

District Council of
ROBE

The SA Government announced Covid-19 Level 4 restrictions effective from midnight Monday, 20th July 2021. Due to this announcement the District Council of Robe's Chief Executive Officer declared that the Council Assessment Panel be held remotely by Zoom and that the development application for 22 McIntyre Street, Robe be the only matter for this meeting. Development applications listed in the Agenda as 10.1 and 10.2 are to be held over to the next meeting to allow for site visits if required and for representors to attend in person.



DISTRICT COUNCIL OF ROBE ASSESSMENT PANEL

Notice of Meeting

Pursuant to Section 83 of the Planning, Development and Infrastructure Act 2016, Notice is hereby given that a Meeting of the District Council of Robe Assessment Panel will be held on **Tuesday, 20th July 2021 at 11.00am** at the District Council Chambers, Smillie Street, Robe.

A handwritten signature in blue ink that reads "D Dawson".

Damian Dawson
ASSESSMENT MANAGER

DISTRIBUTION LIST

Panel Members	Liz Travers – Presiding Member Meg Redman Mark Teakle Michael Talanskas Cr Ned Wright
Assessment Manager	Damian Dawson, Planning Chambers Pty Ltd
Council Officers	Chief Executive Officer, James Holyman Director of Infrastructure, Rob Moir Development Officer, Michelle Gibbs

Please note: Report attachments are not included in this Agenda due to copyright laws. Report attachments are provided to members of the Assessment Panel to facilitate decision making.

DISTRICT COUNCIL OF ROBE

ASSESSMENT PANEL

ORDER OF BUSINESS

1. **OPENING & WELCOME**
 - 1.1 **Acknowledgement of Traditional Owners**
2. **ATTENDANCE**
3. **APOLOGIES FOR ABSENCE**
4. **CONFIRMATION OF MINUTES OF PREVIOUS MEETING**
5. **BUSINESS WITH NOTICE**
6. **BUSINESS WITHOUT NOTICE**
7. **CONFLICT OF INTEREST**
8. **REPRESENTORS**
9. **EXCLUSION OF PUBLIC**
10. **APPLICATION**
 - 10.1 Application No. 21000972 – D & M Loxton, 34C Lord Syleham Street, Robe
 - 10.2 Application No. 21001242 – G Bell, 14 Lake Road, Robe
 - 10.3 Application No. 21000972 – S Legoe, 22 McIntyre Street, Robe
11. **REPORTS**

Delegation of Powers – Planning, Development and Infrastructure Act and Regulations
12. **CONCLUSION OF CLOSED MEETING**
13. **NEXT MEETING**
14. **CLOSURE**

1. OPENING & WELCOME

1.1 Acknowledgement of Traditional Owners

The District Council of Robe acknowledges that we are meeting on the traditional lands of the Boandik people and we respect their spiritual relationship with their Country. We also acknowledge the Boandik people's deep feelings of attachment and relationship with this land and that their cultural and heritage beliefs are still as important to the living Boandik people today.

1.2 The Presiding member to read the following statement to the Applicant/Owner/Representor that attended the meeting:-

- As from 1st October 2017, every Council is required to establish an Assessment Panel under provisions within the new Planning, Development and Infrastructure Act 2016 to determine and make decisions on development application as delegated to the Panel.
- When the Panel is considering an application, it must assess the proposal against the Planning and Design Code.
- The meeting itself is informal, however all decisions made by the Assessment Panel are formal.
- Representors will be allocated 5 minutes to make their presentation, after which, Panel Members may ask questions to clarify any issues. It is solely a questions and answer session. There will be no debate entered into.
- Once the Panel has heard all representations, you will be asked to leave as the Assessment Panel holds its discussions and reaches its decisions in confidence.
- Council Officer's will advise you of the decision as soon as practical after the meeting.

2. ATTENDANCE

3. APOLOGIES FOR ABSENCE

4. BUSINESS WITH NOTICE

5. BUSINESS WITHOUT NOTICE

6. CONFLICT OF INTEREST

7. REPRESENTORS

The following representors and applicants/owners wish to be heard at the meeting -

7.1	Mr Nik Edgerley (representor)	Zoom
	Mr David Loxton (owner)	In person
7.2	Mr Jim Hope Murray (representor)	Zoom
	Mr David Hutchison, Access Planning (on behalf of owner)	In person
7.3	Mr Orso Osti (representor)	Zoom
	Mr Tim Rogers (applicant)	In Person

8. EXCLUSION OF PUBLIC

moved that the Panel resolves that it will exclude the public from attendance during that part of the meeting that consists of its discussion or determination by the Panel under Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017, excepting for the following persons:-

- Damian Dawson (Assessment Manager)
- Michelle Gibbs (Development Officer/Minute Taker)

Seconded

9. DEVELOPMENT APPLICATIONS

10. REPORTS

Delegation of Powers – Planning, Development and Infrastructure Act and Regulations

11. CONCLUSION OF CLOSED MEETING

moved that the Panel resolves to conclude its exclusion of the public from attendance at the meeting under *Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017*.

Seconded

12. NEXT MEETING

13. CLOSURE

DEVELOPMENT NO.:	21001114
APPLICANT:	Empak Homes
ADDRESS:	34C LORD SYLEHAM ST ROBE SA 5276
NATURE OF DEVELOPMENT:	Two storey dwelling and garage
ZONING INFORMATION:	<p>Zone:</p> <ul style="list-style-type: none"> • Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Affordable Housing • Historic Area • Hazards (Bushfire - Urban Interface) • Native Vegetation • Prescribed Wells Area • Water Protection Area <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) • Minimum Frontage • Minimum Site Area
LODGEMENT DATE:	10 May 2021
RELEVANT AUTHORITY:	Assessment panel
PLANNING & DESIGN CODE VERSION:	22 April 2021 – 2021.5
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Michelle Gibbs Development Officer
REFERRALS STATUTORY:	N/A
REFERRALS NON-STATUTORY:	N/A

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 4:	Representation Map
ATTACHMENT 1:	Application Documents	ATTACHMENT 5:	Representations
ATTACHMENT 2:	Subject Land Map	ATTACHMENT 6:	Response to Representations
ATTACHMENT 3:	Zoning Map		

DETAILED DESCRIPTION OF PROPOSAL:

The proposal seeks the construction of a two-storey detached dwelling and outbuilding upon the subject land.

The proposed dwelling will have a total floor area of 197m² at the ground floor level and 48m² on the first floor level. The dwelling will have a setback of 5 metres from the Lord Syleham Street frontage, 2.7 metres from the western boundary, 3.7 metres from the eastern boundary and 5.4 metres from the rear boundary.

The proposed dwelling's ground level is orientated east/west and contains an entry, lounge, meals/living, kitchen, master bedroom with ensuite, office, two bedrooms, office, bathroom and laundry. The first floor is orientated north/south and sits over the western end of the dwelling and contains a fourth bedroom, sitting room and bathroom.

The proposal will have a wall height of 6.4 metres from the finished ground level at the rear/western elevation and a wall height of 2.7 metres from the finished ground level at the front/eastern elevation. The proposal will have a roof height of 7.3 metres at the western end and 3.8 metres at the eastern end.

The upper-level bedroom and sitting room contain French doors internally opening onto a Juliette balcony. The balcony balustrade is one metre in height.

Approximately 150mm of fill is to be added to the site.

The dwelling will be connected to two rainwater tanks located on the southern side of the dwelling.

The dwelling will be finished/clad in a mixture of West Australian stonework, Hardies "Linea" cladding and Zinalume custom orb for the roofing.

An outbuilding measuring 6 metres by 6 metres is to be sited two metres from the western boundary of the allotment and 1.5 metres from the southern boundary. The outbuilding has a wall height of 2.7 metres and height to the ridge of 3.2 metres. Access to the outbuilding is via two roller doors facing west, 2.2 metres high by 2.6 metres wide. The outbuilding will be constructed from West Australian stone and custom orb roof to match the dwelling.

Vehicle access to the subject site is to be gained from a common driveway along the western boundary of the subject site.

BACKGROUND:

No relevant background for this proposal.

SUBJECT LAND & LOCALITY:

Site Description:

The subject land is described in Certificate of Title Volume 5961 Folio 818 as Allotment 1 in Community Title C23448. The allotment has a frontage of 24.6 metres to Lord Syleham Street and a site area of 667m².

For the most part the subject land is elevated above Lord Syleham Street. The road boundary is level with the road for a width of 5 metres, before coming to an existing Cape Jaffa retaining wall at a height of one metre. The length of this wall is 16.7 metres and finishes at the western boundary, before returning to the south for a length of 6 metres. The second retaining wall runs parallel with the southern boundary, one metre from the boundary.

Vehicular access to the site is provided by an unformed common driveway running along the western boundary to the two other community title allotments, to the south.

Location reference: 34C LORD SYLEHAM STREET ROBE SA 5276

Title ref.: CT 5961/818 **Plan Parcel:** C23448 FL1 **Council:** DC OF ROBE

Locality

The locality is characterised by a mixture of single storey detached dwellings located on allotments ranging in size from 330m² – 1166m².

The immediate locality is characterised by a group of eight community title single storey detached dwellings to the east, a single storey dwelling sited on top of the ridge at the rear of the subject site. There is a vacant allotment adjacent to the western boundary of the subject site, which is owned by the residents of the single storey dwelling at the rear. There are two vacant allotments to the north, with one of these having a planning consent for a single storey detached dwelling.



