performance Outcomes;

- b) The development has been designed to ensure that it will not have an unreasonable visual impact on existing development within the immediately locality and in particular adjoining allotments;
- c) The development has been designed in a similar height, scale and proportions and constructed of materials that complement and reinforce the character and design elements of existing buildings; and
- d) Incorporates appropriate provision for off-street car parking

Given the above, it is recommended that Planning Consent be granted, subject to conditions.

14. STAFF RECOMMENDATION

That the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Planning & Design Code; and
- B. Pursuant to Section 102 of the *Planning, Development and Infrastructure Act 2016*, Planning Consent is **GRANTED** to application number 21023908 for Three single storey detached dwellings in terrace arrangement, combined retaining walls and fencing exceeding 2.1 metres in height in accordance with the plans and details submitted with the application and subject to the following conditions:

Planning Consent Conditions

- 1. The development shall be carried out in accordance with the details submitted with the application and the following stamped approved plans and documents, except where otherwise varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
2052 Sheet 1	Floor Plan – Dwelling 1	19 July 2021	SA Building Designers
2052 Sheet 2	Elevations – Dwelling 1	19 July 2021	SA Building Designers
2052 Sheet 1	Floor Plan – Dwelling 2	19 July 2021	SA Building Designers
2052 Sheet 2	Floor Plan – Dwelling 2	19 July 2021	SA Building Designers
2052 Sheet 1	Floor Plan – Dwelling 3	19 July 2021	SA Building Designers
2052 Sheet 2	Floor Plan – Dwelling 3	19 July 2021	SA Building Designers
2052 Sheet 1	Site / Landscaping Plan	19 July 2021	SA Building Designers
AJX 2110.01 – Issue B	Site Drainage Plan	9 September 2021	Ajax Engineering
AJX 2110.01 – Issue A	Existing Contour Plan	11 August 2021	Ajax Engineering

- 2. Except where otherwise approved, the external surfaces of the building work shall:

- a. be of new non-reflective materials; and
 - b. be finished in natural tones in accordance with the Approved Plans; and
 - c. be maintained in good condition at all times.
3. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers in accordance with the Approved Site Plan, prepared by SA Building Designers, Sheet 1 of 1, Revision A, dated 10th September 2021. All landscaping shall be completed prior to occupation of the dwellings and shall be maintained at all times thereafter to the reasonable satisfaction of Council (including the replacement of diseased or dying plants and the removal of weeds and pest plants).
4. A 'small tree' (as defined under the Urban Tree Canopy Overlay) shall be planted, prior to occupation of the dwellings, within the front yards of the dwellings, as shown on the Approved Site Plan, prepared by SA Building Designers, Sheet 1 of 1, Revision A, dated 10th September 2021. Except where otherwise Approved, the tree planting shall be maintained in good health and condition at all times thereafter.
5. Rainwater tank storage shall be provided, prior to occupation of the dwellings, in accordance with all of the following:
 - a) Connected to at least 60% of the roof area; and
 - b) Connected to one toilet;
 - c) The laundry cold water outlets or hot water service; and
 - d) Have a minimum tank capacity of 2,000 litres for retention; and
 - e) Where site perviousness is less than 30% of the total site area, 1,000 litres for detention; and
 - f) Where detention is required, includes a 20-25mm diameter slow release orifice at bottom of the detention component of the tank (or tanks).

The rainwater tank storage shall remain in place at all times thereafter.

6. The inverts, crossovers and driveways shall be constructed, prior to occupation of the dwellings, in accordance with Council's Vehicle Crossover Standard Detail, Drawing SD-12, SD-13 and SD-14.
7. The driveway and car parking area, designated on the Approved Site Plan, prepared by SA Building Designers, Sheet 1 of 1, Revision A, dated 10th September 2021, shall be constructed with brick paving or concrete. The driveways shall be established, prior to occupation of the dwellings and shall be maintained at all times thereafter to the reasonable satisfaction of Council.

Advice Notes

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.

2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or any of a relevant authority in relation to the determination of this application, including conditions.
3. Building Consent and Development Approval must be obtained within 24 months from date of this Notification, unless this period has been extended by the Council. Work cannot commence until a Development Approval is obtained.
4. The development shall be lawfully commenced by substantial work on the site of the development within two years from the date of Development Approval. If substantial work on the site has occurred within two years, the development shall be substantially or fully completed within three years from the date of Development Approval.
5. This Development Approval does not constitute land owners approval. The following applies to any works on Council land.
 - a) Any person making alteration to Council land including erecting or installing a structure (pipes, wires, cables, fixtures, fittings), storing building materials, erecting temporary fencing, altering the kerb, gutter, footpath or crossover etc. in on under or over Council land, is subject to a permit from Council pursuant to Section 221 of the *Local Government Act 1999*.
 - b) Service infrastructure should be located as far as practicable away from street trees, in order to protect the root zone and to prevent future damage to the infrastructure from root expansion.
 - c) Residents and businesses are encouraged to develop and maintain the verge area between their property boundary and the kerb. However, some types of development as such irrigation, tree planting and landscaping may be restricted in some areas and therefore permission should be first sought from Council before commencing any works.
 - d) It is the developers/owners responsibility to ensure that damage does not occur to verge infrastructure during construction. Council regularly inspects the condition of verge infrastructure during construction and where damage is observed, Council may recover the costs from the owner for reinstatement of any damage to the footpath, kerb or gutter and may also impose a substantial penalty for any willful damage.
6. You will need to obtain permission from your neighbour should you wish to access their property to carry out construction work adjacent the boundary or if you wish to erect common boundary fencing or boundary retaining walls, pursuant to the *Fences Act 1975*. To find out more, please visit:
<https:lsc.sa.gov.au/resources/fencesandthelawbooklet.pdf>.
7. It is your responsibility to ensure that building work is correctly sited with respect to the property boundaries of the site and it is strongly recommended that a boundary survey be undertaken before any work commences to ensure the building work is accommodated within the designated footprint and achieves the designated boundary setbacks.
8. The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable

measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site: <http://www.epa.sa.gov.au>.

9. The applicant is reminded that demolition and construction is required to be carried out so that it complies with the mandatory construction noise provisions of Part 6, Division 1 of the *Environment Protection (Noise) Policy 2007* and the provisions of the *Local Nuisance and Litter Control Act 2016*. Under the *Local Nuisance and Litter Control Act 2016*, construction noise is declared to constitute a local nuisance as follows:

The noise has travelled from the location of the construction activity to neighbouring premises –

- *On any Sunday or public holiday; or*
- *After 7pm or before 7am on any other day.*

ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Application Documents
2. Copy of Sign Displayed on Land and Representations
3. Applicant's Response to Representations
4. Extract of Planning and Design Code

Attachment 1
Application Documents

DEVELOPMENT APPLICATION FORM

PLEASE USE BLOCK LETTERS

COUNCIL: _____

APPLICANT: Urban Edge SAPostal Address: Po Box 15, Pooraka SA 5095Owner: Urban Edge SAPostal Address: Po Box 15, Pooraka SA 5095BUILDER: Urban Edge SAPostal Address: Po Box 15, Pooraka SA 5095Licence No: 298 622**CONTACT PERSON FOR FURTHER INFORMATION**Name: Sam PearceTelephone: 08 8131 3343 [work] _____ [Ah]

Fax: _____ [work] _____ [Ah]

EXISTING USE: EXISTING DWELLING**FOR OFFICE USE**

Development _____ No: _____

Previous Development _____ No: _____

Assessment No: _____

<input type="checkbox"/> D Complying	Application forwarded to DA
<input type="checkbox"/> D Non Complying	Commission/Council on
<input type="checkbox"/> D Notification Cat 2	/ /
<input type="checkbox"/> D Notification Cat 3	Decision: _____
<input type="checkbox"/> D Referrals/Concurrences	Type: _____
<input type="checkbox"/> D DA Commission	Date: / /

	Decision	Fees	Receipt No	Date
Planning:				
Building:				
Land Division:				
Additional:				
Development Approval				

DESCRIPTION OF PROPOSED DEVELOPMENT: 3 SINGLE STOREY ROW DWELLINGS**LOCATION OF PROPOSED DEVELOPMENT: 19 Penner Cres, PARA HILLS**House No: _____ Lot No: 19 Street: Penner Cres Town/Suburb: PARA HILLS

Section No [full/part] _____ Hundred: _____ Volume: _____ Folio: _____

Section No [full/part] _____ Hundred: _____ Volume: _____ Folio: _____

LAND DIVISION:Site Area [m²] _____ Reserve Area [m²] _____ No of existing allotments _____Number of additional allotments [excluding road and reserve]: _____ Lease: **YES** ☒ **NO** ☒**BUILDING RULES CLASSIFICATION SOUGHT: 1a,10a** Present classification **EXISTING DWELLING**

If Class 5,6,78 or 9 classification is sought, state the proposed number of employees: Male: _____ Female: _____

If Class 9a classification is sought, state the number of persons for whom accommodation is provided: _____

If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: _____

DOES EITHER SCHEDULE 21 OR 22 OF THE DEVELOPMENT REGULATIONS 2008 APPLY? **YES** ☒ **NO** ☒**HAS THE CONSTRUCTION INDUSTRY TRAINING FUND ACT 2008 LEVY BEEN PAID?** **NO****DEVELOPMENT COST** [do not include any fit-out costs]: \$ 99,771 INDIVIDUAL DWELLING

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008.

SIGNATURE: _____

Dated: 12 / 08 / 21

ELECTRICITY INFRASTRUCTURE DECLARATION

Planning, Development and Infrastructure (General) Regulations 2017
Schedule 8 Clause 6

To:		
From: Urban Edge SA		
Date of application: 12/08/21		
Location of proposed development: PARA HILLS		
House no.:	Lot no.: 19	Street: Penner Cres
Town/Suburb: PARA HILLS		
Section no.:	Hundred:	
Volume:	Folio:	
Nature of proposed development: 3 SINGLE STOREY ROW DWELLING.		

I: Sam Pearce

- ☐ being the applicant
- ☒ a person acting on behalf of the applicant

for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the *Electricity Act 1996*. I make this declaration under clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017.

Signed:  Date: 12/08/21

☒ If being lodged electronically please tick to indicate agreement to this declaration.

Published by the Chief Executive of the Department of Planning, Transport and Infrastructure
on 1 July 2019



Government of South Australia
Department of Planning,
Transport and Infrastructure

Note 1

This declaration is only relevant to those development applications seeking authorisation for a form of development that involves the construction of a building (there is a definition of 'building' contained in section 3(1) of the *Planning, Development and Infrastructure Act 2016*), other than where the development is limited to –

- a) an internal alteration of a building; or
- b) an alteration to the walls of a building but not so as to alter the shape of the building.

Note 2

The requirements of section 86 of the *Electricity Act 1996* do not apply in relation to:

- a) an aerial line and a fence, sign or notice that is less than 2.0 m in height and is not designed for a person to stand on; or
- b) a service line installed specifically to supply electricity to the building or structure by the operator of the transmission or distribution network from which the electricity is being supplied.

Note 3

Section 86 of the *Electricity Act 1996* refers to the erection of buildings in proximity to powerlines. The regulations under this Act prescribe minimum safe clearance distances that must be complied with.

Note 4

The majority of applications will not have any powerline issues, as normal residential setbacks often cause the building to comply with the prescribed powerline clearance distances. Buildings/renovations located far away from powerlines, for example towards the back of properties, will usually also comply.

Particular care needs to be taken where high voltage powerlines exist; or where the development:

- is on a major road;
- commercial/industrial in nature; or
- built to the property boundary.

Note 5

An information brochure: 'Building Safely Near Powerlines' has been prepared by the Technical Regulator to assist applicants and other interested persons.

This brochure is available from council and the Office of the Technical Regulator. The brochure and other relevant information can also be found at sa.gov.au/energy/powerlinesafety

Note 6

In cases where applicants have obtained a written approval from the Technical Regulator to build the development specified above in its current form within the prescribed clearance distances, the applicant is able to sign the form.