Figure 1: Subject land and locality

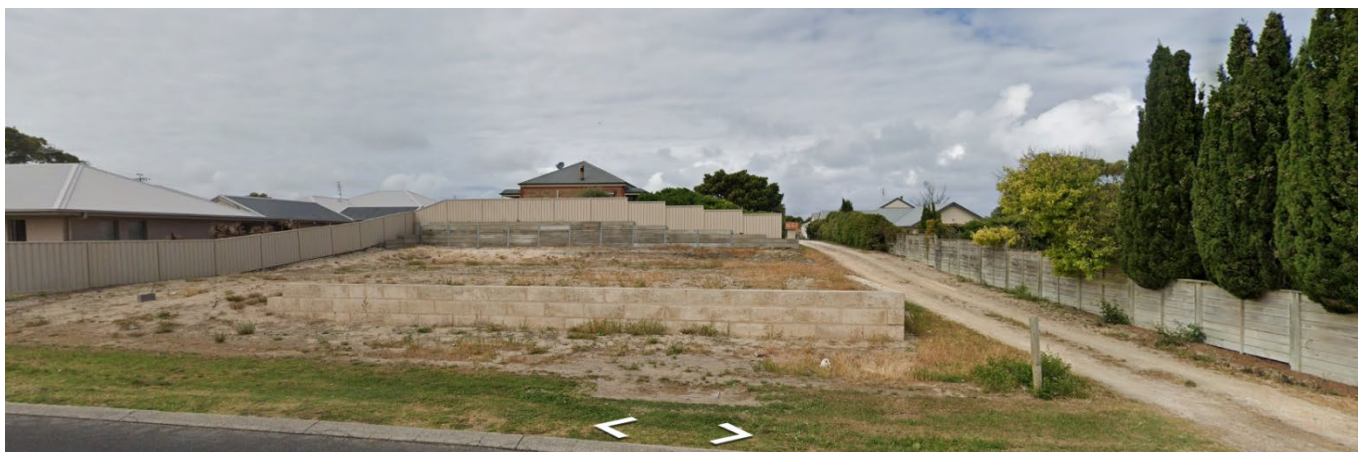


Figure 2 - view of subject land from road



Figure 3 - view of subject land looking east

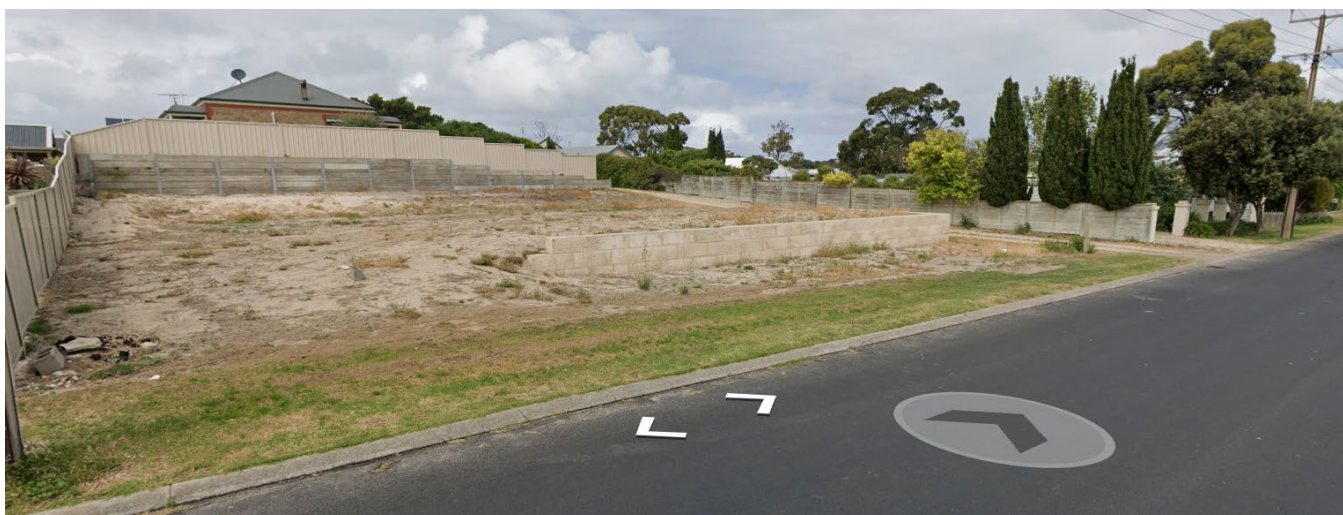


Figure 4 - view of the subject land looking west

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Detached dwelling: Code Assessed - Performance Assessed
Outbuilding: Code Assessed – Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Proposed dwelling exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 of 6.5 metres and therefore was not excluded from public notification.

An outbuilding is not listed as "accepted, DTS or restricted". It does however fall within the "performance assessed" pathway within the Neighbourhood Zone. An outbuilding is listed as being excluded from public notification as listed in Table 5 of the zone.

Therefore, the outbuilding was excluded from the public notification.

- **LIST OF REPRESENTATIONS**

Representations Received			
		Support/Oppose	Wishes to be heard
1	Patricia Yeo, 8 Thompson Road, Robe	Support	No
2	Darren & Jackie Grant, PO Box 171, Mortlake Vic 3272	Support	no
3	C Hayes, PO Box 504, Robe SA 5276	Support with some concerns	no
4	Donna & Wallis Meyer, 32 Lord Syleham Street, Robe	Support with some concerns	no
5	Nik Edgerley, 50 Mercia Avenue, The Basin Vic 3154	Support with some concerns	Yes

The location of the representor's is shown within Figure 5 below.



Figure 5 Representors Plan

• **SUMMARY**

Summary of Representations	
Representation	Applicant's Response
Concerns regarding the height of the building on an elevated block. If the block was levelled to road level, would have no concerns at all.	<i>The question of elevation is often relative. Whilst the allotment is higher than those to the north and west, it is actually level with the allotment to the east, and lower than the allotment to the south. As such we feel that the siting of the dwelling is on balance appropriate.</i>
Concerned about their privacy from the upstairs west facing balcony over our property. Opaque frosting on balcony rail or other way of reducing visibility is suggested.	<i>Aluminium glazed doors to sitting room will remain clear and we would clarify that this is not a balcony. It is in fact a "Juliet" balcony. As such it cannot be walked out on and the doors present no additional privacy issues that a standard window.</i>
<p>The design illustrates a window at the top of the landing on the first floor potentially overlooking our yard with line of sight into the living area of our property. It is not clear how the design satisfies performance outcome 10.1.</p> <p>Design does not illustrate vehicle accommodation. For a 3–4-bedroom development, as the owner of the adjoining (rear) property, I'm concerned that inadequate parking will lead to increased on-street parking – increasing traffic hazard in an area of reasonable pedestrian volumes.</p> <p>By excluding the "future shed" from this development application, I am concerned that I will not have an opportunity to raise concerns about the likely visual mass impact of such a construction on the perspective of my property as well as safe pedestrian access at the SW corner of the property. I believe if the future shed is reasonably expected to be constructed, it should form part of this development application.</p>	<p><i>Aluminium window to first floor landing will contain obscure glass alleviating privacy concerns. This is now noted on plans.</i></p> <p><i>Shed details are now included within our application which should alleviate both shedding and vehicular concerns. Shed details are attached.</i></p>

AGENCY REFERRALS

None required.

INTERNAL REFERRALS

None required

PLANNING ASSESSMENT

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

The subject land is located within the Neighbourhood Zone and Historic Area (Overlay). The assessment of the proposal has been limited to the provisions within the zone along with the relevant overlays and general provisions as outlined within the attached extract of the Code provisions.

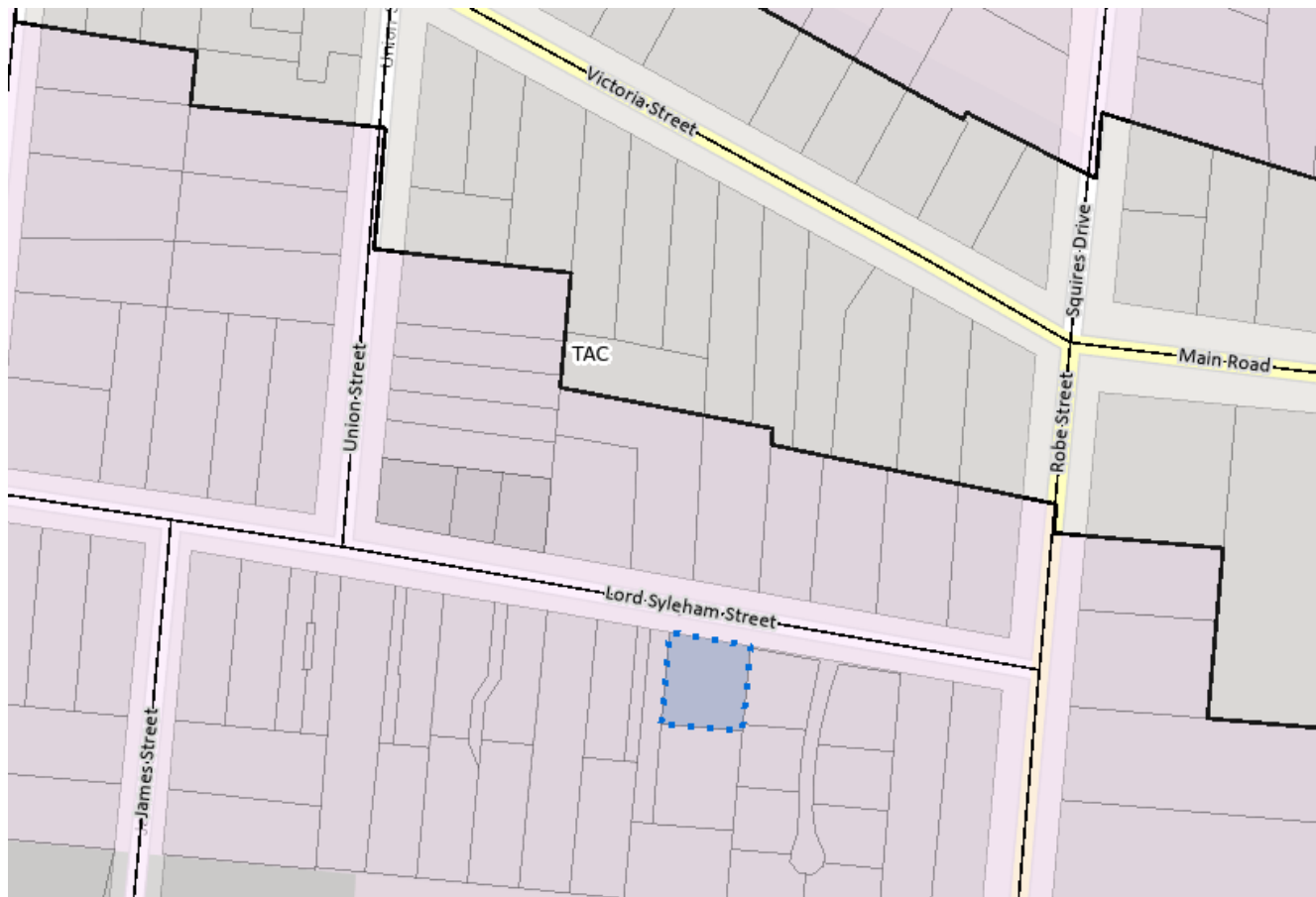


Figure 6 Zone Map

Quantitative Provisions

The following table provides an assessment against the relevant quantitative provisions contained within the P & D Code.

	Requirement	Proposal
Building Height	Max 6.5 metres	7.3 metres
Site coverage	60%	47%
Primary Street setback	Where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separate by a	Adjoining dwelling to the east is setback 4m. The proposal is setback 5 metres.

	public road or a vacant allotment), not less than the setback to the building line of that building	
Side Boundary setback	<ul style="list-style-type: none"> - 900mm for single storey - At least 1900mm plus 1/3 of the wall height above 3m 	2.7 metres at SW corner 3.8 metres at NW corner
Rear boundary setback	<ul style="list-style-type: none"> - 3m for the first building level - 5m for any second building level - 5m plus an additional 1m setback for every 1m height increase above a wall height of 7m 	5.4 metres

The proposal satisfies all the relevant quantitative provisions of the Code other than building height. Building height and appearance is discussed further below within the report.

Land Use

As noted below the Desired Outcomes of the Neighbourhood Zone encourages the development of dwellings consistent with the existing characteristics of the locality.

Desired Outcome	
DO 1	Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

The proposal satisfies the desire of the zone for residential development as noted within DO 1 as well as Performance Outcome (PO) 1.1 and Designated Performance Feature (DPF) 1.1 which lists detached dwellings as an envisaged land use.

Building Height

PO 4.1

Building height is consistent with the maximum height expressed in any relevant Building Height Technical and Numeric Variation, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.

DTS/DPF 4.1

Building height (excluding garages, carports and outbuildings) is no greater than:

(a) the following:

Maximum building height (metres) is 6.5 metres

With a proposed building height of 7.3 metres, the proposal exceeds the maximum building height by 800mm. While the locality is predominately made up of single storey detached dwellings it is noted that there are existing two storey semi-detached dwellings approximately 100 metres to the west and that a section of the Guichen Bay Motel, 100 metres to the north is also two storey.