Page 129
Council Assessment Panel Agenda - 21 December 2021

PLANNING APPROVAL

COLOUR SCHEDULE

ROOF

-

GUTTERS

-

FASCIAS

-

BRICKWORK

-

HEBEL PANELS

-

WINDOWS

-

GARAGE DOOR

-

ENTRY DOOR

-

WESTERN RED CEDAR

-

URBAN
EDGE-SA

COLORBOND ROOF ON 22.5° PITCH
450 EAVES

CL
2700

2100

FL
0

HORIZONTAL TIMBER
CLADDING

ELEVATION 1

ELEVATION 2

ELEVATION 3

ELEVATION 4

1:100

0

1

2

3

4

5m

REV

DATE

A

CHANGES AS PER COUNCIL

10/09/21

SA
BUILDING
DESIGNERS

E: ross@sabd.net.au
M: 0407 407 629

NOTE:
FIGURED DIMENSIONS SHALL TAKE PREFERENCE
OVER SCALED DRAWINGS. VERIFY DIMENSIONS &
LEVELS PRIOR TO COMMENCEMENT OF ANY
BUILDING WORKS. WALL STUDS TO WET AREAS TO BE
SPACED AT 450mm MAX. CENTRES.
WHERE CARPORTS ARE PROVIDED THE OWNERS
ACKNOWLEDGE THAT THE FOOTINGS HAVE NOT
BEEN DESIGNED FOR FUTURE ENCLOSURES. COMPLY
WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT
& REGULATIONS & RELEVANT AUSTRALIAN STANDARDS.

THIS PLAN REMAINS THE EXCLUSIVE PROPERTY OF CITY
BUILDERS AND IS PROTECTED BY COPYRIGHT LAWS. LEGAL
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PROJECT:
PROJECT ADDRESS
D1, 19 Penner Cres,
PARA HILLS

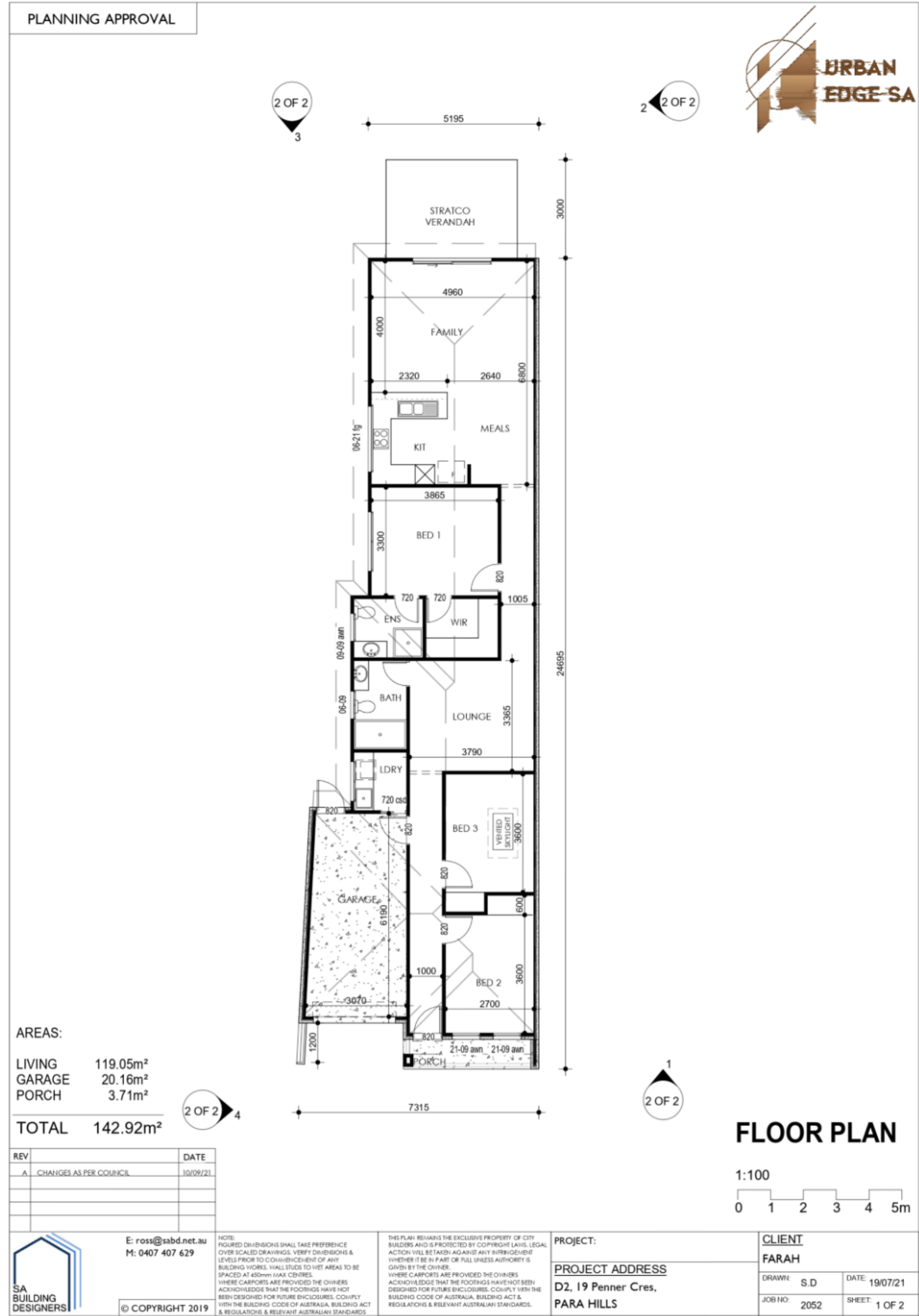
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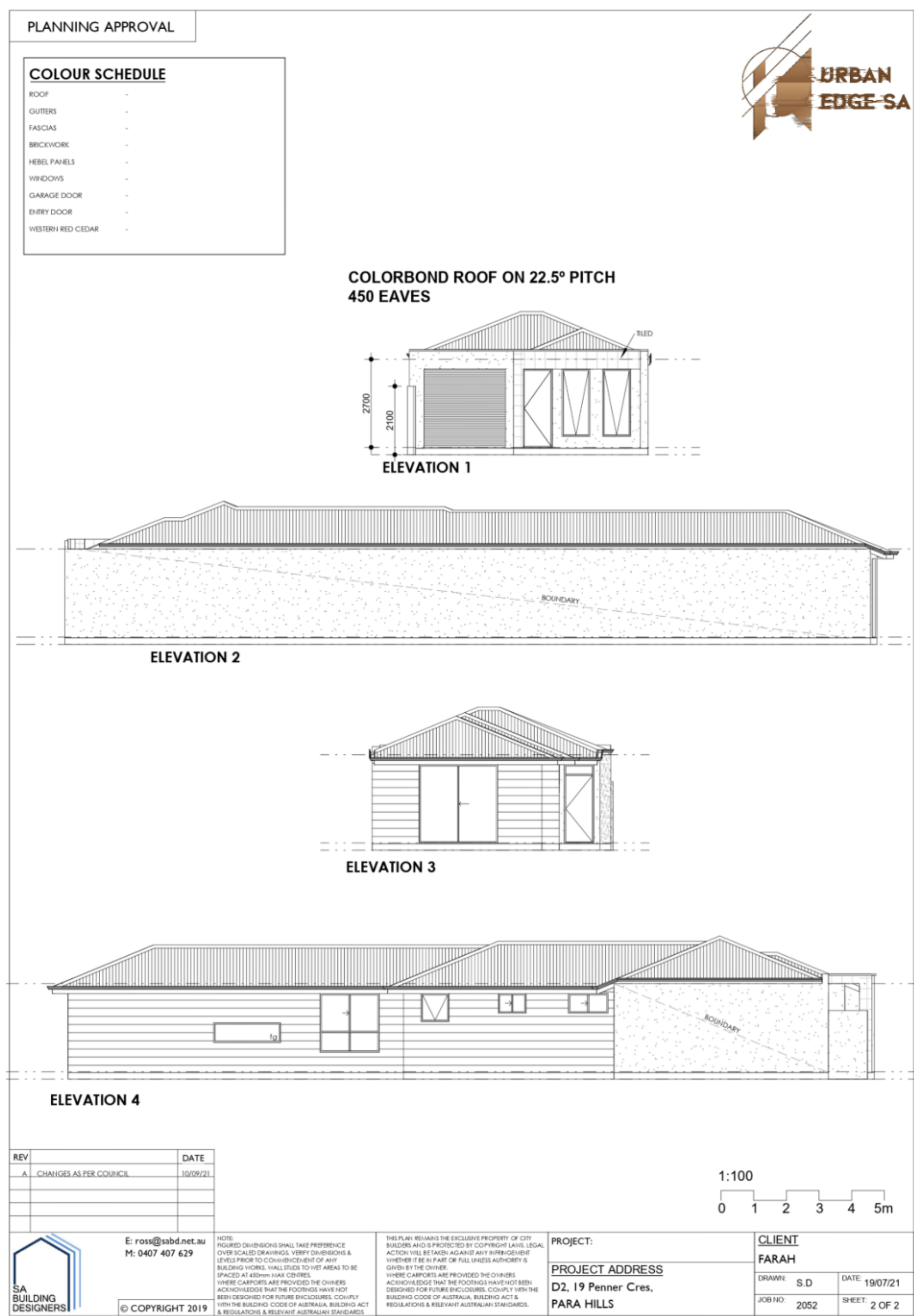
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DATE: 19/07/21

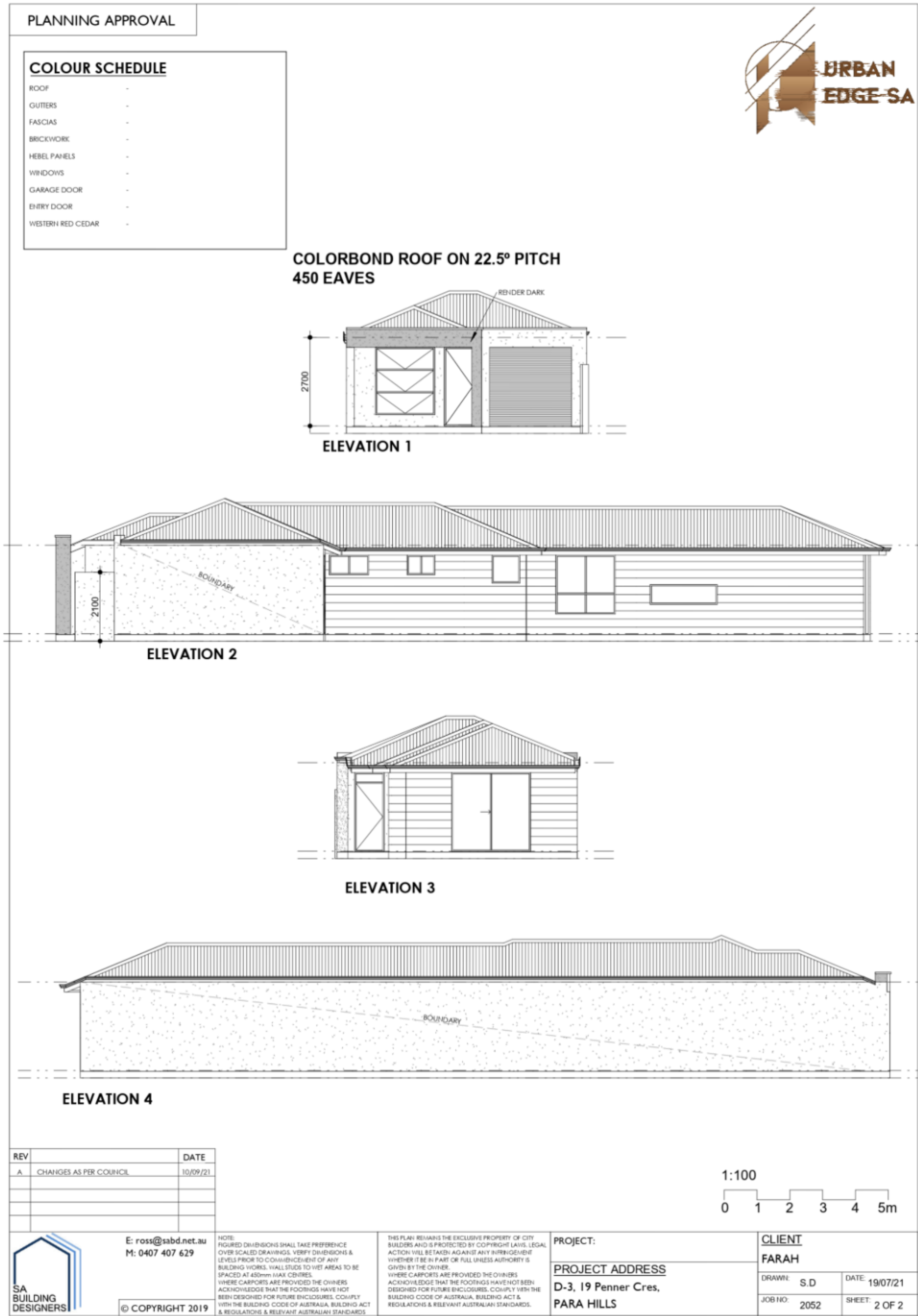
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SHEET: 2 OF 2









PLANNING APPROVAL

COLOUR SCHEDULE

ROOF

-

GUTTERS

-

FASCIAS

-

BRICKWORK

-

HEBEL PANELS

-

WINDOWS

-

GARAGE DOOR

-

ENTRY DOOR

-

WESTERN RED CEDAR

-

URBAN
EDGE-SA

COLORBOND ROOF ON 22.5° PITCH
450 EAVES

CL
2700

FL
0

2100

HORIZONTAL TIMBER
CLADDING

ELEVATION 1

ELEVATION 2

ELEVATION 3

ELEVATION 4

1:100

0 1 2 3 4 5m

REV

DATE

SA
BUILDING
DESIGNERS

E: ross@sabd.net.au
M: 0407 407 629

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PROJECT:

PROJECT ADDRESS

D1, 19 Penner Cres,
PARA HILLS

CLIENT

FARAH

DRAWN: S.D

DATE: 19/07/21

JOB NO: 2052

SHEET: 2 OF 2

Page 137
Council Assessment Panel Agenda - 21 December 2021

City of Salisbury



PLANNING APPROVAL

COLOUR SCHEDULE

ROOF

-

GUTTERS

-

FASCIAS

-

BRICKWORK

-

HEBEL PANELS

-

WINDOWS

-

GARAGE DOOR

-

ENTRY DOOR

-

WESTERN RED CEDAR

-

URBAN
EDGE-SA

COLORBOND ROOF ON 22.5° PITCH
450 EAVES

2700

2100

TILED

ELEVATION 1

ELEVATION 2

ELEVATION 3

ELEVATION 4

REV

DATE

1:100

0

1

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3

4

5m

SA
BUILDING
DESIGNERS

E: ross@sabd.net.au
M: 0407 407 629

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PROJECT:

PROJECT ADDRESS

D2, 19 Penner Cres,
PARA HILLS

CLIENT

FARAH

DRAWN: S.D

DATE: 19/07/21

JOB NO: 2052

SHEET: 2 OF 2

Page 139
Council Assessment Panel Agenda - 21 December 2021

City of Salisbury



PLANNING APPROVAL

COLOUR SCHEDULE

ROOF

-

GUTTERS

-

FASCIAS

-

BRICKWORK

-

HEBEL PANELS

-

WINDOWS

-

GARAGE DOOR

-

ENTRY DOOR

-

WESTERN RED CEDAR

-

URBAN
EDGE-SA

COLORBOND ROOF ON 22.5° PITCH
450 EAVES

RENDER DARK

2700

ELEVATION 1

2100

BOUNDARY

ELEVATION 2

ELEVATION 3

BOUNDARY

ELEVATION 4

REV

DATE

1:100

0

1

2

3

4

5m

SA
BUILDING
DESIGNERS

E: ross@sabd.net.au
M: 0407 407 629

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PROJECT:

PROJECT ADDRESS

D-3, 19 Penner Cres,
PARA HILLS

CLIENT

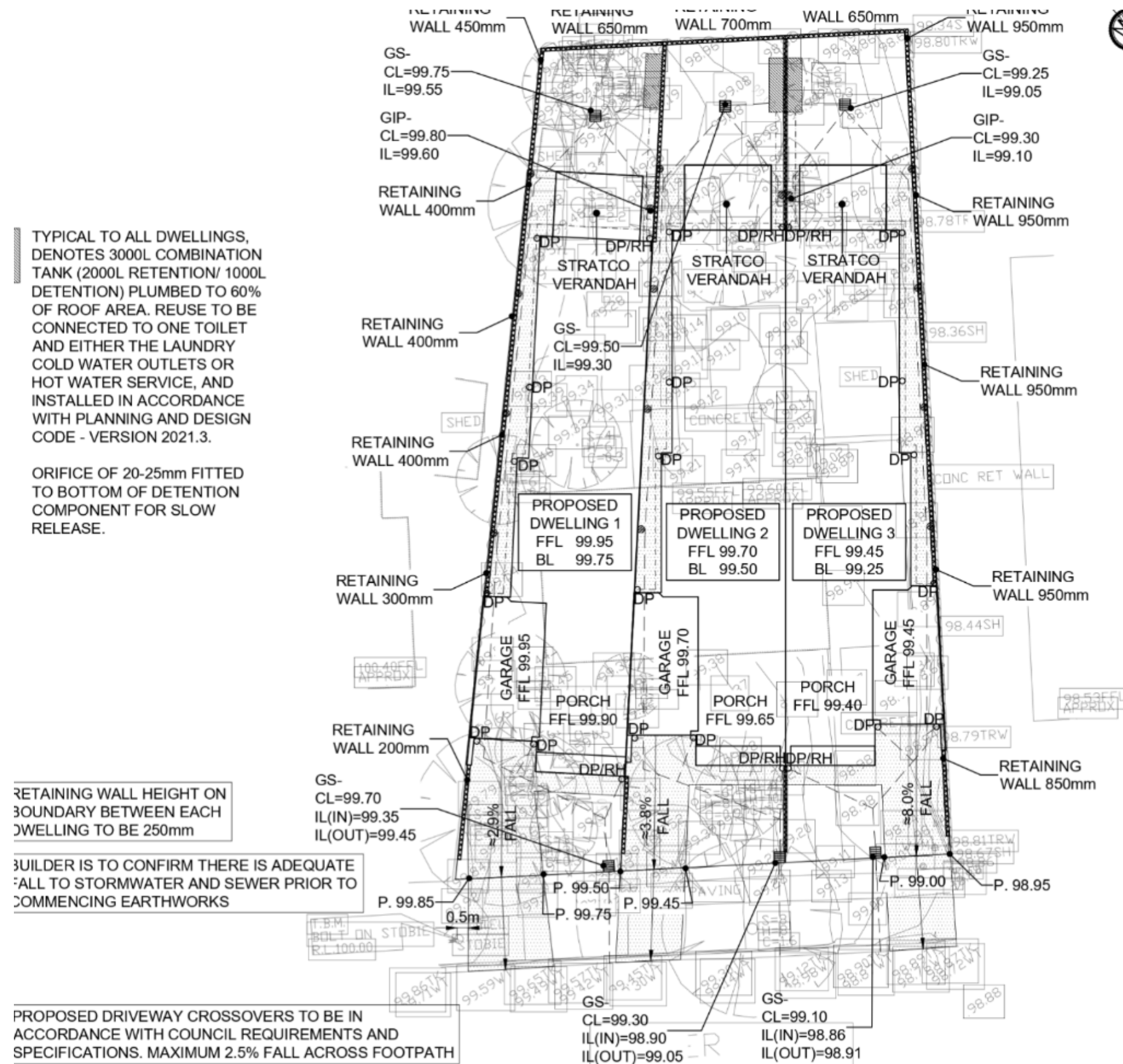
FARAH

DRAWN: S.D

DATE: 19/07/21

JOB NO: 2052

SHEET: 2 OF 2



- DRAWINGS.
- PATH LEVEL AT FLOOD GULLY TO BE A MINIMUM OF 165mm BELOW FINISHED FLOOR LEVEL
- 40mm OF LAGGING IS REQUIRED TO ALL STORMWATER PIPES THAT PASS THROUGH FOOTINGS.
- FLEXIBLE CONNECTIONS FOR SEWER AND STORMWATER PIPES ARE REQUIRED FOR THIS SITE
- SUITABLE VERTICAL EXPANSION JOINT IS TO BE PROVIDED TO DOWNPIPES AT PAVING LEVEL.
- GRADE PAVING TO ALL SUMP LOCATIONS AT MIN 0.4%.
- DURING CONSTRUCTION WATER RUN-OFF SHALL BE COLLECTED AND CHANNED AWAY FROM THE BUILDING.
- PROVIDE 300mm COVER TO ALL STORMWATER PIPES IF SUBJECT TO VEHICULAR LOADING, OTHERWISE PROVIDE 150mm COVER MIN.
- ENGINEERING DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS
- U.N.O LEVELS SHOWN BASED ON ENGINEERING SURVEY TO BE CONFIRMED BY BUILDER. THE BOUNDARY DATA SHOWN IS FOR INDICATIVE PURPOSES ONLY
- DOWNPIPE SPREADERS FROM UPPER FLOOR MAY BE REQUIRED (IF TWO STORIES) NOT SHOWN ON PLAN
- LOCATION AND EXTENTS OF RETAINING WALLS ARE INDICATIVE ONLY, THE OWNER/BUILDER IS TO ENSURE THAT ADJOINING STRUCTURES WILL NOT BE COMPROMISED BY THE CONSTRUCTION OR COMPROMISE THE CONSTRUCTION OF THE PROPOSED RETAINING WALL
- REFER TO AJAX FOOTING DETAILS FOR REQUIREMENTS OF ALL TRENCH EXCAVATIONS NEXT TO FOOTINGS.
- STORMWATER IS DESIGNED TO BE IN ACC WITH AS/NZS 3500.3
- ALL TREES WITHIN THE SITE BOUNDARIES ARE TO BE REMOVE U.N.O AND THE VOIDS BACKFILLED WITH COMPACTED SOIL OF THE SAME MOISTURE CONTENT AS THE REST OF THE SITE
- GUTTERS BETWEEN DWELLINGS TO BE SIZED AS BOX GUTTER
- RETAINING WALL'S HEIGHT OF 400mm OR LESS CAN BE SUBSTITUTED WITH CONCRETE PLINTH.
- BUILDER/ BUILDING DESIGNER TO CONFIRM DOWNPIPES LOCATIONS WITH ARCHITECT PRIOR TO CONSTRUCTION.