The site would have formed part of a natural ridge line which has been cut and levelled giving the site for the dwelling a natural ground level of 1.15m.

On balance, the proposed building height is appropriate within the locality and is not considered to unreasonably impact upon the amenity of adjoining residential development.

Setbacks, Design & Appearance

In addition to the quantitative provisions outlined above the following provisions are of most relevance:

Overlooking/Visual Privacy (in buildings 3 storeys or less)

PO 10.1

Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.

DTS/DPF 10.1

Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:

- a. are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm*
- b. have sill heights greater than or equal to 1.5m above finished floor level*
- c. incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.*

PO 10.2

Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.

DTS/DPF 10.2

One of the following is satisfied:

- a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace*
- or*
- b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of:*

- i. 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land
- or
- ii. 1.7m above finished floor level in all other cases

The windows on the landing and bathroom will have obscure glass to mitigate overlooking to the property at the rear of the subject site. The representor to the rear of the property has expressed concerns in relation to overlooking of their property and the applicant amended the plans to include obscure glass to address this concern.

The sitting room will have aluminium French doors and fixed panels either side internally opening to a Juliette balcony. The balustrade is one metre in height. The representor to the west, located at 32B Lord Syleham Street has expressed concerns about their privacy from the sitting room over their property and suggested opaque frosting on the balcony or other way of reducing visibility. The applicant responded by clarifying that it is a Juliet balcony which cannot be walked out onto and that the sitting room doors will remain clear. Given the potential for overlooking into the adjoining land, regardless of it currently being vacant, it is recommended that the glazing to the Sitting Room be permanently obscured to a height of 1.5m above finished floor level prior to occupation of the building.

All residential development

Front elevations and passive surveillance

PO 11.1

Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.

DTS/DPF 11.1

Each dwelling with a frontage to a public street:

- *includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m*
- *has an aggregate window area of at least 2m² facing the primary street.*

PO 11.2

Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.

DTS/DPF 11.2

Dwellings with a frontage to a public street have an entry door visible from the primary street boundary.

The front rooms and first floor provide a level of passive surveillance over Lord Syleham Street.

Outlook and amenity

PO 12.1

Living rooms have an external outlook to provide a high standard of amenity for occupants.

DTS/DPF 12.1

A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.

The living rooms have an outlook onto private open space and to the street.

Massing

PO 15.1

The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.

The dwelling has been designed and sited so that the mass of the building is reduced when viewed from adjoining allotments and the street.

Private Open Space

PO 17.1

Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.

DTS/DPF 17.1

Private open space is provided in accordance with Design Table 1 - Private Open Space.

Table 1 – Private Open Space

Dwelling Type	Minimum Rate
Dwelling (at ground level)	Total private open space area: (a) Site area <301m ² : 24m ² located behind the building line. (b) Site area ≥ 301m ² : 60m ² located behind the building line. Minimum directly accessible from a living room: 16m ² / with a minimum dimension 3m.
Dwelling (above ground level)	Studio (no separate bedroom): 4m ² with a minimum dimension 1.8m One bedroom: 8m ² with a minimum dimension 2.1m Two bedroom dwelling: 11m ² with a minimum dimension 2.4m Three + bedroom dwelling: 15m ² with a minimum dimension 2.6m

The proposal has sufficient private open space at the rear of the dwelling, including access from the meals/living area. The proposal meets the private open space provisions.

Car parking, access and manoeuvrability

PO 19.1

Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.

DTS/DPF 19.1

Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):

- *single width car parking spaces:*
 - *a minimum length of 5.4m per space*
 - *a minimum width of 3.0m*
 - *a minimum garage door width of 2.4m*
- *double width car parking spaces (side by side):*
 - *a minimum length of 5.4m*
 - *a minimum width of 5.4m*
 - *minimum garage door width of 2.4m per space.*

PO 19.3

Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-street parking.

DTS/DPF 19.3

Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.

PO 19.4

Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.

DTS/DPF 19.4

Vehicle access to designated car parking spaces satisfy (a) or (b):

- *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*
- *where newly proposed:*
 - *is set back 6m or more from the tangent point of an intersection of 2 or more roads*
 - *is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing*
 - *does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.*

PO 19.6

Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.

DTS/DPF 19.6

Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:

- minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)*
- minimum car park length of 5.4m where a vehicle can enter or exit a space directly*
- 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.*

The design and appearance of the dwelling and use of traditional building materials and roof form is supported. The two-storey element sits over the western end of the dwelling and when viewed from the east the visual bulk is reduced by the various gabled roofs which have a pitch of 22.5 degrees. The fence along the common driveway's western boundary has been constructed from horizontal timber posts to a height of 1.5 metres. This together with tall pencil pines and trees growing on the northern end of the adjoining allotment's boundary assist in screening the two-storey element from the west.

The proposed dwelling is setback from side and rear boundaries to enable sufficient room for landscaping and private open space.

The existing driveway achieves the maximum gradient of 1 in 4 and therefore considered acceptable.

Heritage

The subject land is located in the Historic Area Overlay (RO1) which seeks to encourage development which is reflective of the historic streetscapes and built form as expressed in the Historic Area Statement.

The site is located on the southern edge of the Historic Area Overlay with no State or Local Heritage listed places within 60 metres of the subject site.

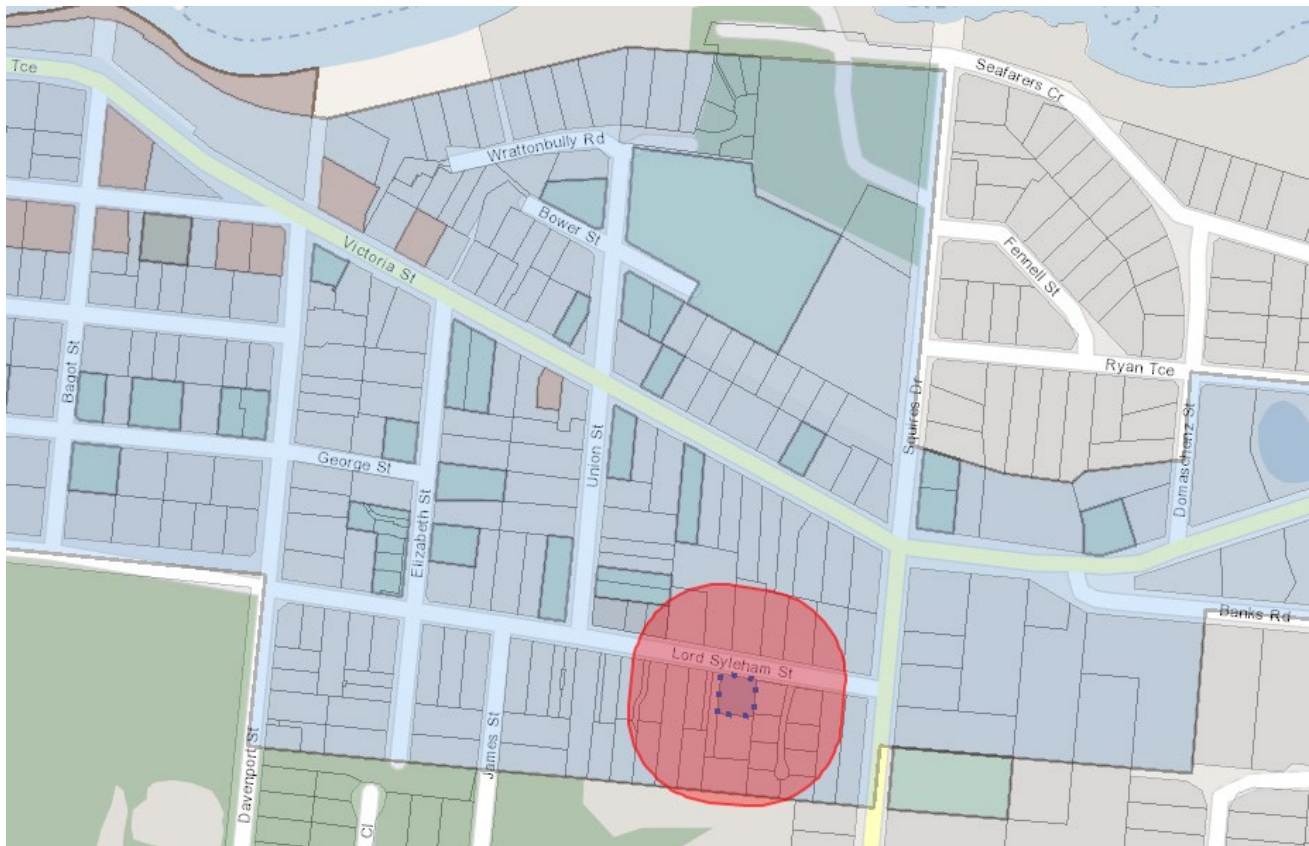


Figure 7 Historic Area Overlay Map

Legend - shaded blue = Overlay

- green & orange shaded sites are Local and State Heritage listed places

The Desired Outcome of the Historic Area and Performance Outcomes states that: -

Desired Outcome	
DO 1	Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

PO 1.1

All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

Built Form

PO 2.1

The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.

PO 2.2

Development is consistent with the prevailing building and wall heights in the historic area.

PO 2.3

Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.

PO 2.4

Development is consistent with the prevailing front and side boundary setback pattern in the historic area.

PO 2.5

Materials are either consistent with or complement those within the historic area.

Robe Historic Area Statement (Ro1)

The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.

These attributes have been identified in the below table. In some cases, State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area. The preparation of an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.

<i>Eras, themes and context</i>	<i>19th century and early decades of 20th century. Shipping port, communication and administration township servicing pastoral development of the <u>South East</u>.</i>
<i>Allotments, subdivision and built form patterns</i>	<i>Topography shapes the setting of Robe and land division pattern. Royal Circus is a low knoll. It is a commemorative landmarks and a distinct road feature. There is a legible connection between Royal Circus, the sea wall / jetty abutment, the Customs House and the Post and Telegraph <u>Office</u>. Main Road, Victoria Street and Mundy Street form the main line of road to the port and the main street. The traditional street grid pattern extends either side of Victoria Street, to the coastal fore-dune and across the ridge to the <u>south</u> which overlooks and forms the backdrop to the township. Most of the original large square allotments have been subdivided but the pattern of historic buildings remains legible.</i>
<i>Architectural styles, detailing and built form features</i>	<i>Traditional stone commercial buildings with shopfronts, parapets and verandahs within the town centre. The variety rather than the consistency of traditional building forms is a distinct characteristic of Robe. Small workers' cottages on large allotments, often with low walls, hipped roofs spanning one or two rooms, casement windows and lime-washed or natural stone walls. Heritage listed community buildings (the primary school, churches and the Institute) are on prominent sites and remain as strong landmarks. Heritage-listed government buildings (the Post and Telegraph <u>Office</u>, Customs House and Court House) dominate Royal Circus. Massive stone chimneys are a characteristic feature of the historic buildings. Stone outbuildings are visible from public streets. Roof pitches between</i>