LEGEND

- CONCRETE PAVING
- GRATED SUMP 300x300
- GRATED INLET PIT 90 DIA. MIN.
- DOWNPIPE 90 DIA.
- INSPECTION OPENING
- STORMWATER PIPE 90 DIA. UPVC MIN 1:200 FALL
- SEALED STORMWATER PIPE 90 DIA. UPVC

0.0m 2.0 4.0 6.0 8.0 10.0m
 SCALE 1:200 AT A3 SHEET

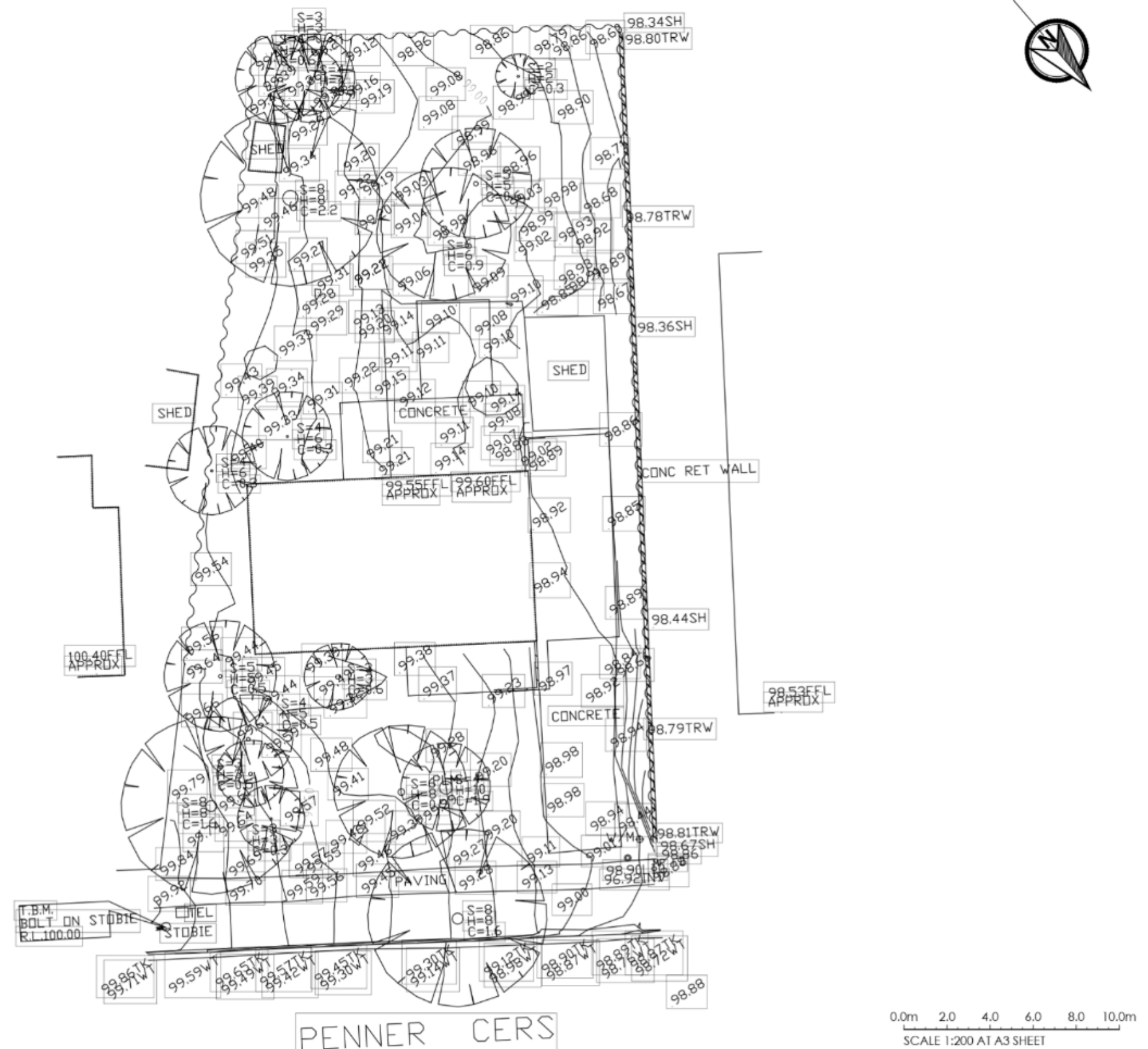


Level 1, Suite 103
 95 Currie St
 Adelaide SA 5000

CLIENT:
 NAME:
 URBAN EDGE SA

PROJECT:
 JOB NUMBER:
 AJX 2110.01

STATUS	DATE	BY	ISSU
FOR PLANNING APPROVAL	11/08/21	PH	A
FOR PLANNING APPROVAL	09/09/21	AL	B



- NOTES:**
- 1. ENGINEERING DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS**
 - 2. U.N.O LEVELS SHOWN BASED ON ENGINEERING SURVEY TO BE CONFIRMED BY BUILDER. THE BOUNDARY DATA SHOWN IS FOR INDICATIVE PURPOSES ONLY**
 - 3. U.N.O ALL LEVELS ARE IN METRES AND ALL DIMENSIONS ARE IN MILIMETRES**
 - 4. CONTOUR SURVEY COMPLETED BY OTHERS**



Level 1, Suite 103
95 Currie St
Adelaide SA 5000

CLIENT:
NAME:
URBAN EDGE SA

PROJECT:
JOB NUMBER:
AJX 2110.01

STATUS	DATE	BY	ISSU
FOR PLANNING APPROVAL	11/08/21	JA	A

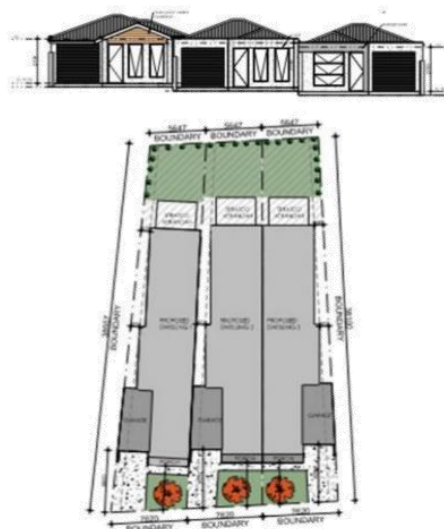
Attachment 2

Copy of Sign Displayed on the Land and Representations

Planning, Development & Infrastructure Act 2010 - Notice under Section 107(3)(a)(ii)

Proposed Development

19 PENNER CR
PARA HILLS SA 5096



APPLICANT

Urban Edge SA

APPLICATION NUMBER

21023908

NATURE OF DEVELOPMENT

Three single storey detached dwellings in terrace arrangement, combined retaining walls and fencing exceeding 2.1 metres in height

VIEW THE PLANS AND HAVE YOUR SAY ON THE APPLICATION

www.plan.sa.gov.au/en/public_notices

MAKE A REPRESENTATION

Up until 11:59pm on the 16-11-2021



FOR MORE INFORMATION

CONTACT

City of Salisbury

PHONE

08 8406 8222

EMAIL

representations@salisbury.sa.gov.au

It is an offence to damage, destroy, obscure or remove this notice. Penalties apply.

Details of Representations

Application Summary

Application ID	21023908
Proposal	Three single storey detached dwellings in terrace arrangement, combined retaining walls and fencing exceeding 2.1 metres in height
Location	19 PENNER CR PARA HILLS SA 5096

Representations

Representor 1 - Sam and Regina Walker

Name	Sam and Regina Walker
Address	17 PENNER CRESCENT PARA HILLS SA, 5096 Australia
Phone Number	[REDACTED]
Submission Date	13/11/2021 01:15 PM
Submission Source	Email
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	

Attached Documents

Da21023908RepresentationOnApplication-SamWalker-1631186.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Urban Edge SA
Development Number:	21023908
Nature of Development:	Three single storey detached dwellings in terrace arrangement, combined retaining walls and fencing exceeding 2.1 metres in height
Zone:	General Neighbourhood
Subject Land:	19 Penner Crescent, Para Hills
Contact Officer:	Aaron Curtis, Team Leader - Planning
Phone Number:	8 406 8222
Close Date:	Tuesday 16 November 2021

My name*: <i>Regina & Sam Walker</i>	My phone number: [REDACTED]
My postal address*: <i>17 PENNER CRES. PARA HILLS SA</i>	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 type="checkbox"/> I oppose the development
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<p>The specific reasons I believe that planning consent should be granted/refused are:</p> <p><i>as set out in the attached 2-page submission.</i></p>
--


[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 type="checkbox"/> being represented by the following person: _____

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

Signature:  Date: 10/11/2021

Return Address: PO Box 8, SALISBURY SA 5108 or

Email: representations@salisbury.sa.gov.au or

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

We are the owners and occupants of our home at 17 Penner Crescent, next door to the site of the proposed development, on the downhill side.

There are aspects of the proposal which cause us significant concern, as outlined below.

1. Building on the boundary

We object to any above-ground structure for the redeveloped property (other than boundary fence) being built on our boundary.

We object to any windows in any neighbouring property being constructed in a manner which allows the neighbour(s) to easily look into our property. We have privacy currently, and we expect this level of privacy to be maintained.

2. Site Coverage

The 'Landscaping Plan' provided states the 3 proposed dwelling sites have Site Coverage of between 53% and 57% (the average of the 3 figures quoted is 55.5%).

Hence the roofed area of each dwelling must average approx. 140 sqm (55.5% of 252.73 sqm in each case). Each dwelling plan shows a garage (6x3), a verandah (4x3) and a porch (4x1), all of which total 34 sqm. The roof is shown as having 450mm eaves, say another 15sqm of roofed area. When these areas are subtracted from 140 sqm, this leaves only 91 sqm (140 less 34 less 15) for remaining roofed living area (on average). These will have to be VERY small residences if they are to comply with the code on this matter.

3. Fence

We recently completed a 'knockdown-rebuild' redevelopment of our property. As part of that build, we paid very substantial amounts of money to have new fences erected on all 4 boundaries. In each case we decided to have high-quality 'good neighbour' style fences on each of the 3 shared boundaries.

The old fence on the boundary with 19 Penner Crescent was falling apart. The property was a deceased estate, as the previous owner, Mrs Jeane Trask, had recently died. Hence, we were unable to arrange for any of the cost to be shared.

In respect of any new fence required to be constructed on the boundary between our property and 19 Penner Crescent, we require that it be constructed to a standard and amenity equal to or exceeding those of the current new fence on that boundary. We will not pay anything towards any such new fence, as the current fence is more than adequate for our requirements.

We value privacy, security and amenity and require that any new boundary fence must provide no lesser levels of privacy, security and amenity than what currently exists.

4. Security

We have gone to great lengths to build our property with good security fencing on all boundaries, to provide privacy and security for us and for the security of our small dogs.

If the proposed development is approved, the current shared boundary fence will have to be taken down, substantial retaining walls installed, and a suitable boundary fence re-established.

The period of time for this to happen will inevitably not be short. The developer should be required to maintain the security of the boundary for us and for our pets during this time.

5. Parking

Almost every dwelling in our street has a minimum of 2 vehicles. (Some have 4 or 5.) Most of these properties have a single driveway. In many of these homes, 1 car only parks in the drive, and the

others park on the curb. As the allotments in the street are predominantly around 700 square metres, with street frontages of at least 18 metres, the current level of on-street parking is bearable. But as allotment sizes are decreased, allotment numbers are doubled and more, and street frontages reduced (in this case to 7.6 metres) the amount of on-street parking will become unbearable and unsafe -as further detailed below.

As the 3 proposed dwellings will each have a single driveway, it is reasonable to conclude that each will have a minimum of 1 vehicle parked in the driveway, and 1 or more vehicles parked in the street.

With 3 driveways in place of the current 1, there will be 7 to 8 less metres of curb to park on, and some number more cars to park there. Inevitably, they will migrate down and park in front of our place or that of one of our neighbours.

When cars are parked at the curb opposite us, it is already difficult to reverse out of our driveway. That difficulty will only increase as more and more cars are parked on the street.

Penner Crescent is not a wide street. When cars are parked on both sides, access becomes extremely difficult for emergency vehicles, service vehicles (eg. bin collections) and delivery vehicles.

As this trend to smaller and more numerous allotments continues, the Council should consider banning parking on one side of the street, so that safe access can be assured.

6. Loss to the local environment

The existing property at 19 Penner Crescent includes a single level house of say around 150 square metres (sqm) with associated paths etc making the total area 'under concrete' about 235 sqm. The balance of the property, some 520 sqm is garden. The ratio of garden to concrete is about 220%.

The amount of garden space on each of the proposed 3 blocks appears to be around 37 sqm (approx. 25 sqm at rear and approx. 12 sqm at front). So 111 sqm in total (3 x 37).

The amount of land covered by concrete would therefore increase to at least 645 sqm. The garden to concrete ratio would decrease from 220% to around 17%.

An alternative view of the same data is that the amount of land available to support bushes trees and birds etc will decrease from 520 sqm to 111 sqm, a decrease of around 79%. While the amount under concrete increases from 235 to 645 sqm, an increase of some 174%.

7. Overall performance against Salisbury City Plan 2035

The Salisbury Council's **City Plan 2035** has three key directions that capture the social, environmental and economic influences on Salisbury. The proposed development would create significant detriment in respect of 2 of the key directions, "A Sustainable City" and "A Welcoming and Liveable City" in favour of the third "A growing City".

Representations**Representor 2** - Gulmireh Musabayov

Name	Gulmireh Musabayov
Address	186 KESTERS ROAD PARA HILLS SA, 5096 Australia
Phone Number	
Email Address	
Submission Date	16/11/2021 04:27 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons	

Attached Documents

Da21023908RepresentationOnApplication-GMusabayov-1652468.pdf

From: [Gulmireh Musabayov](#)
To: [Development](#)
Cc: [Gulmireh Musabayov](#)
Subject: Application Performance Assessed Development
Date: Tuesday, 16 November 2021 4:09:44 PM

Hello Dear Salisbury Council officer,
Please find attached form
Thank you
Kind Regards,
G. Musabayov

**REPRESENTATION ON APPLICATION –
PERFORMANCE ASSESSED DEVELOPMENT**

Planning, Development and Infrastructure Act 2016

Applicant:	Urban Edge SA
Development Number:	21023908
Nature of Development:	Three single storey detached dwellings in terrace arrangement, combined retaining walls and fencing exceeding 2.1 metres in height
Zone:	General Neighbourhood
Subject Land:	19 Penner Crescent, Para Hills
Contact Officer:	Aaron Curtis, Team Leader - Planning
Phone Number:	8 406 8222
Close Date:	Tuesday 16 November 2021

My name*: Gulmireh Musabayov	My phone number:
My postal address*: 186 Kesters Road Para Hills West	My email:

* Indicates mandatory information

My position is:

☐ I support the development

☒ I support the development with some concerns (detail below)


☐ I oppose the development

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

~~But~~ Building three single storey detached dwellings, I have some concerns.

1. House how close to boundary fence (how many meters?)
2. How do you put new fence? If take off old fence my back yard and house fully open to Penner on Para Hills SA 5096. I don't feel safe without fence.
3. Fencing too high.

[attach additional pages as needed]


Government of South Australia
 Attorney-General's Department

Attachment 3

Applicant's Response to Representations



24/11/2021

AZF Investments T/A Urban Edge SA
 869 Main North Road,
 Pooraka SA 5095

Dear Aaron Curtis
 Team Leader – Planning
 RE: Development No. 21023908

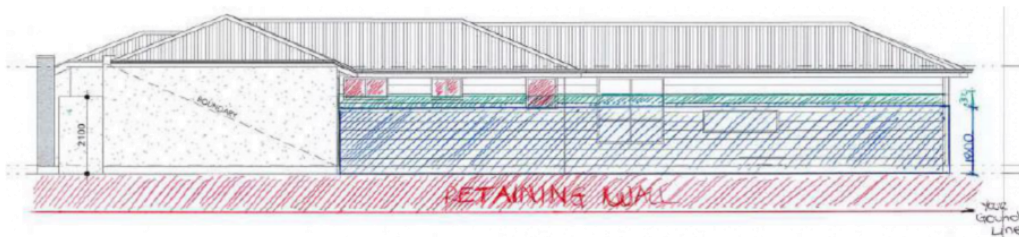
RE: Development at 19 Penner Cres, Para Hills

We have received the concerns with regards to the proposed development at 19 Penner Crescent, Para Hills which, neighbours, 17 Penner Crescent, Para Hills and 186 Kesters Road, Para Hills. We would like to address each point of concern from each neighbouring property.

Concern raised by 17 Penner Crescent, Para Hills:

- 1- Concern 1 - Building on boundary: We have proposed to construct a lightweight garage wall on the boundary with the remaining home a minimum of 900mm off the boundary line. This wall is not constructed of brick work and can be constructed with minimal disturbance and in a quick time frame. The Planning and Design Code for General Neighbourhood Zone explains under the deemed to satisfy point 7.1 outlines that a boundary wall cannot "exceed 3m in height from the top of the footing" and "exceed 11.5m in length", unless it the middle home of a row dwelling arrangement. The dwelling that will neighbour your property meets this requirement.

With regards to the overlooking issue the overall height of the fencing along your boundary will be approx. 1800mm – 2100mm high (on 19 Penner side), which is higher than the average person. The below diagram shows how the fencing will sit against the windows of the home, facing your property. Three (3) of the windows will be obscured (coloured in red) as they are the Bathroom, Ensuite and Laundry windows. One (1) window will be obstructed by the fence. While the remaining window is a bedroom window and is mostly obstructed by the fence. Our development will also site slightly higher than your home, due to the natural slope of the ground, which means if someone happen to stand on ladder or step within the bedroom, they will see your roof and not down into your garden.



P: 08 8131 EDGE

E: info@urbanedgesa.com.au



- 2- Concern 2 - Site coverage: The current site coverages are within Planning and Design Code for General Neighbourhood zone. The code states in PO3.1 "Building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation" and under the deemed to satisfy point 3.1 the code clarifies this by stating "The development does not result in site coverage exceeding 60%". Our landscaping plan clearly shows that proposed dwelling 1 has a site coverage of 56.39%, dwelling 2 has a site coverage of 56.67% and dwelling 3 has a site coverage of 53.54%. As you can see each one of these homes is well under the 60% site coverage.
- 3- Concern 3 – Fences: We will endeavour to remove the current fencing without causing any damage and reinstall, without cost to you. You will be provided notice of works as required under the fencing act and should the fencing become damaged during the process Urban Edge SA will rectify this at our costs. We only use good quality good neighbour, or equivalent, fencing materials. The new fencing will provide added security.
- 4- Concern 4 – Security: We understand that privacy is important to you, as it is important to us. We will endeavour to complete works to the shared boundary fencing, including all retaining walls and dwelling construction, within a timely manner. For periods of time where fencing must remain down will be able to provide suitable temporary fencing. This temporary fencing will be at the cost of Urban Edge SA. Prior to works commencing on the boundary, you will be provided with notice of works as required under the fencing act.
- 5- Concern 5 – Parking: The codes states in PO 19.6 that "Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking". The deemed to satisfy outcome for this PO is DTS /DPF 19.6 which outlines that a "minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)" is to be provided. The development allows for three (3) new dwellings which results in 0.99 on-street spaces required. The proposed development meets that requirement by allowing one carparking spaced in front of dwelling 2 & 3. The proposal also provides one (1) under cover parking and one (1) off street parking, per dwelling.
- 6- Concern 6 – Loss of the local environment: As mentioned in concern 2 this property is zoned General Neighbourhood Zone. The requirements under this zone have been meet. However, I would like to draw your attention to the landscaping plan which denotes a medium shrub up to 2.5m high which an example being the Willow Myrtle Weeping Bottle Brush. This medium shrub will provide support for the natural environment and bird life. The development also allows for the retention of the council street further supporting the natural environment.

P: 08 8131 EDGE

E: info@urbanedgesa.com.au



- 7- Concern 7 – Overall performance against Salisbury City Plan 2035: These homes are to be constructed of light weight materials which are substantially more ecofriendly than traditional materials as they provide less waste and are quicker and easier to erect which, also help reduce their carbon footprint. The developer that is creating this development believes that the added housing in the area of the Salisbury Council is, in fact, adding to the welcoming and liveable city. The development has done this by providing low maintenance gardens, whilst contributing to the support of the natural environment by planting natural vegetation. Providing additional, fresh, new homes for people to live.

Concerns raised by 186 Kesters Road, Para Hills:

1. Concern 1 – Rear sets backs of new dwellings: The Planning and Design Code for General Neighbourhood Zone explains under the deemed to satisfy point 3.7 that “Buildings walls are set back from the rear boundary at least 3m for the first building level”. The proposed development has dwelling 1 approx. 9000mm from your boundary while, dwelling 2 will be approx. 8800mm and dwelling 3 approx. 9200mm.
2. Concern 2 – Fencing and security: We understand that privacy and safety are important to you, as it is important to us. We will endeavour to complete works to the shared boundary fencing, including all retaining walls, within a timely manner. For periods of time where fencing must remain down will be able to provide suitable temporary fencing. This temporary fencing will be at the cost of Urban Edge SA. Prior to works commencing on the boundary, you will be provided with notice of works as required under the fencing act.
3. Concern 3 – Density too high: The current site coverages are within Planning and Design Code for General Neighbourhood zone. The code states in PO3.1 “Building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation” and under the deemed to satisfy point 3.1 the code clarifies this by stating “The development does not result in site coverage exceeding 60%”. Our landscaping plan clearly shows that proposed dwelling 1 has a site coverage of 56.39%, dwelling 2 has a site coverage of 56.67% and dwelling 3 has a site coverage of 53.54%. As you can see each one of these homes is well under the 60% site coverage.

We trust that our comments are taken into consideration and satisfies that of council and the corresponding landowners. We have made contact, via email, with each concerned neighbour and hope that they we have helped to ease their concerned raised during the Cat 2 process.

Kind regards,

Sam Pearce
Pre-construction Co-ordinator
8131 3343

P: 08 8131 EDGE

E: info@urbanedgesa.com.au

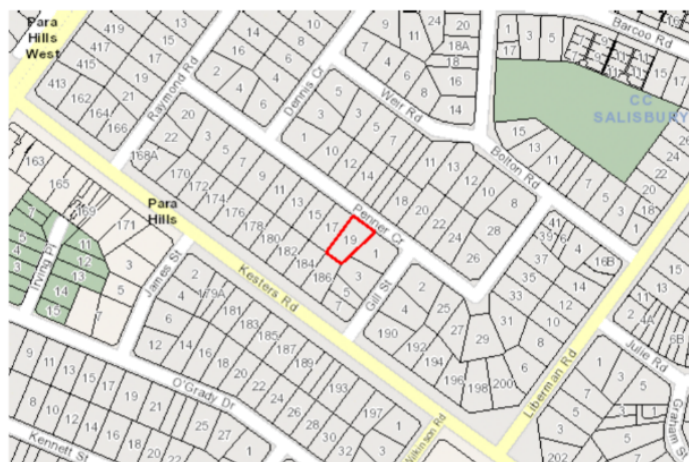
Attachment 4

Extract of the Planning and Design Code

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19 PENNER CR PARA HILLS SA 5096**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****Overlay**

Airport Building Heights (Regulated) (All structures over 15 metres)

Affordable Housing

Building Near Airfields

Defence Aviation Area (All structures over 90 metres)

Prescribed Wells Area

Regulated and Significant Tree

Stormwater Management

Urban Tree Canopy

Zone

General Neighbourhood

Selected Development(s)

Detached dwelling

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

Detached dwelling - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones**General Neighbourhood Zone****Assessment Provisions (AP)**

Desired Outcome

DO 1	Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.
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Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature													
Land Use and Intensity														
<p>PO 1.1</p> <p>Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none">(a) Ancillary accommodation(b) Community facility(c) Consulting room(d) Dwelling(e) Educational establishment(f) Office(g) Place of Worship(h) Pre-school(i) Recreation area(j) Residential flat building(k) Retirement facility(l) Shop(m) Student accommodation(n) Supported accommodation													
Site Dimensions and Land Division														
<p>PO 2.1</p> <p>Allotments/sites created for residential purposes are of suitable size and dimension to accommodate the anticipated dwelling form and remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood, with higher densities closer to public open space, public transport stations and activity centres.</p>	<p>DTS/DPF 2.1</p> <p>Development will not result in more than 1 dwelling on an existing allotment</p> <p>or</p> <p>Allotments/sites for residential purposes accord with the following:</p> <table><tr><th>Dwelling Type</th><th>Minimum site/allotment area per dwelling</th><th>Minimum site/allotment frontage</th></tr><tr><td>Detached dwelling (not in a terrace arrangement)</td><td>300m² (exclusive of any battle-axe allotment 'handle')</td><td>9m where not on a battle-axe site 5m where on a battle-axe site</td></tr><tr><td>Semi-detached dwelling</td><td>300m²</td><td>9m</td></tr><tr><td>Row dwelling (or detached dwelling in a terrace arrangement)</td><td>250m²</td><td>7m (averaged)</td></tr></table>		Dwelling Type	Minimum site/allotment area per dwelling	Minimum site/allotment frontage	Detached dwelling (not in a terrace arrangement)	300m ² (exclusive of any battle-axe allotment 'handle')	9m where not on a battle-axe site 5m where on a battle-axe site	Semi-detached dwelling	300m ²	9m	Row dwelling (or detached dwelling in a terrace arrangement)	250m ²	7m (averaged)
Dwelling Type	Minimum site/allotment area per dwelling	Minimum site/allotment frontage												
Detached dwelling (not in a terrace arrangement)	300m ² (exclusive of any battle-axe allotment 'handle')	9m where not on a battle-axe site 5m where on a battle-axe site												
Semi-detached dwelling	300m ²	9m												
Row dwelling (or detached dwelling in a terrace arrangement)	250m ²	7m (averaged)												