	<i>25-35 degrees. Roofs with a high degree of articulation, steep pitches and small spans, provide a unique roofscape across Robe to Guichen Bay. Older buildings have casement windows. Later buildings have double-hung timber sash windows.</i>
<u>Building height</u>	<i>Two storey buildings along small section of Smillie Street, and hotels. Their built form combines double and single storey elements and verandahs, articulating their bulk and scale. Adjacent buildings differ in style, creating a varied rather than a consistent skyline. Other historic buildings generally single storey, with small span hipped roofs. Building floor levels are close to, step with or are built into, the slope of the land.</i>
Materials	<i>Local stone, limestone, rendered and bagged masonry with painted or lime wash finish. Painted timber weatherboard, painted timber joinery, trims, verandahs, barges and fascias. Galvanised and painted corrugated iron roofing. Some examples of slate and traditional flat metal roof tiles. Driveway materials are neutral in colour and pattern with natural finishes.</i>
Fencing	<i>Local stone, hardwood palings and pickets, hardwood and woven wire, brush with round hardwood posts and hedges not exceeding 1.2m.</i>
Setting, landscaping, streetscape and public realm features	<i>Views and vistas of the entrance to the town centre along Main Road past Lake Fellmongery and Lake Charra. Views of the foreshore area adjacent Town Beach and streetscapes of historic buildings of Smillie Street and Mundy Terrace. Views across the area illustrate the importance of <u>native vegetation</u> and the distinct character of the roof designs of historic buildings. Historic buildings square to and often close to street alignments, particularly on Smillie Street. Minimal breaks between buildings except where access to the rear of a <u>site</u> is provided. Streets, verges and reserves in the public realm characterised by Lakestone kerbing, limestone cuttings, landmark trees (Norfolk Island Pines in particular) and <u>native vegetation</u>. Important public open space reserves that frame the township at Lannum Reserve, the Institute / Town Beach Foreshore, Royal Circus and the southern edge of Lake Butler. Each has a distinct landscape structure, planting character and historic quality.</i>

The contemporary design and appearance of the proposed two storey dwelling, its bulk and scale and use of small span gabled rooves with high pitches is appropriate given the varied streetscape and absence of heritage places within this portion of the Historic Overlay. The proposed dwelling will be constructed using a range of materials which are neutral in colour and consistent with the Historic Area Statement.

Traffic Impact, Access and Parking

Vehicle Parking Rates

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

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

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:

- 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.*

PO 19.1

Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.

DTS/DPF 19.1

Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):

- double width car parking spaces (side by side):*
 - a minimum length of 5.4m*
 - a minimum width of 5.4m*
 - minimum garage door width of 2.4m per space.*

The applicant originally submitted the application only for the two-storey dwelling. After a request was issued to the applicant to provide details as to how the off-street parking was to be met, the applicant provided a site plan indicating a "future shed". In response to the representations received and in particular to address the owner at the rear of the subject sites concern, the applicant submitted plans for a 6 metre by 6 metre outbuilding at the rear of the site. The garage is capable of accommodating two vehicles and is therefore considered appropriate. The outbuilding is sited 1.5 metres from the southern boundary and two metres from the western boundary.

The representor at the rear of the site expressed concerns about the inadequate on-site parking for a 3–4-bedroom dwelling which could cause further parking issues in an area of reasonable pedestrian volumes. The representor also raised concerns about not having the opportunity to raise concerns about the likely visual mass impact of such a construction on the perspective of his property as well as safe pedestrian access at the SW corner of the property and it is his opinion that the further shed is reasonably expected to be constructed and should form part of the development application. These matters have now been addressed through the inclusion of the shed within the subject application.

PO 19.6

Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.

DTS/DPF 19.6

Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:

- minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)*
- minimum car park length of 5.4m where a vehicle can enter or exit a space directly*
- 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.*

The subject site is one of three community title allotments utilising a common driveway 5.7 metres in width along the western boundary terminating at the commencement of the third allotment at the rear of the community title. Given the expected low volume of traffic accessing and egressing the sites and that the subject site can accommodate the required number of parking spaces for a 3 bedroom dwelling, the proposal is therefore considered appropriate.

OUTBUILDING

Ancillary buildings and structures

PO 10.1

Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.

DTS/DPF 10.1

DTS/DPF 10.1

Ancillary buildings and structures:

- (a) are ancillary to a dwelling erected on the site
- (b) have a floor area not exceeding:
 - (i) 60m^2 on sites less than 800m^2
 - (ii) 80m^2 on sites 800m^2 or more
- (c) are not constructed, added to or altered so that any part is situated:
 - (i) in front of any part of the building line of the dwelling to which it is ancillary
 - (ii) within 5.5m from the boundary of the primary street
 - (iii) within 900mm of a boundary of the allotment with a secondary street
- (d) in the case of a garage or carport, do not exceed 7m or 50% of the site frontage (whichever is the lesser) when facing a primary street or secondary street
- (e) if situated on a boundary (not being a boundary with a primary street or secondary street) do not exceed 11m unless:
 - (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary
 - (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent
- (f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street) all walls or structures on the boundary do not exceed 45% of the length of that boundary
- (g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or abut the proposed wall or structure
- (h) have a wall height or post height not exceeding 3m above natural ground level

- (i) have a roof height where no part of the roof is more than 5m above the natural ground level
- (j) if clad in sheet metal, are pre-colour treated or painted in a non-reflective colour
- (k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:
 - (i) a total area as determined by the following table:

Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site
<150	10%
150-200	15%
201-450	20%
>450	25%

- (ii) the amount of existing soft landscaping prior to the development occurring.

PO 10.2

Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements and do not result in over-development of the site.

DTS/DPF 10.2

Ancillary buildings and structures do not result in:

- *less private open space than specified in Design Table 1 - Private Open Space*
- *less car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number*
- *site coverage exceeding 60%.*

For a site that is less than 800m² the proposed shed meets the quantitative measurements of 60m². The proposed shed will be sited behind the dwelling and accessed from the common driveway. The proposed shed will not exceed a width of 7 metres or a wall or ridge height of 3 and 5 metres respectively. The external materials will match and complement the dwelling. The proposed shed will not be sited on any boundaries and the subject site will be able to provide and maintain a landscape area to the sides and rear of the dwelling of 25%

Given that the proposal can meet the performance outcomes of DPF 10.1 & 10.2 for an outbuilding and that the proposal is small in scale, is appropriately sited, is setback from boundaries and maintains landscape provisions on balance the outbuilding warrants approval.

CONCLUSION

The two-storey dwelling, whilst higher than the envisaged 6.5 metre building height, will contribute to the attributes of the Historic Conservation Area and the amenity of the subject locality. The development is considered to be an appropriate land use and built form within the zone and is not considered to be seriously at variance to the provisions of the Planning and Design Code and warrants the granting of Planning Consent subject to the appropriate conditions and advice.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21001114, by Empak Homes is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

That the glazing to the Sitting Room be permanently obscured to a height of 1.5m above finished floor level prior to occupation of the building.

Condition 2

Approval shall be obtained from the District Council of Robe for a new On-Site Wastewater system or alteration to an existing system prior to issue of Development Approval. An application form can be downloaded from Council's website and submitted with a wastewater engineers report (if applicable) and relevant plans. Once approval has been granted, please upload the Wastewater Approval to PlanSA ePlanning Platform.

Condition 3

The front setback area (between the front property boundary and front of the dwelling) shall be landscaped with suitable trees, shrubs, lawn and/or ground cover and may include some paving, retaining and the like. Such landscaping shall be completed within 2 years of completion of the dwelling and shall be maintained in good condition at all times and any dead or diseased vegetation shall be promptly replaced to the reasonable satisfaction of Council.

Condition 4

The Development shall be carried out in accordance with plan/s and details as approved by Council except where required to be varied by any condition of consent or where approval is sought from and granted by Council, for any variation. Reason: To ensure the development proceeds in an orderly manner.

Condition 5

All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:

- (a) result in the entry of water into a building; or
- (b) affect the stability of a building or;
- (c) create unhealthy or dangerous conditions on the site or within the building; or
- (d) flow or discharge onto the land or an adjoining owner and not flow across property boundaries and onto the adjoining road.

ADVISORY NOTES

General 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 act of a relevant authority in relation to the determination of this application, including conditions.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

Planning Consent

When will this consent or approval lapse? - This consent or approval will lapse at the expiration of 12 months from its operative date, subject to the following.

An approved development must be substantially commenced within 24 months of the date of Development Approval and completed within 4 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Encumbrance Compliance

The owner shall ensure that the requirements of any encumbrance(s) applicable to the property are complied with.

Street Numbering - Once construction is complete please ensure that your property is identified with a reflective Street Number (not allotment number). Please contact the Council on 87682003 for further information.

Toilets for Workers - Health regulations require that toilet facilities be provided on or adjacent to any Development site prior to commencement of any development work for use by persons involved with the development. Penalties are prescribed for non compliance.

Responsibility for Siting - Allotment boundaries will not be certified by Council staff. The onus of ensuring that the development is sited in the approved position on the correct allotment is the responsibility of the owner and builder.

Building Rubbish Containment and Segregation of Rubbish - The builder must at all times provide and maintain a waste receptacle to the reasonable satisfaction of Council on the site in which and at all times all builders waste shall be **segregated** and contained for the duration of the construction and the contents of such receptacle must be **SEGREGATED** before being emptied as and when required. Upon completion all remaining waste shall be disposed of at a licensed waste disposal depot and the receptacle removed from the site. Reason: To prevent building rubbish being spread onto adjoining public or private land to the detriment of the amenity of the area.

Boundaries - It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Fences Act 1975 - The Applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be sent to adjoining owners. Please contact Legal Services Commission for further advice on 8463 3555 or www.lsc.sa.gov.au

Consultation with Adjoining Owners - In addition to notification and other requirements under the *Planning, Development & Infrastructure Act 2016* and *Fences Act 1975*, it is recommended that the Applicant/Owner consult with adjoining Owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss and issues needing resolution such as boundary fencing, retaining walls, trees/roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

Construction Hours - That construction shall take place between 7am and 7pm Monday to Saturday and between 9am and 6pm on Sundays and public holidays. All such work shall be undertaken in such a manner so as not to cause any nuisance or annoyance to any of the occupiers of buildings within the locality. For further information on these requirements please contact the Environment Protection Authority on 1800 623 445

Requirements of other authorities - The issue of a development approval does not exempt any person from the responsibility to comply with the relevant requirements of other authorities and or acts.

OFFICER MAKING RECOMMENDATION

Name: Michelle Gibbs

Title: Development Officer

Date: 13 July 2021

APPENDIX 1

Relevant P&D Code Policies

34C LORD SYLEHAM ST ROBE SA 5276

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

Local Variation (TNV)

Maximum Building Height (Metres) (*Maximum building height is 6.5m*)

Minimum Frontage (*Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m*)

Minimum Site Area (*Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm*)

Overlay

- Affordable Housing
- Historic Area (RO1)
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

Zone

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

Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>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) Outbuilding (h) Pre-school (i) Recreation area (j) Retirement facility (k) Shop (l) Supported accommodation.
Site Dimensions and Land Division	
<p>PO 2.1</p> <p>Allotments/sites created for residential purposes are consistent with the density and dimensions expressed in any relevant <i>Minimum Site Area Technical and Numeric Variation</i> and <i>Minimum Frontage Technical and Numeric Variation</i>, or are otherwise generally consistent with the prevailing pattern of development in the locality and suitable for their intended use.</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> <ul style="list-style-type: none"> (a) where allotments/sites are connected to mains sewer or a Community Wastewater Management System: <ul style="list-style-type: none"> (i) site areas (or allotment areas in the case of land division) are not less than the following (average site area per dwelling, including common areas, applies for group dwellings or dwellings within a residential flat building):
	<p>Minimum Site Area</p>

	<p>Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm</p> <p>(ii) site frontages are not less than:</p> <table border="1" data-bbox="831 302 1522 443"> <tr> <th style="text-align: center;">Minimum Frontage</th> </tr> <tr> <td>Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m</td> </tr> </table> <p>(b) where allotments/sites are not connected to mains sewer or an approved common waste water disposal service:</p> <p>(i) site areas are not less than the greater of:</p> <p style="margin-left: 40px;">A. 1200m²</p> <p style="margin-left: 40px;">B. the following:</p> <table border="1" data-bbox="831 743 1522 884"> <tr> <th style="text-align: center;">Minimum Site Area</th> </tr> <tr> <td>Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm</td> </tr> </table> <p>(ii) site frontages are not less than the greater of:</p> <p style="margin-left: 40px;">A. 20m</p> <p style="margin-left: 40px;">B. the following:</p> <table border="1" data-bbox="831 1086 1522 1227"> <tr> <th style="text-align: center;">Minimum Frontage</th> </tr> <tr> <td>Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m</td> </tr> </table> <p>In relation to DTS/DPF 2.1, in instances where:</p> <p>(c) more than one value is returned in the same field, refer to the <i>Minimum Frontage Technical and Numeric Variation</i> layer or <i>Minimum Site Area Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development</p> <p>(d) no value is returned for DTS/DPF 2.1(a)(i) and/or (ii) (i.e. there is a blank field), then none are applicable and the relevant development cannot be classified as deemed-to-satisfy</p> <p>(e) no value is returned for DTS/DPF 2.1(b)(i)(B) and/or 2.1(b)(ii)(B), the value for DTS/DPF 2.1(b)(i)(B) and/or 2.1(b)(ii)(B) is zero.</p>	Minimum Frontage	Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m	Minimum Site Area	Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm	Minimum Frontage	Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m
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<p>PO 2.2</p> <p>Development results in sites suitable for their intended purpose.</p>	<p>DTS/DPF 2.2</p> <p>Where the site of a dwelling does not comprise an entire allotment:</p> <p>(a) The balance of the allotment accords with site area and frontage requirements specified in DTS/DPF 2.1</p> <p>(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:</p> <p style="margin-left: 40px;">(i) Private open space requirements specified in Design Table 1 - Private Open Space</p>						

	<p>(ii) Car parking requirements specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</p>		
<p>Site coverage</p>			
<p>PO 3.1 Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.</p>	<p>DTS/DPF 3.1 The development does not result in site coverage exceeding 60% of the site area.</p>		
<p>Building Height</p>			
<p>PO 4.1 Building height is consistent with the maximum height expressed in any relevant <i>Building Height Technical and Numeric Variation</i>, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.</p>	<p>DTS/DPF 4.1 Building height (excluding garages, carports and outbuildings) is no greater than:</p> <p>(a) the following:</p> <table border="1" data-bbox="831 842 1520 920"> <thead> <tr> <th style="text-align: center;">Maximum Building Height (Metres)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Maximum building height is 6.5m</td> </tr> </tbody> </table> <p>(b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - 2 building levels up to a height of 9m.</p> <p>In relation to DTS/DPF 4.1, in instances where:</p> <p>(a) more than one value is returned in the same field, refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation</i> layer or <i>Maximum Building Height (Meters) Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development.</p> <p>(b) only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.</p>	Maximum Building Height (Metres)	Maximum building height is 6.5m
Maximum Building Height (Metres)			
Maximum building height is 6.5m			
<p>Primary Street Setback</p>			
<p>PO 5.1 Buildings are set back from primary street boundaries consistent with the existing streetscape.</p>	<p>DTS/DPF 5.1 The building line of a building set back from the primary street boundary:</p> <p>(a) at least 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)</p> <p>(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), not less than the setback to the building line of that building or</p> <p>(c) not less than 5m where no building exists on an adjoining site with the same primary street frontage.</p>		
<p>Secondary Street Setback</p>			

<p>PO 6.1</p> <p>Buildings are set back from secondary street boundaries to maintain a pattern of separation between buildings and public streets and reinforce a consistent streetscape character.</p>	<p>DTS/DPF 6.1</p> <p>Building walls are set back at least 900mm from the boundary of the allotment with the secondary street frontage.</p>
<p>Boundary Walls</p>	
<p>PO 7.1</p> <p>Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.</p>	<p>DTS/DPF 7.1</p> <p>Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on side boundary and satisfy (a) or (b) below:</p> <ul style="list-style-type: none"> (a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height (b) side boundary walls do not: <ul style="list-style-type: none"> (i) exceed 3.2m in height from the lower of the natural or finished ground level (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, exceed a length equal to 45% of the length of the boundary (iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.
<p>PO 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a low density streetscape character.</p>	<p>DTS/DPF 7.2</p> <p>Dwelling walls in a semi-detached, row or terrace arrangement are set back from side boundaries shared with allotments outside the development site at least 900mm.</p>
<p>Side Boundary Setback</p>	
<p>PO 8.1</p> <p>Buildings are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 8.1</p> <p>Building walls are set back from the side boundary at least:</p> <ul style="list-style-type: none"> (a) On sites greater than 800m²: <ul style="list-style-type: none"> (i) Other than a wall facing a southern boundary 1900mm from both side boundaries (ii) At least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern boundary (b) On sites 800m² or less, and other than walls located on a side boundary: <ul style="list-style-type: none"> (i) at least 900mm where the wall is up to 3m (ii) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m (iii) at least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern side boundary.
<p>Rear Boundary Setback</p>	
<p>PO 9.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that complements 	<p>DTS/DPF 9.1</p> <p>Dwelling walls are set back from the rear boundary at least:</p> <ul style="list-style-type: none"> (a) if the size of the site is less than 301m²— <ul style="list-style-type: none"> (i) 3m in relation to the ground floor of the dwelling

<p>the character of the locality</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>(ii) 5m in relation to any second building level of the dwelling</p> <p>(iii) 5m plus an additional 1m setback added for every 1m height increase above a wall height of 7m.</p> <p>(b) if the size of the site is 301m² or more—</p> <p>(i) 4m in relation to the ground floor of the dwelling</p> <p>(ii) 6m in relation to any second building level of the dwelling</p> <p>(iii) 6m plus an additional 1m setback added for every 1m height increase above a wall height of 7m.</p>
<p>Concept Plans</p>	
<p>PO 11.1</p> <p>Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 11.1</p> <p>The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 11.1, in instances where:</p> <p>(a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant.</p> <p>(b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 11.1 is met.</p>

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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.

<p style="text-align: center;">Class of Development</p> <p style="text-align: center;">(Column A)</p>	<p style="text-align: center;">Exceptions</p> <p style="text-align: center;">(Column B)</p>
<p>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.</p>	<p>None specified.</p>
<p>2. All development undertaken by:</p> <p>(a) the South Australian Housing Trust either individually or jointly with other persons or bodies</p> <p>or</p> <p>(b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing</p>	<p>Except development involving any of the following:</p> <ol style="list-style-type: none"> 1. residential flat building(s) of 3 storeys or greater 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.

<p>endorsed by the South Australian Housing Trust.</p>	
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) 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) jetty, pontoon or boat berth (or any combination thereof) within the <i>Waterfront Subzone</i> (j) outbuilding (k) pergola (l) private bushfire shelter (m) residential flat building (n) retaining wall (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) swimming pool or spa pool (r) tree damaging activity (s) verandah (t) water tank. 	<p>Except development that:</p> <ul style="list-style-type: none"> 1. exceeds the maximum building height specified in 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 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
<p>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. exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 or 2. does not satisfy Neighbourhood Zone DTS/DPF 1.2 or 3. 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 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) internal building works (b) land division (c) recreation area 	<p>None specified.</p>

<ul style="list-style-type: none"> (d) replacement building (e) temporary accommodation in an area affected by bushfire (f) tree damaging activity. 	
<p>6. 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

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Part 3 - Overlays

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: <ul style="list-style-type: none"> (a) it can be demonstrated that any shortfall in affordable housing has been provided in a previous stage of

	<p>development or (b) it can be demonstrated that any shortfall in affordable housing will be accommodated in a subsequent stage or stages of development.</p>
<p>PO 1.3 Affordable housing is distributed throughout the development to avoid an overconcentration.</p>	<p>DTS/DPF 1.3 None are applicable.</p>
<p>Built Form and Character</p>	
<p>PO 2.1 Affordable housing is designed to complement the design and character of residential development within the locality.</p>	<p>DTS/DPF 2.1 None are applicable.</p>
<p>Affordable Housing Incentives</p>	
<p>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.</p>	<p>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.</p>
<p>PO 3.2 To support the provision of affordable housing, building heights may be increased above the maximum specified in a zone.</p>	<p>DTS/DPF 3.2 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.
<p>Movement and Car Parking</p>	

<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> <p>(a) 0.3 carparks per dwelling within a building which incorporates dwellings located above ground level within either:</p> <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. <p>or</p> <p>(b) 1 carpark per dwelling for any other dwelling.</p> <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 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.]</p>
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Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>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>).</p>	<p>Minister responsible for administering the <i>South Australian Housing Trust Act 1995</i>.</p>	<p>To provide direction on the conditions required to secure the provision of dwellings or allotments for affordable housing.</p>	<p>Development of a class to which Schedule 9 clause 3 item 20 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: <ul style="list-style-type: none"> (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb

Procedural Matters (PM) - Referrals

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

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

Historic Area Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
PO 1.1	DTS/DPF 1.1

All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.	None are applicable.
Built Form	
<p>PO 2.1</p> <p>The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
<p>PO 2.2</p> <p>Development is consistent with the prevailing building and wall heights in the historic area.</p>	<p>DTS/DPF 2.2</p> <p>None are applicable.</p>
<p>PO 2.3</p> <p>Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.</p>	<p>DTS/DPF 2.3</p> <p>None are applicable.</p>
<p>PO 2.4</p> <p>Development is consistent with the prevailing front and side boundary setback pattern in the historic area.</p>	<p>DTS/DPF 2.4</p> <p>None are applicable.</p>
<p>PO 2.5</p> <p>Materials are either consistent with or complement those within the historic area.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
Context and Streetscape Amenity	
<p>PO 6.1</p> <p>The width of driveways and other vehicle access ways are consistent with the prevailing width of existing driveways of the historic area.</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>
<p>PO 6.2</p> <p>Development maintains the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on buildings or infrastructure.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
Ruins	
<p>PO 8.1</p> <p>Development conserves and complements features and ruins associated with former activities of significance.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>

Historic Area Statements

Statement#	Statement
Historic Areas affecting Robe	
	Robe Historic Area Statement (Ro1)