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	Group dwelling	300m ² (average, including common areas)	15m (total)
	Dwelling within a residential flat building	300m ² (average, including common areas)	15m (total)
<p>PO 2.2</p> <p>Development creating new allotments/sites in conjunction with retention of an existing dwelling ensures the site of the existing dwelling remains fit for purpose.</p>	<p>DTS/DPF 2.2</p> <p>Where the site of a dwelling does not comprise an entire allotment:</p> <ul style="list-style-type: none"> (a) the balance of the allotment accords with site area and frontage requirements specified in General Neighbourhood Zone DTS/DPF 2.1 (b) if there is an existing dwelling on the allotment that will remain on the allotment after completion of the development, it will not contravene: <ul style="list-style-type: none"> (i) Private open space requirements specified in Design in Urban Areas Table 1 - Private Open Space (ii) 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. 		
<p>PO 2.3</p> <p>Land division results in sites that are accessible and suitable for their intended purpose.</p>	<p>DTS/DPF 2.3</p> <p>Division of land satisfies (a), (b) or (c):</p> <ul style="list-style-type: none"> (a) reflects the site boundaries illustrated and approved in an existing development authorisation under the Development Act 1993 or Planning, Development and Infrastructure Act 2016 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 (c) satisfies all of the following: <ul style="list-style-type: none"> (i) No more than 5 additional allotments are created (ii) Each proposed allotment has a minimum site area of 300m² and frontage of 9m (iii) Each proposed allotment has a slope less than 12.5% (1-in-8) (iv) There are no regulated trees on or within 20m of the subject land, with the distance measured from the base of the trunk of the tree (or the nearest trunk of the tree) to the subject land (v) The division does not involve creation of a public road (vi) Vehicle access from a public road can be provided to all proposed allotments which satisfies Design in Urban Areas DTS/DPF 23.3, 23.4 and 23.6, and would be located wholly on one side of the allotment, or located no more than 1m from the side boundary alignment (vii) No allotments are in a battle-axe configuration and 		

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	(viii) Each proposed allotment is of a size and dimension capable of containing a rectangle 9m in width and 15m in depth.
Site Coverage	
PO 3.1 Building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.	DTS/DPF 3.1 The development does not result in site coverage exceeding 60%.
Building Height	
PO 4.1 Buildings contribute to a low-rise suburban character.	DTS/DPF 4.1 Building height (excluding garages, carports and outbuildings) no greater than: (a) 2 building levels and 9m and (b) wall height that is no greater than 7m except in the case of a gable end.
Primary Street Setback	
PO 5.1 Buildings are setback from primary street boundaries to contribute to the existing/emerging pattern of street setbacks in the streetscape.	DTS/DPF 5.1 The building line of a building set back from the primary street boundary: (a) no more than 1m in front of the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment) (b) where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), no more than 1m in front of the setback to the building line of that building or (c) not less than 5m where no building exists on an adjoining site with the same primary street frontage.
Secondary Street Setback	
PO 6.1 Buildings are set back from secondary street boundaries to achieve separation between building walls and public streets and contribute to a suburban streetscape character.	DTS/DPF 6.1 Building walls are set back from the boundary of the allotment with a secondary street frontage: (a) at least 900mm or (b) if a dwelling on any adjoining allotment is closer to the secondary street than 900mm, at least the distance of that dwelling from the boundary with the secondary street.
Boundary Walls	
PO 7.1 Dwelling boundary walls are limited in height and length to	DTS/DPF 7.1 Except where the dwelling is located on a central site within a

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manage visual and overshadowing impacts on adjoining properties.	<p>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</p> <p>(b) side boundary walls do not:</p> <ul style="list-style-type: none"> (i) exceed 3m in height from the top of footings (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.
PO 7.2 Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a suburban streetscape character.	DTS/DPF 7.2 Dwelling walls in a semi-detached, row or terrace arrangement are setback at least 900mm from side boundaries shared with allotments outside the development site.
Side boundary setback	
PO 8.1 Building walls are set back from side boundaries to provide:	DTS/DPF 8.1 Other than walls located on a side boundary, building walls are set back from side boundaries:
<p>(a) separation between dwellings in a way that contributes to a suburban character</p> <p>and</p> <p>(b) access to natural light and ventilation for neighbours.</p>	<p>(a) at least 900mm where the wall height is up to 3m</p> <p>(b) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m</p> <p>and</p> <p>(c) at least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern side boundary.</p>
Rear boundary setback	
PO 9.1 Dwelling walls are set back from rear boundaries to provide:	DTS/DPF 9.1 Dwelling walls are set back from the rear boundary at least:
<p>(a) separation between dwellings in a way that contributes to a suburban character</p> <p>(b) access to natural light and ventilation for neighbours</p> <p>(c) private open space</p> <p>(d) space for landscaping and vegetation.</p>	<p>(a) if the size of the site is less than 301m²—</p> <ul style="list-style-type: none"> (i) 3m in relation to the ground floor of the dwelling (ii) 5m in relation to any other building level of the dwelling <p>(b) if the size of the site is 301m² or more—</p> <ul style="list-style-type: none"> (i) 4m in relation to the ground floor of the dwelling (ii) 6m in relation to any other building level of the dwelling.

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.

Policy24 - Enquiry

Interpretation

A class of development listed in Column A is excluded from notification provided that it does not fall within a corresponding exclusion prescribed in Column B. In instances where development falls within multiple classes within Column A, each clause is to be read independently such that if a development is excluded from notification by any clause, it is, for the purposes of notification excluded irrespective of any other clause.

Class of Development (Column A)	Exceptions (Column B)
1. A kind of 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 of a State or Local Heritage Place 3. 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): <ul style="list-style-type: none"> (a) air handling unit, air conditioning system or exhaust fan (b) ancillary accommodation (c) building work on railway land (d) carport (e) deck (f) dwelling (g) dwelling addition (h) fence (i) outbuilding (j) pergola (k) private bushfire shelter (l) residential flat building (m) retaining wall (n) retirement facility (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) student accommodation (r) supported accommodation (s) swimming pool or spa pool (t) verandah (u) water tank. 	Except development that: <ul style="list-style-type: none"> 1. does not satisfy General Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) 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 3m measured from the top of footings (other than where the proposed wall (or post) 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):	Except development that:

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<ul style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	<ol style="list-style-type: none"> 1. does not satisfy any of the following: <ul style="list-style-type: none"> (a) General Neighbourhood Zone DTS/DPF 1.4 (b) General Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) 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 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).
<ol style="list-style-type: none"> 5. Any development involving any of the following (or of any combination of any of the following): <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. 	None specified.
<ol style="list-style-type: none"> 6. Alteration of or addition to any development involving the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) community facility (b) educational establishment (c) pre-school. 	Except development that does not satisfy General Neighbourhood Zone DTS/DPF 1.5.
<ol style="list-style-type: none"> 7. 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

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Affordable Housing Overlay**Assessment Provisions (AP)**

Desired Outcome	
DO 1	Affordable housing is integrated with residential and mixed use development.
DO 2	Affordable housing caters for a variety of household structures.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Division	
PO 1.1 Development comprising 20 or more dwellings / allotments incorporates affordable housing.	DTS/DPF 1.1 Development results in 0-19 additional allotments / dwellings.
PO 1.2 Development comprising 20 or more dwellings or residential allotments provides housing suited to a range of incomes including households with low to moderate incomes.	DTS/DPF 1.2 Development comprising 20 or more dwellings / or residential allotments includes a minimum of 15% affordable housing except where: (a) it can be demonstrated that any shortfall in affordable housing has been provided in a previous stage of development or (b) it can be demonstrated that any shortfall in affordable housing will be accommodated in a subsequent stage or stages of development.
PO 1.3 Affordable housing is distributed throughout the development to avoid an overconcentration.	DTS/DPF 1.3 None are applicable.
Built Form and Character	
PO 2.1 Affordable housing is designed to complement the design and character of residential development within the locality.	DTS/DPF 2.1 None are applicable.
Affordable Housing Incentives	
PO 3.1 To support the provision of affordable housing, minimum allotment sizes may be reduced below the minimum allotment size specified in a zone while providing allotments of a suitable size and dimension to accommodate dwellings with a high standard of occupant amenity.	DTS/DPF 3.1 The minimum site area specified for a dwelling can be reduced by up to 20%, or the maximum density per hectare increased by up to 20%, where it is to be used to accommodate affordable housing except where the development is located within the Character Area Overlay or Historic Area Overlay.
PO 3.2	DTS/DPF 3.2

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<p>To support the provision of affordable housing, building heights may be increased above the maximum specified in a zone.</p>	<p>Where a building incorporates dwellings above ground level and includes at least 15% affordable housing, the maximum building height specified in any relevant zone policy can be increased by 1 building level in the:</p> <ul style="list-style-type: none"> (a) Business Neighbourhood Zone (b) City Living Zone (c) Established Neighbourhood Zone (d) General Neighbourhood Zone (e) Hills Neighbourhood Zone (f) Housing Diversity Neighbourhood Zone (g) Neighbourhood Zone (h) Master Planned Neighbourhood Zone (i) Master Planned Renewal Zone (j) Master Planned Township Zone (k) Rural Neighbourhood Zone (l) Suburban Business Zone (m) Suburban Neighbourhood Zone (n) Township Neighbourhood Zone (o) Township Zone (p) Urban Renewal Neighbourhood Zone (q) Waterfront Neighbourhood Zone <p>and up to 30% in any other zone, except where:</p> <ul style="list-style-type: none"> (a) the development is located within the Character Area Overlay or Historic Area Overlay or (b) other height incentives already apply to the development.
Movement and Car Parking	
<p>PO 4.1</p> <p>Sufficient car parking is provided to meet the needs of occupants of affordable housing.</p>	<p>DTS/DPF 4.1</p> <p>Dwellings constituting affordable housing are provided with car parking in accordance with the following:</p> <ul style="list-style-type: none"> (a) 0.3 carpark per dwelling within a building which incorporates dwellings located above ground level within either: <ul style="list-style-type: none"> (i) 200 metres of any section of road reserve along which a bus service operates as a high frequency public transit service⁽²⁾ (ii) is within 400 metres of a bus interchange⁽¹⁾ (iii) is within 400 metres of an O-Bahn interchange⁽¹⁾ (iv) is within 400 metres of a passenger rail station⁽¹⁾ (v) is within 400 metres of a passenger tram station⁽¹⁾ (vi) is within 400 metres of the Adelaide Parklands. or (b) 1 carpark per dwelling for any other dwelling. <p>[NOTE(S): (1) Measured from an area that contains any platform(s), shelter(s) or stop(s) where people congregate for the purpose waiting to board a bus, tram or train, but does not</p>

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	include areas used for the parking of vehicles. (2) A high frequency public transit service is a route serviced every 15 minutes between 7.30am and 6.30pm Monday to Friday and every 30 minutes at night, Saturday, Sunday and public holidays until 10pm.]
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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
Development for the purposes of the provision of affordable housing (applying the criteria determined under regulation 4 of the <i>South Australian Housing Trust Regulations 2010</i>).	Minister responsible for administering the <i>South Australian Housing Trust Act 1995</i> .	To provide direction on the conditions required to secure the provision of dwellings or allotments for affordable housing.	Development of a class to which Schedule 9 clause 3 item 20 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Airport Building Heights (Regulated) Overlay**Assessment Provisions (AP)**

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

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	lowest value relevant to the site of the proposed development is applicable.
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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
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.