RO1	<p>The Historic Area Overlay identifies localities that comprise characteristics of an identifiable historic, economic and / or social theme of recognised importance. They can comprise land divisions, development patterns, built form characteristics and natural features that provide a legible connection to the historic development of a locality.</p> <p>These attributes have been identified in the below table. In some cases, State and / or Local Heritage Places within the locality contribute to the attributes of an Historic Area.</p> <p>The preparation of an Historic Impact Statement can assist in determining potential additional attributes of an Historic Area where these are not stated in the below table.</p>	
	Eras, themes and context	<p>19th century and early decades of 20th century.</p> <p>Shipping port, communication and administration township servicing pastoral development of the South East.</p>
	Allotments, subdivision and built form patterns	<p>Topography shapes the setting of Robe and land division pattern. Royal Circus is a low knoll. It is a commemorative landmarks and a distinct road feature. There is a legible connection between Royal Circus, the sea wall / jetty abutment, the Customs House and the Post and Telegraph Office. Main Road, Victoria Street and Mundy Street form the main line of road to the port and the main street. The traditional street grid pattern extends either side of Victoria Street, to the coastal fore-dune and across the ridge to the south which overlooks and forms the backdrop to the township.</p> <p>Most of the original large square allotments have been subdivided but the pattern of historic buildings remains legible.</p>
	Architectural styles, detailing and built form features	<p>Traditional stone commercial buildings with shopfronts, parapets and verandahs within the town centre. The variety rather than the consistency of traditional building forms is a distinct characteristic of Robe. Small workers' cottages on large allotments, often with low walls, hipped roofs spanning one or two rooms, casement windows and lime-washed or natural stone walls. Heritage listed community buildings (the primary school, churches and the Institute) are on prominent sites and remain as strong landmarks. Heritage-listed government buildings (the Post and Telegraph Office, Customs House and Court House) dominate Royal Circus. Massive stone chimneys are a characteristic feature of the historic buildings. Stone outbuildings are visible from public streets. Roof pitches between 25-35 degrees. Roofs with a high degree of articulation, steep pitches and small spans, provide a unique roofscape across Robe to Guichen Bay. Older buildings have casement windows. Later buildings have double-hung timber sash windows.</p>
	Building height	<p>Two storey buildings along small section of Smillie Street, and hotels. Their built form combines double and single storey elements and verandahs, articulating their bulk and scale. Adjacent buildings differ in style, creating a varied rather than a consistent skyline. Other historic buildings generally single storey, with small span hipped roofs. Building floor levels are close to, step with or are built into, the slope of the land.</p>
	Materials	<p>Local stone, limestone, rendered and bagged masonry with painted or lime wash finish. Painted timber weatherboard, painted timber joinery, trims, verandahs, barges and fascias. Galvanised and painted corrugated iron roofing. Some examples of slate and traditional flat metal roof tiles. Driveway materials are neutral in colour and pattern with natural finishes.</p>
	Fencing	<p>Local stone, hardwood palings and pickets, hardwood and woven wire, brush with round hardwood posts and hedges not exceeding 1.2m.</p>
		<p>Views and vistas of the entrance to the town centre along Main Road past Lake Fellmongery and Lake Charra. Views of the foreshore area adjacent Town Beach and</p>

	Setting, landscaping, streetscape and public realm features	streetscapes of historic buildings of Smillie Street and Mundy Terrace. Views across the area illustrate the importance of native vegetation and the distinct character of the roof designs of historic buildings. Historic buildings square to and often close to street alignments, particularly on Smillie Street. Minimal breaks between buildings except where access to the rear of a site is provided. Streets, verges and reserves in the public realm characterised by Lakestone kerbing, limestone cuttings, landmark trees (Norfolk Island Pines in particular) and native vegetation. Important public open space reserves that frame the township at Lannum Reserve, the Institute / Town Beach Foreshore, Royal Circus and the southern edge of Lake Butler. Each has a distinct landscape structure, planting character and historic quality.
	Representative Buildings	[Not identified]

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

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.	DTS/DPF 1.1 An application is accompanied by: <ul style="list-style-type: none"> (a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control

	<p>(iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area</p> <p>or</p> <p>(b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.</p>
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <p>(a) significant wildlife habitat and movement corridors</p> <p>(b) rare, vulnerable or endangered plants species</p> <p>(c) native vegetation that is significant because it is located in an area which has been extensively cleared</p> <p>(d) native vegetation that is growing in, or in association with, a wetland environment.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.	Native Vegetation Council	To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.	Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome

DO 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

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 contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance 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 Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-

	Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
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 are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <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 nor increases the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
Overlooking / Visual Privacy (in building 3 storeys or less)	
<p>PO 10.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.</p>	<p>DTS/DPF 10.1</p> <p>Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window

	surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
<p>PO 10.2</p> <p>Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
All Residential development	
Front elevations and passive surveillance	
<p>PO 11.1</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 11.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street.
<p>PO 11.2</p> <p>Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.</p>	<p>DTS/DPF 11.2</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 12.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 12.1</p> <p>A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.</p>
Garage appearance	
<p>PO 14.1</p> <p>Garaging is designed to not detract from the streetscape or appearance of a dwelling.</p>	<p>DTS/DPF 14.1</p> <p>Garages and carports facing a street:</p> <ul style="list-style-type: none"> (a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling (b) are set back at least 5.5m from the boundary of the primary street (c) have a garage door / opening not exceeding 7m in width (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.

Massing	
PO 15.1 The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.	DTS/DPF 15.1 None are applicable
Private Open Space	
PO 17.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	DTS/DPF 17.1 Private open space is provided in accordance with Design Table 1 - Private Open Space.
Car parking, access and manoeuvrability	
PO 19.1 Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.	DTS/DPF 19.1 Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area): (a) single width car parking spaces: (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 (b) double width car parking spaces (side by side): (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space.
PO 19.2 Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.	DTS/DPF 19.2 Uncovered car parking spaces have: (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
PO 19.3 Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-street parking.	DTS/DPF 19.3 Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.
PO 19.4 Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.	DTS/DPF 19.4 Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed: (i) is set back 6m or more from the tangent point of an intersection of 2 or more roads (ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing (iii) does not involve the removal, relocation or

	damage to of mature street trees, street furniture or utility infrastructure services.
<p>PO 19.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 19.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient 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 1:4 on average (b) they are aligned relative to the street boundary 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 street boundary (c) if located to provide access from an alley, lane or right of way - the alley, land or right of way is at least 6.2m wide along the boundary of the allotment / site
<p>PO 19.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 19.6</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> <ul style="list-style-type: none"> (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
Waste storage	
<p>PO 20.1</p> <p>Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 20.1</p> <p>None are applicable.</p>
Design of Transportable Dwellings	
<p>PO 21.1</p> <p>The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.</p>	<p>DTS/DPF 21.1</p> <p>Buildings satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) are not transportable or (b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.
Group dwelling, residential flat buildings and battle-axe development	
Amenity	
<p>PO 22.2</p> <p>The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.</p>	<p>DTS/DPF 22.2</p> <p>None are applicable.</p>
<p>PO 22.3</p> <p>Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards</p>	<p>DTS/DPF 22.3</p> <p>None are applicable.</p>

adjoining properties.	
PO 22.4 Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	DTS/DPF 22.4 Dwelling sites/allotments are not in the form of a battle-axe arrangement.
Carparking, access and manoeuvrability	
PO 24.4 Residential driveways in a battle-axe configuration are designed to allow safe and convenient movement.	DTS/DPF 24.4 Where in a battle-axe configuration, a driveway servicing one dwelling has a minimum width of 3m.

Table 1 - Private Open Space

Dwelling Type	Minimum Rate
Dwelling (at ground level)	<p>Total private open space area:</p> <ul style="list-style-type: none"> (a) Site area <301m²: 24m² located behind the building line. (b) Site area ≥ 301m²: 60m² located behind the building line. <p>Minimum directly accessible from a living room: 16m² / with a minimum dimension 3m.</p>
Dwelling (above ground level)	<p>Studio (no separate bedroom): 4m² with a minimum dimension 1.8m</p> <p>One bedroom: 8m² with a minimum dimension 2.1m</p> <p>Two bedroom dwelling: 11m² with a minimum dimension 2.4m</p> <p>Three + bedroom dwelling: 15m² with a minimum dimension 2.6m</p>
Cabin or caravan (permanently fixed to the ground) in a residential park or a caravan and tourist park	Total area: 16m ² , which may be used as second car parking space, provided on each site intended for residential occupation.

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
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Water Supply	
<p>PO 11.2</p> <p>Dwellings are connected to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the intended use. Where this is not available an appropriate rainwater tank or storage system for domestic use is provided.</p>	<p>DTS/DPF 11.2</p> <p>A dwelling is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the requirements of the development. Where this is not available it is serviced by a rainwater tank or tanks capable of holding at least 50,000 litres of water which is:</p> <ul style="list-style-type: none"> (a) exclusively for domestic use (b) connected to the roof drainage system of the dwelling.
Wastewater Services	
<p>PO 12.1</p> <p>Development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following:</p> <ul style="list-style-type: none"> (a) it is wholly located and contained within the allotment of the development it will service (b) in areas where there is a high risk of contamination of surface, ground, or marine water resources from on-site disposal of liquid wastes, disposal systems are included to minimise the risk of pollution to those water resources (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm. 	<p>DTS/DPF 12.1</p> <p>Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development. Where this is not available it is instead capable of being serviced by an on-site waste water treatment system in accordance with the following:</p> <ul style="list-style-type: none"> (a) the system is wholly located and contained within the allotment of development it will service; and (b) the system will comply with the requirements of the South Australian Public Health Act 2011.
<p>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</p>	<p>DTS/DPF 3.1</p> <p>North-facing windows of habitable rooms of adjacent residential</p>

<p>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>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 or</p> <p>ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>

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
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more sensitive use.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <p>(a) does not involve a change in the use of land</p> <p>(b) involves a change in the use of land that does not constitute a change to a more sensitive use</p> <p>(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)</p> <p>(d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may</p>

	<p>exist (as demonstrated in a site contamination declaration form), and satisfies both of the following:</p> <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) <p>and</p> <ul style="list-style-type: none"> (ii) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a site contamination declaration form).
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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	
<p>PO 5.1</p> <p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <ul style="list-style-type: none"> (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the 	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 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

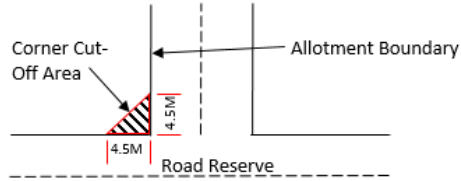
residential use of the site, the provision of vehicle parking may be shared (d) the adaptive reuse of a State or Local Heritage Place.	carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
Corner Cut-Offs	
PO 10.1 Development 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: 

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	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Group Dwelling	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered. 0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Residential Flat Building	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered. 0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Row Dwelling where vehicle access is from the primary street	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.

	Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Semi-Detached Dwelling	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Aged / Supported Accommodation	
Retirement village	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling. 0.2 spaces per dwelling for visitor parking.
Supported accommodation	0.3 spaces per bed.
Residential Development (Other)	
Ancillary accommodation	No additional requirements beyond those associated with the main dwelling.
Residential park	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling. 0.2 spaces per dwelling for visitor parking.
Student accommodation	0.3 spaces per bed.
Workers' accommodation	0.5 spaces per bed plus 0.2 spaces per bed for visitor parking.
Tourist	
Caravan park / tourist park	Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation. Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation. A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.
Tourist accommodation	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	2.5 spaces per 100m ² of gross leasable floor area 1 space per 100m ² of outdoor area used for display purposes.
Shop (no commercial kitchen)	5.5 spaces per 100m ² of gross leasable floor area where not located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared. 5 spaces per 100m ² of gross leasable floor area where located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.
Shop (in the form of a bulky goods outlet)	2.5 spaces per 100m ² of gross leasable floor area.
Shop (in the form of a restaurant or involving a commercial kitchen)	Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat. Premises with take-away service but with no seats - 12 spaces per 100m ² of total floor area plus a drive-through queue capacity of ten vehicles measured from the pick-up point. Premises with a dine-in and drive-through take-away service - 0.3 spaces per seat plus a drive through queue capacity of 10 vehicles measured from the pick-up point.
Community and Civic Uses	
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	<p>4.5 spaces per bed for a public hospital.</p> <p>1.5 spaces per bed for a private hospital.</p>
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	<p>6.5 spaces per 100m² of total floor area for a Fitness Centre</p> <p>4.5 spaces per 100m² of total floor area for all other Indoor recreation facilities.</p>
Industry/Employment Uses	
Fuel depot	<p>1.5 spaces per 100m² total floor area</p> <p>1 spaces per 100m² of outdoor area used for fuel depot activity purposes.</p>
Industry	1.5 spaces per 100m ² of total floor area.
Store	0.5 spaces per 100m ² of total floor area.
Timber yard	<p>1.5 spaces per 100m² of total floor area</p> <p>1 space per 100m² of outdoor area used for display purposes.</p>

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 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
	Minimum number of spaces	Maximum number of spaces	
<p>Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.</p>			
Development generally			
All classes of development	No minimum.	<p>No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:</p> <p>1 space for each dwelling with a total floor area less than 75 square metres</p> <p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than 150 square metres.</p> <p>Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.</p>	<p>Capital City Zone</p> <p>City Main Street Zone</p> <p>City Riverbank Zone</p> <p>Adelaide Park Lands Zone</p> <p>Business Neighbourhood Zone (within the City of Adelaide)</p> <p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>

Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	5 spaces per 100m ² of gross leasable floor area.	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 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	None specified.	City Living Zone Urban Activity Centre Zone

	1 bedroom dwelling - 0.75 spaces per dwelling		Urban Corridor (Boulevard) Zone
	2 bedroom dwelling - 1 space per dwelling		Urban Corridor (Business) Zone
	3 or more bedroom dwelling - 1.25 spaces per dwelling		Urban Corridor (Living) Zone
	0.25 spaces per dwelling for visitor parking.		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
<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

[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.]

Attachment 1

Application Documents

Development Locations

Location 1

Location reference

16 ELIZABETH ST ROBE SA 5276

Title Ref

CT 5997/773

Plan Parcel

C23932 FL1

Council

DC OF ROBE

Zone Overlays

Zones

- Neighbourhood

Sub-zones

(None)

Overlays

- Affordable Housing
- Historic Area
- Hazards (Bushfire - Urban Interface)
- Local Heritage Place
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

Variations

- Maximum Building Height (Metres)
- Minimum Frontage
- Minimum Site Area

Application Contacts

Applicant(s)

Stakeholder info

Empak Homes
SHOP 3 125 NORTH TERRACE
MOUNT GAMBIER
SA
5290
Tel. 87257066
admin@empak.com.au

Contact

Stakeholder info

Miss April Hockey
Tel. 0887257066
april@empak.com.au

Invoice Contact

Stakeholder info

Empak Homes
SHOP 3 125 NORTH TERRACE
MOUNT GAMBIER
SA
5290
Tel. 87257066
admin@empak.com.au

Invoice sector type

Land owners

Stakeholder info

Mr David Loxton
RSD 280
Greenways
SA
5272
Tel. 0484 861 547
weslox@activ8.net.au

Stakeholder info

Mrs Mary-Ann Loxton
RSD 280
Greenways
SA
5272
Tel. 0400 512 747
weslox@activ8.net.au

Nature Of Development

Nature of development

Private Dwelling

Development Details

Current Use

Vacant Land

Proposed Use

Private Dwelling

Development Cost

\$366,440.00

Proposed Development Details

Private Dwelling

Element Details

You have selected the following elements

New housing

New House

Is there a brush fence within 3m of the proposed house?

No

Are you proposing to add or modify a driveway?

No

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?

Yes

Consent Details

Have any of the required consents for this development already been granted using a different system?

No

Consent list:

- Planning Consent
- Building Consent

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at District Council of Robe

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Relevant Authority

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, 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.

Native Vegation Declaration

The proposed development will not or would not, involve the clearance of Native Vegetation under the Native Vegetation Act 1991, including any clearance that may occur in connection with a relevant access point and/or driveway, and/or within 10m of a building (other than a residential building or tourist accommodation), and/or within 20m of a dwelling or addition to an existing dwelling for fire prevention and control, and/or within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
0774 (Preliminary Plans) 20210312145205552v02.pdf	Floor Plans	12 Mar 2021 3:58 PM
0774 (Certificate of Title) 20210113105510282.pdf	Certificate of Title	12 Mar 2021 3:58 PM

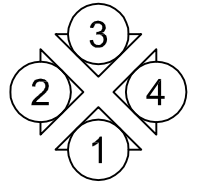
Application Created User and Date/Time

Created User

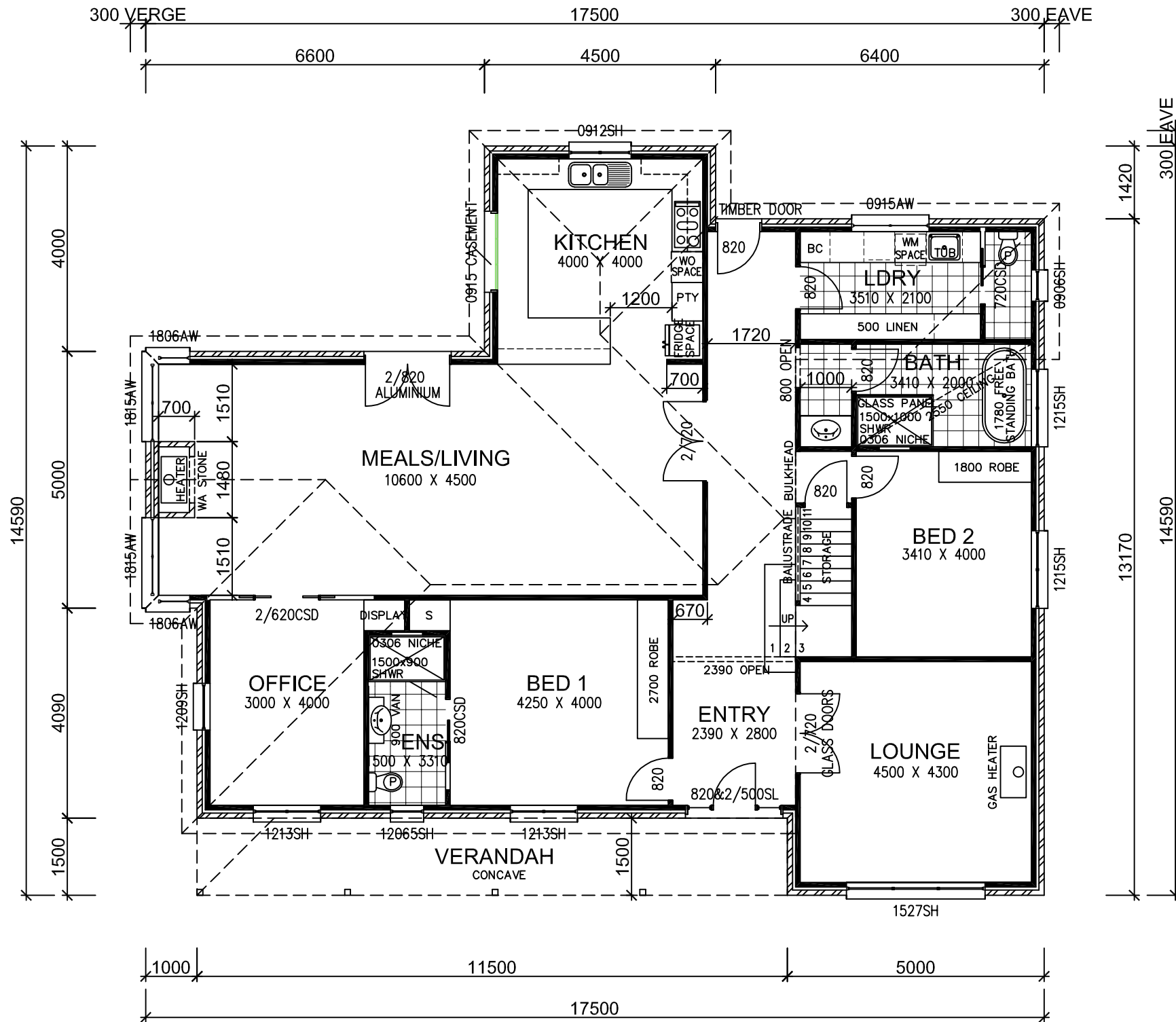
april.hockey

Created Date/Time

12 Mar 2021 3:58 PM



ELEVATION KEY



AREA

GROUND FLOOR	197.00
FIRST FLOOR	48.06
VERANDAH	17.25
TOTAL	262.31

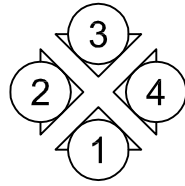
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EMPAK HOMES

BUILDERS and CONTRACTORS
 Builder's Licence: G8717
 ABN 42 667 615 109

Shop 3 / 4, 125 North Terrace
 Conroe Heights, MT. GAMBIER, S.A. 5290
 Phone: (08) 8725 7066 Fax: (08) 8725 8482

REV:	DETAILS:	DATE:	BY:	FLOOR PLAN		CLIENT	Sheet size
A	SK ISSUED FOR COMMENT	16.12.20	BKT	DRAWN	B THOMAS	PROPOSED RESIDENCE D & M LOXTON LOT 1 LORD SYLEHAM STREET, ROBE	A3
B	CHGS AS REQUESTED	11.03.21	SH	DATE	16.12.20		
C	CHGS AS REQUESTED	14.04.21	SH	SCALE	1:100		
D	UPDATES AS REQUESTED	30.04.21	BKT	JOB NO.	20_365		
				SHEET NO.	1 OF 5		