Building Near Airfields Overlay**Assessment Provisions (AP)**

Desired Outcome	
DO 1	Maintain the operational and safety requirements of certified commercial and military airfields, airports, airstrips and helicopter landing sites through management of non-residential lighting, turbulence and activities that may attract or result in the congregation of wildlife.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.3 Buildings are adequately separated from runways and other take-off and landing facilities within certified or registered aerodromes to minimise the potential for building-generated turbulence and windshear that may pose a safety hazard to aircraft flight movement.	DTS/DPF 1.3 The distance from any part of a runway centreline to the closest point of the building is not less than 35 times the building height.

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

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Defence Aviation Area Overlay**Assessment Provisions (AP)**

Desired Outcome	
DO 1	Management of potential impacts of buildings on the operational and safety requirements of Defence Aviation Areas.

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 operations of Defence Aviation Areas.	DTS/DPF 1.1 Building height does not exceed the relevant height specified by the <i>Defence Aviation Area Overlay</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.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Stormwater Management Overlay**Assessment Provisions (AP)**

Desired Outcome	
DO 1	Development incorporates water sensitive urban design techniques to capture and re-use stormwater.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Residential development is designed to capture and re-use stormwater to: (a) maximise conservation of water resources (b) manage peak stormwater runoff flows and volume to	DTS/DPF 1.1 Residential development comprising detached, semi-detached or row dwellings, or less than 5 group dwellings or dwellings within a residential flat building: (a) includes rainwater tank storage:

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ensure the carrying capacities of downstream systems are not overloaded

(c) manage stormwater runoff quality.

(i) connected to at least:

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

Table 1: Rainwater Tank

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

Urban Tree Canopy Overlay

Assessment Provisions (AP)

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 Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature																												
PO 1.1 Trees are planted or retained to contribute to an urban tree canopy.	DTS/DPF 1.1 Tree planting is provided in accordance with the following: <table><tr><th>Site size per dwelling (m²)</th><th>Tree size* and number required per dwelling</th></tr><tr><td><450</td><td>1 small tree</td></tr><tr><td>450-800</td><td>1 medium tree or 2 small trees</td></tr><tr><td>>800</td><td>1 large tree or 2 medium trees or 4 small trees</td></tr></table> *refer Table 1 Tree Size <table><tr><th colspan="4">Table 1 Tree Size</th></tr><tr><th>Tree size</th><th>Mature height (minimum)</th><th>Mature spread (minimum)</th><th>Soil area around tree within development site (minimum)</th></tr><tr><td>Small</td><td>4 m</td><td>2m</td><td>10m² and min. dimension of 1.5m</td></tr><tr><td>Medium</td><td>6 m</td><td>4 m</td><td>30m² and min. dimension of 2m</td></tr><tr><td>Large</td><td>12 m</td><td>8m</td><td>60m² and min. dimension of 4m</td></tr></table> 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.	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
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																										

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Table 2 Tree Discounts			
Retained tree height (Column A)	Retained tree spread (Column B)	Retained soil area around tree within development site (Column C)	Discount applied (Column D)
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**Clearance from Overhead Powerlines****Assessment Provisions (AP)**

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

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	powerlines.
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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 in Urban Areas

Assessment Provisions (AP)

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 Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
On-site Waste Treatment Systems	
<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 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

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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>
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 (c) are designed to integrate with the natural topography of the land. 	<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>
Overlooking / Visual Privacy (low rise buildings)	
<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> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above

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	<p>finished floor level and are fixed or not capable of being opened more than 125mm</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 1.5 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</p> <p>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>(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</p> <p>or</p> <p>(ii) 1.7m above finished floor level in all other cases</p>
All residential development	
Front elevations and passive surveillance	
<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> <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 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>
Outlook and Amenity	
<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>
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>

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	<ul style="list-style-type: none"> (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 (b) are set back at least 5.5m from the boundary of the primary street (c) have a garage door / opening width not exceeding 7m (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>PO 20.2</p> <p>Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and the appearance of common driveway areas.</p>	<p>DTS/DPF 20.2</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 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.
<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>
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>
<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>
Landscaping	
<p>PO 22.1</p> <p>Soft landscaping is incorporated into development to:</p>	<p>DTS/DPF 22.1</p> <p>Residential development incorporates soft landscaping with a</p>

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<p>(a) minimise heat absorption and reflection</p> <p>(b) contribute shade and shelter</p> <p>(c) provide for stormwater infiltration and biodiversity</p> <p>(d) enhance the appearance of land and streetscapes.</p>	<p>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"> <thead> <tr> <th>Dwelling 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) at least 30% of any land between the primary street boundary and the primary 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%	150-200	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%										
150-200	15%										
>200-450	20%										
>450	25%										
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> <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 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> <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 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, 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> <ul style="list-style-type: none"> (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 (b) sites with a frontage to a public road greater than 10m: <ul style="list-style-type: none"> (i) have a maximum width of 5m measured at the property boundary and are the only access 										

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	<p>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 from the place of access on the boundary of the allotment to the finished floor level at the front of the garage or carport is not steeper than 1-in-4 on average</p> <p>(b) they are aligned relative to the street so that there is no more than a 20 degree deviation from 90 degrees between the centreline of any dedicated car parking space to which it provides access (measured from the front of that space) and the road boundary.</p> <p>(c) if located so as to provide access from an alley, lane or right of way - the alley, lane or right of way is at least 6.2m wide along the boundary of the allotment / site</p>
<p>PO 23.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 23.6</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> <p>(a) minimum 0.33 on-street spaces per dwelling on the site (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>
Waste storage	
PO 24.1	DTS/DPF 24.1

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Provision is made for the convenient storage of waste bins in a location screened from public view.	Where dwellings abut both side boundaries a waste bin storage area is provided behind the building line of each dwelling that: <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.
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): <ul style="list-style-type: none"> (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.
Group Dwellings, Residential Flat Buildings and Battle axe Development	
Amenity	
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 Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	DTS/DPF 31.4 Dwelling sites/allotments are not in the form of a battle-axe arrangement.
Car parking, access and manoeuvrability	
PO 33.1 Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.	DTS/DPF 33.1 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: <ul style="list-style-type: none"> (a) minimum 0.33 on-street car parks per proposed dwelling (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.
PO 33.4 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.	DTS/DPF 33.4 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.

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PO 33.5 Dwellings are adequately separated from common driveways and manoeuvring areas.	DTS/DPF 33.5 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.
Soft landscaping	
PO 34.2 Battle-axe or common driveways incorporate landscaping and permeability to improve appearance and assist in stormwater management.	DTS/DPF 34.2 Battle-axe or common driveways satisfy (a) and (b): (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).
Laneway Development	
Infrastructure and Access	
PO 44.1 Development with a primary street comprising a laneway, alley, lane, right of way or similar minor thoroughfare only occurs where: (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.	DTS/DPF 44.1 Development with a primary street frontage that is not an alley, lane, right of way or similar public thoroughfare.

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 / with a minimum dimension 3m.</p>
Cabin or caravan (permanently fixed to the ground) in a residential park or		Total area: 16m ² , which may be used as second car parking space, provided on each

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caravan and tourist park		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	11 m ² / minimum dimension 2.4m
	Three + bedroom dwelling	15 m ² / minimum dimension 2.6m

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

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
Water Supply	
PO 11.2 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.	DTS/DPF 11.2 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: (a) exclusively for domestic use (b) connected to the roof drainage system of the dwelling.
Wastewater Services	
PO 12.1 Development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following: (a) it is wholly located and contained within the allotment of	DTS/DPF 12.1 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: (a) the system is wholly located and contained within the

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<p>the development it will service</p> <p>(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</p> <p>(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>allotment of development it will service; and</p> <p>(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>

Interface between Land Uses

Assessment Provisions (AP)

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
Overshadowing	
<p>PO 3.1</p> <p>Overshadowing of habitable room windows 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 3.1</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>

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PO 3.3	DTS/DPF 3.3
Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:	None are applicable.
<ul style="list-style-type: none"> (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. 	

Site Contamination

Assessment Provisions (AP)

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 Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Ensure land is suitable for use when land use changes to a more sensitive use.	<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)

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	(ii) and 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).
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Transport, Access and Parking**Assessment Provisions (AP)**

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)

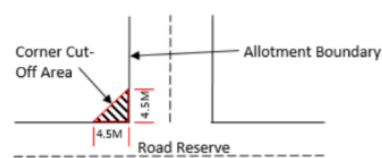
Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Vehicle Parking Rates	
PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: <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. 	DTS/DPF 5.1 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: <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements (b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas (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.
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:  <p>The diagram illustrates a corner cut-off area at a road junction. It shows a road with a 4.5M wide road reserve. A corner cut-off area is indicated by a red hatched triangle, also labeled as 4.5M. The area is bounded by a dashed line representing the allotment boundary.</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)
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.	
Residential Development	
Detached Dwelling	<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>
Group Dwelling	<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> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Residential Flat Building	<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> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Row Dwelling where vehicle access is from the primary street	<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>
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	<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>
Semi-Detached Dwelling	<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>
Aged / Supported Accommodation	
Retirement village	<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.</p> <p>0.2 spaces per dwelling for visitor parking.</p>

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Supported accommodation	0.3 spaces per bed.
Residential Development (Other)	
Ancillary accommodation	No additional requirements beyond those associated with the main dwelling.
Residential park	<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.</p> <p>0.2 spaces per dwelling for visitor parking.</p>
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 park / tourist park	<p>Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation.</p> <p>Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation.</p> <p>A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.</p>
Tourist accommodation	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.
Call centre	8 spaces per 100m ² of gross leasable floor area.
Motor repair station	3 spaces per service bay.
Office	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	<p>2.5 spaces per 100m² of gross leasable floor area</p> <p>1 space per 100m² of outdoor area used for display purposes.</p>
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

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	<p>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> <p>5 spaces per 100m² 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.</p>
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)	<p>Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat.</p> <p>Premises with take-away service but with no seats - 12 spaces per 100m² of total floor area plus a drive-through queue capacity of ten vehicles measured from the pick-up point.</p> <p>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.</p>
Community and Civic Uses	
Childcare centre	0.25 spaces per child
Library	4 spaces per 100m ² of total floor area.
Community facility	10 spaces per 100m ² of total floor area.
Hall / meeting hall	0.2 spaces per seat.
Place of worship	1 space for every 3 visitor seats.
Pre-school	1 per employee plus 0.25 per child (drop off/pick up bays)
Educational establishment	<p>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.</p> <p>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.</p> <p>For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any time.</p>
Health Related Uses	
Hospital	4.5 spaces per bed for a public hospital.

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	1.5 spaces per bed for a private hospital.
Consulting room	4 spaces per consulting room excluding ancillary facilities.
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 subject to the following:

- (a) the location of the development is unable to satisfy the requirements of Table 2 – Criteria (other than where a location is exempted from the application of those criteria)
- or
- (b) the development satisfies Table 2 – Criteria (or is exempt from those criteria) and is located in an area where a lawfully

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established carparking fund operates, in which case the number of spaces are reduced by an amount equal to the number of spaces offset by contribution to the fund.

Class of Development	Car Parking Rate		Designated Areas
	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.		
	Minimum number of spaces	Maximum number of spaces	
Development generally			
All classes of development	No minimum.	No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:	Capital City Zone
		1 space for each dwelling with a total floor area less than 75 square metres	City Main Street Zone
		2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres	City Riverbank Zone
		3 spaces for each dwelling with a total floor area greater than 150 square metres.	Adelaide Park Lands Zone
		Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.	Business Neighbourhood Zone (within the City of Adelaide)
			The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone
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.	City Living Zone
			Urban Corridor (Boulevard) Zone
			Urban Corridor (Business) Zone
			Urban Corridor (Living) Zone
			Urban Corridor (Main Street) Zone
			Urban Neighbourhood Zone
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
			Suburban Activity Centre Zone
			Suburban Business Zone
			Business Neighbourhood Zone

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			Suburban Main Street Zone Urban Activity Centre Zone
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	City Living 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
Residential development			
Residential component of a multi-storey 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 Strategic Innovation 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
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 Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone

Table 2 - Criteria:

The following criteria are used in conjunction with Table 2. The 'Exception' column identifies locations where the criteria do not apply and the car parking rates in Table 2 are applicable.

Criteria	Exceptions
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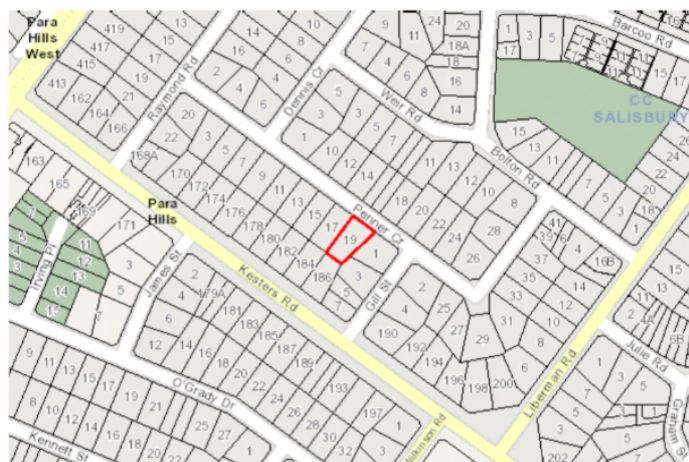
<p>The designated area is wholly located within Metropolitan Adelaide and any part of the development site satisfies one or more of the following:</p> <ul style="list-style-type: none"> (a) is within 200 metres of any section of road reserve along which a bus service operates as a high frequency public transit service⁽²⁾ (b) is within 400 metres of a bus interchange⁽¹⁾ (c) is within 400 metres of an O-Bahn interchange⁽¹⁾ (d) is within 400 metres of a passenger rail station⁽¹⁾ (e) is within 400 metres of a passenger tram station⁽¹⁾ (f) is within 400 metres of the Adelaide Parklands. 	<ul style="list-style-type: none"> (a) All zones in the City of Adelaide (b) Strategic Innovation Zone in the following locations: <ul style="list-style-type: none"> (i) City of Burnside (ii) City of Marion (iii) City of Mitcham (c) Urban Corridor (Boulevard) Zone (d) Urban Corridor (Business) Zone (e) Urban Corridor (Living) Zone (f) Urban Corridor (Main Street) Zone (g) Urban Neighbourhood Zone
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[NOTE(S): (1) Measured from an area that contains any platform(s), shelter(s) or stop(s) where people congregate for the purpose waiting to board a bus, tram or train, but does not include areas used for the parking of vehicles. (2) A high frequency public transit service is a route serviced every 15 minutes between 7.30am and 6.30pm Monday to Friday and every 30 minutes at night, Saturday, Sunday and public holidays until 10pm.]

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19 PENNER CR PARA HILLS SA 5096**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****Overlay**

Airport Building Heights (Regulated) (All structures over 15 metres)

Affordable Housing

Building Near Airfields

Defence Aviation Area (All structures over 90 metres)

Prescribed Wells Area

Regulated and Significant Tree

Stormwater Management

Urban Tree Canopy

Zone

General Neighbourhood

Selected Development(s)

Fence

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

Fence - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones**General Neighbourhood Zone****Assessment Provisions (AP)**

Desired Outcome	
DO 1	Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

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

A class of development listed in Column A is excluded from notification provided that it does not fall within a corresponding exclusion prescribed in Column B. In instances where development falls within multiple classes within Column A, each clause is to be read independently such that if a development is excluded from notification by any clause, it is, for the purposes of notification excluded irrespective of any other clause.

Class of Development (Column A)	Exceptions (Column B)
1. A kind of 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 of a State or Local Heritage Place 3. 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): <ul style="list-style-type: none"> (a) air handling unit, air conditioning system or exhaust fan (b) ancillary accommodation (c) building work on railway land (d) carport (e) deck (f) dwelling (g) dwelling addition (h) fence (i) outbuilding (j) pergola (k) private bushfire shelter (l) residential flat building (m) retaining wall (n) retirement facility 	Except development that: <ul style="list-style-type: none"> 1. does not satisfy General Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) 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 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).

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<ul style="list-style-type: none"> (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) student accommodation (r) supported accommodation (s) swimming pool or spa pool (t) verandah (u) water tank. 	
<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) consulting room (b) office (c) shop. 	<p>Except development that:</p> <ul style="list-style-type: none"> 1. does not satisfy any of the following: <ul style="list-style-type: none"> (a) General Neighbourhood Zone DTS/DPF 1.4 (b) General Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) 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 3m measured from the top of footings (other than where the proposed wall (or post) 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) 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>6. Alteration of or addition to any development involving the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) community facility (b) educational establishment (c) pre-school. 	<p>Except development that does not satisfy General Neighbourhood Zone DTS/DPF 1.5.</p>
<p>7. 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	

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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 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.
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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
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	The airport-operator company for the relevant airport within the meaning	To provide expert assessment and direction to the relevant	Development of a class to which Schedule 9 clause 3 item 1 of the

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(b) as 'All structures' (no height limit is prescribed) or will exceed the height specified in the <i>Airport Building Heights (Regulated) Overlay</i> 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> .	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.	authority on potential impacts on the safety and operation of aviation activities.	Planning, Development and Infrastructure (General) Regulations 2017 applies.
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Defence Aviation Area Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Management of potential impacts of buildings on the operational and safety requirements of Defence Aviation Areas.

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 operations of Defence Aviation Areas.	DTS/DPF 1.1 Building height does not exceed the relevant height specified by the <i>Defence Aviation Area Overlay</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.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

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

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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 in Urban Areas

Assessment Provisions (AP)

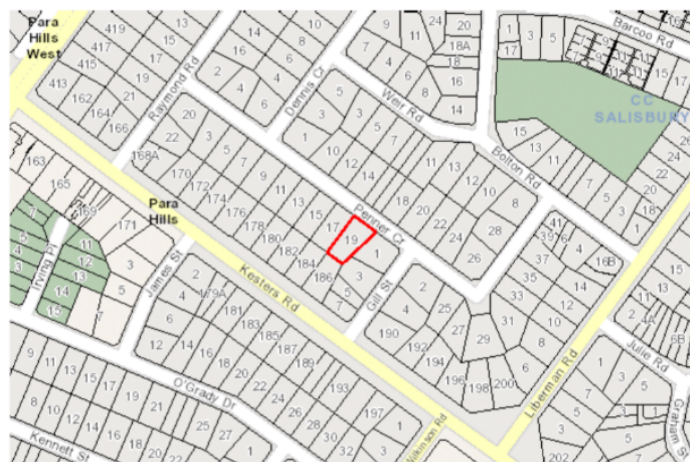
Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality (b) durable - fit for purpose, adaptable 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 Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
Fences and walls	
<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>

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19 PENNER CR PARA HILLS SA 5096**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****Overlay**

Airport Building Heights (Regulated) (All structures over 15 metres)

Affordable Housing

Building Near Airfields

Defence Aviation Area (All structures over 90 metres)

Prescribed Wells Area

Regulated and Significant Tree

Stormwater Management

Urban Tree Canopy

Zone

General Neighbourhood

Selected Development(s)

Retaining wall

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

Retaining wall - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones**General Neighbourhood Zone****Assessment Provisions (AP)**

Desired Outcome	
DO 1	Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

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

A class of development listed in Column A is excluded from notification provided that it does not fall within a corresponding exclusion prescribed in Column B. In instances where development falls within multiple classes within Column A, each clause is to be read independently such that if a development is excluded from notification by any clause, it is, for the purposes of notification excluded irrespective of any other clause.

Class of Development (Column A)	Exceptions (Column B)
1. A kind of 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 of a State or Local Heritage Place 3. 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): <ul style="list-style-type: none"> (a) air handling unit, air conditioning system or exhaust fan (b) ancillary accommodation (c) building work on railway land (d) carport (e) deck (f) dwelling (g) dwelling addition (h) fence (i) outbuilding (j) pergola (k) private bushfire shelter (l) residential flat building (m) retaining wall (n) retirement facility 	Except development that: <ul style="list-style-type: none"> 1. does not satisfy General Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) 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 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).

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<ul style="list-style-type: none"> (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) student accommodation (r) supported accommodation (s) swimming pool or spa pool (t) verandah (u) water tank. 	
<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) consulting room (b) office (c) shop. 	<p>Except development that:</p> <ol style="list-style-type: none"> 1. does not satisfy any of the following: <ul style="list-style-type: none"> (a) General Neighbourhood Zone DTS/DPF 1.4 (b) General Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on a side boundary (not being a boundary with a primary street or secondary street) 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 3m measured from the top of footings (other than where the proposed wall (or post) 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) 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>6. Alteration of or addition to any development involving the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) community facility (b) educational establishment (c) pre-school. 	<p>Except development that does not satisfy General Neighbourhood Zone DTS/DPF 1.5.</p>
<p>7. Demolition.</p>	<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	

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None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Part 4 - General Development Policies**Design in Urban Areas****Assessment Provisions (AP)**

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 Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
Fences and walls	
<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>

ITEM	8.2.1
	COUNCIL ASSESSMENT PANEL
DATE	21 December 2021
HEADING	Council Assessment Panel 2022 Meeting Schedule
AUTHOR	Heidi Crossley, Team Leader Business Services, City Development
CITY PLAN LINKS	4.4 We plan effectively to address community needs and identify new opportunities
SUMMARY	This report seeks the Panel's review and decision to adopt the 2022 meeting schedule.

RECOMMENDATION

1. That the Council Assessment Panel 2022 meeting schedule forming Attachment 1 to the agenda report, be adopted.

ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Proposed CAP 2022 Meeting Schedule

1. BACKGROUND

- 1.1 The Council Assessment Panel is able to determine its meeting schedule. Clause 2.1 of the general operating procedures states the following:

CAP meetings will be scheduled by the CAP on the fourth Tuesday of the month, commencing at 6.30pm or another date as determined by the Presiding Member, subject to there being business to consider.

- 1.2 The proposed 2022 meeting schedule is provided in Attachment 1 for the Panel's adoption. The proposed meeting schedule is in accordance with the above procedure, except where there is conflict with a formal Council meeting or a public holiday and alternative meeting dates are provided for the Panel's consideration for these days.
- 1.3 The Panel's operating procedures provide that the agenda should be distributed at least three working days before the meeting. As a matter of practice, the Agenda for the meetings is distributed to Panel members earlier, generally so that there are two weekends before the meeting, to provide additional time for members to read the agenda items. In light of the deemed consent provisions under the *Planning, Development and Infrastructures Act 2016*, there may be a need to distribute the agenda closer to the minimum three day period as provided in the operating procedures. If this shorter timeframe is required, the Assessment Manager will communicate this with members. At this stage, this advice is provided for information only.

2. CONCLUSION / PROPOSAL

- 2.1 That the Panel reviews and adopts the proposed 2022 meeting schedule provided in Attachment 1.

Salisbury Council Assessment Panel**Proposed 2022 Meeting Schedule**

Month	Date	Time	Comments
January	Tuesday 25	6.30pm	
February	Wednesday 23	6.30pm	Meeting room not available Tuesday
March	Tuesday 29	6.30pm	
April	Wednesday 27	6.30pm	Meeting room not available Tuesday
May	Tuesday 24	6.30pm	
June	Tuesday 28	6.30pm	
July	Tuesday 26	6.30pm	
August	Tuesday 23	6.30pm	
September	Tuesday 27	6.30pm	
October	Tuesday 25	6.30pm	
November	Tuesday 29	6.30pm	
December	Tuesday 20	6.30pm	3rd Tues due to Christmas