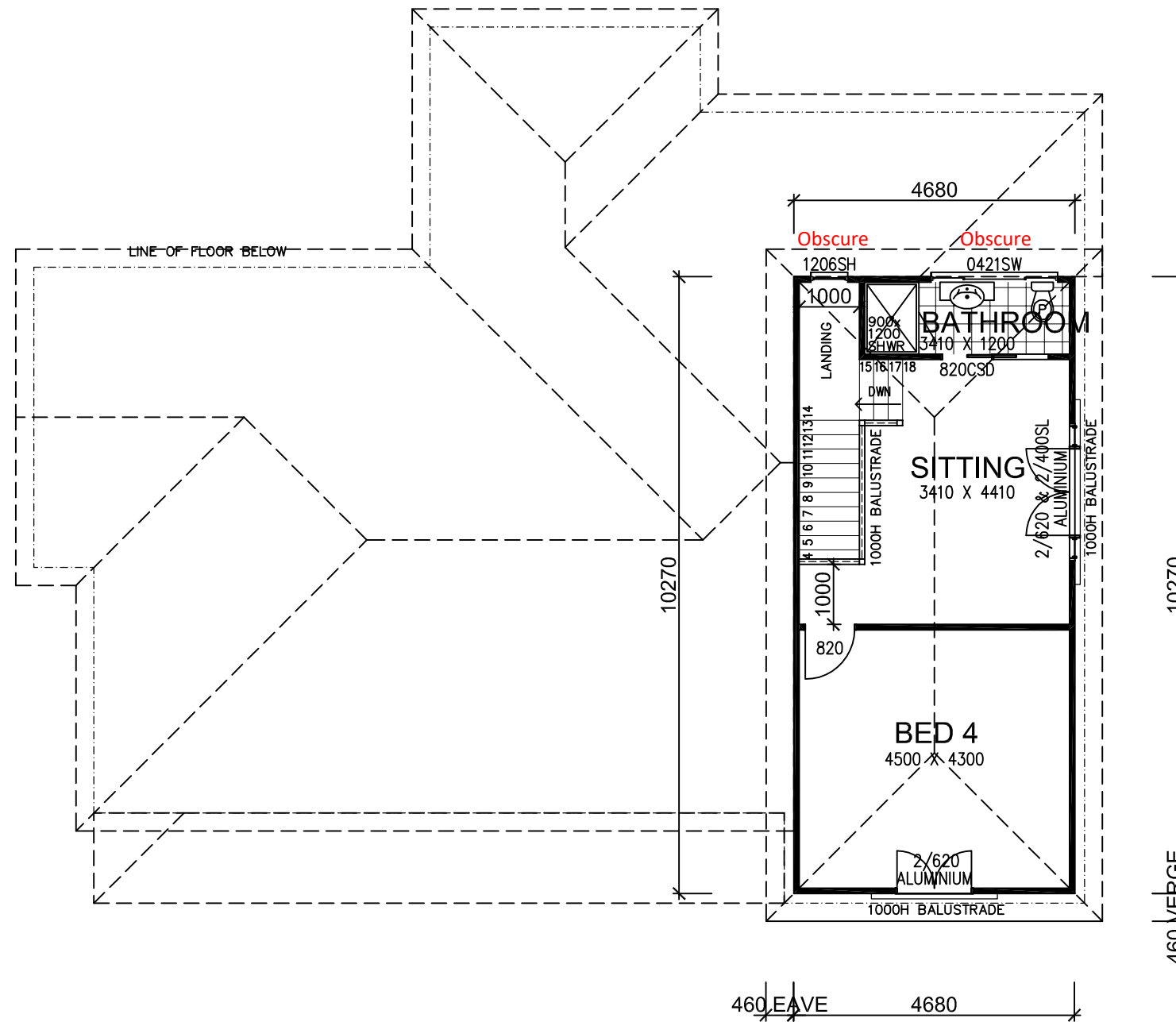


ELEVATION KEY

AREA

GROUND FLOOR 197.00
 FIRST FLOOR 48.06
 VERANDAH 17.25

TOTAL 262.31



460 VERGE

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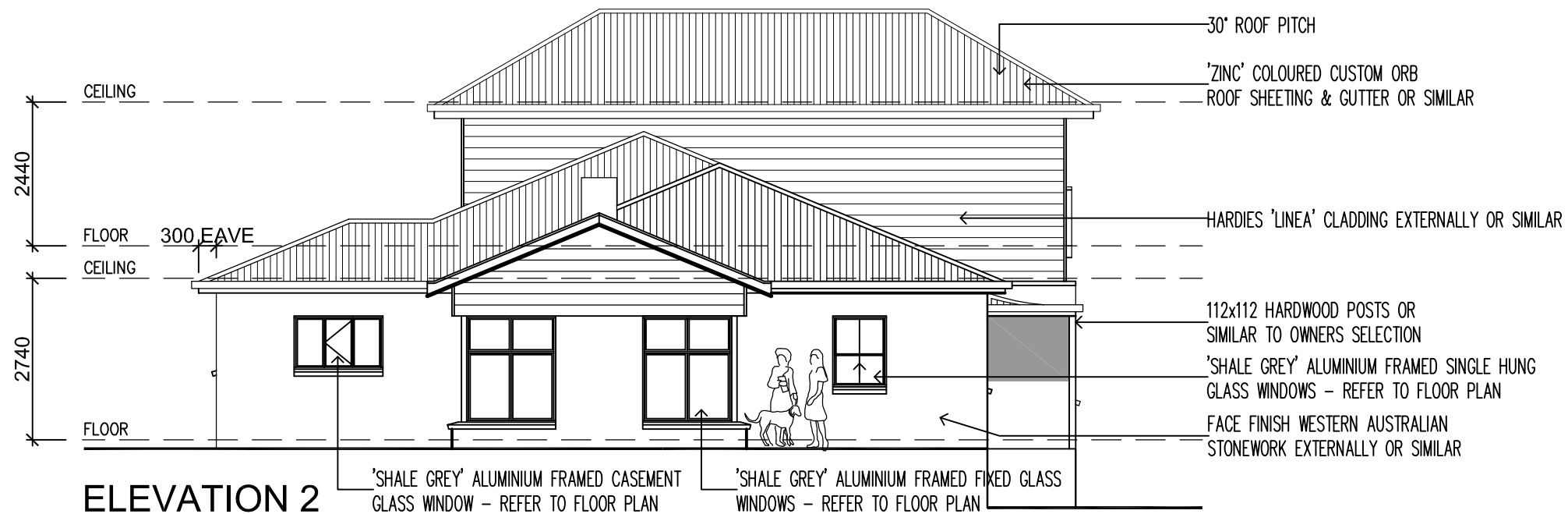
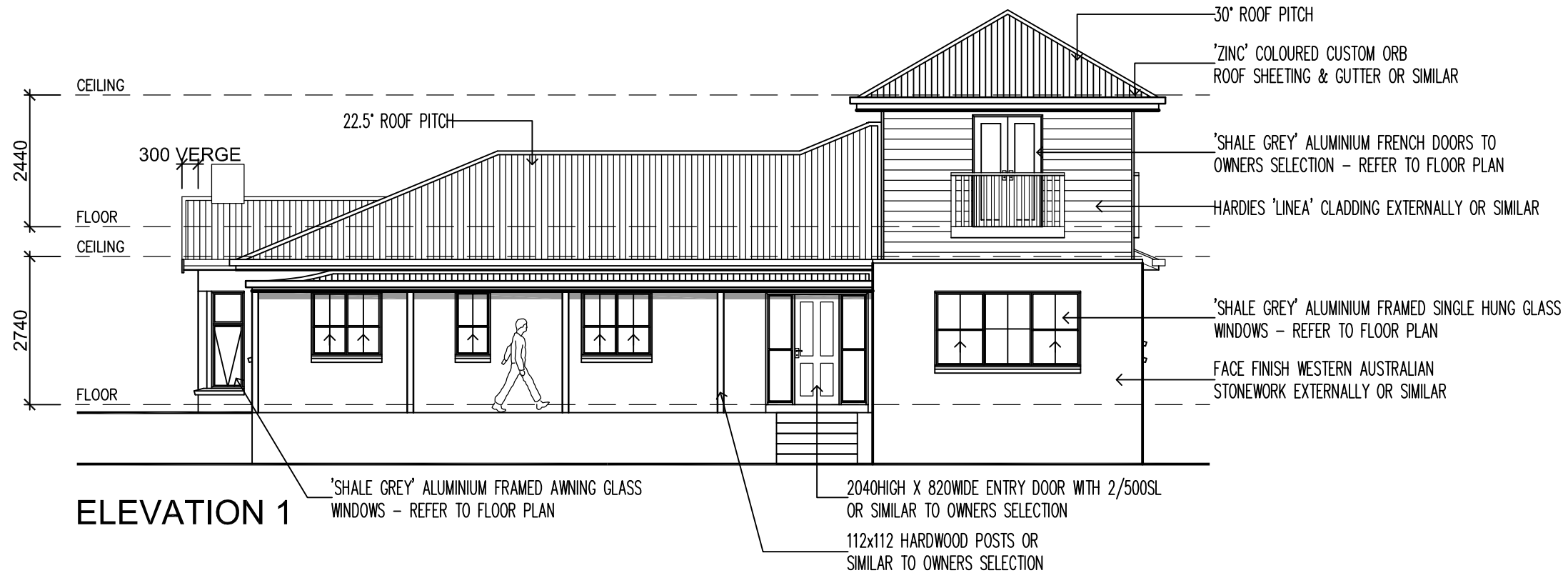
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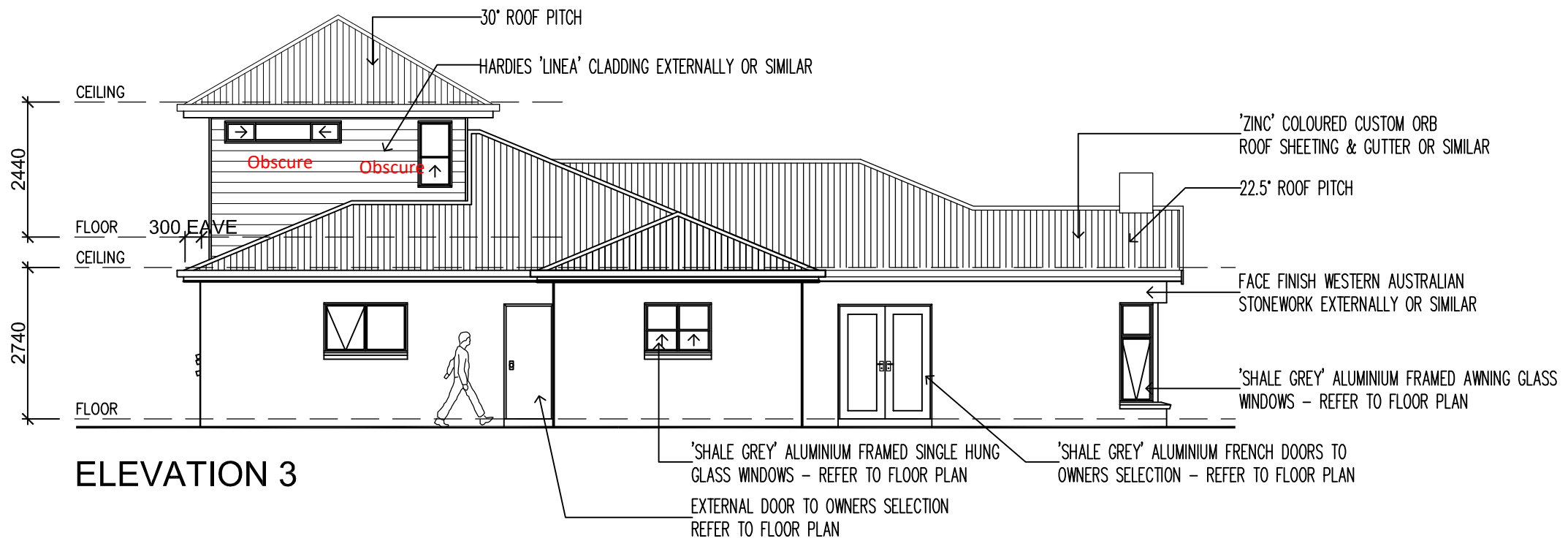
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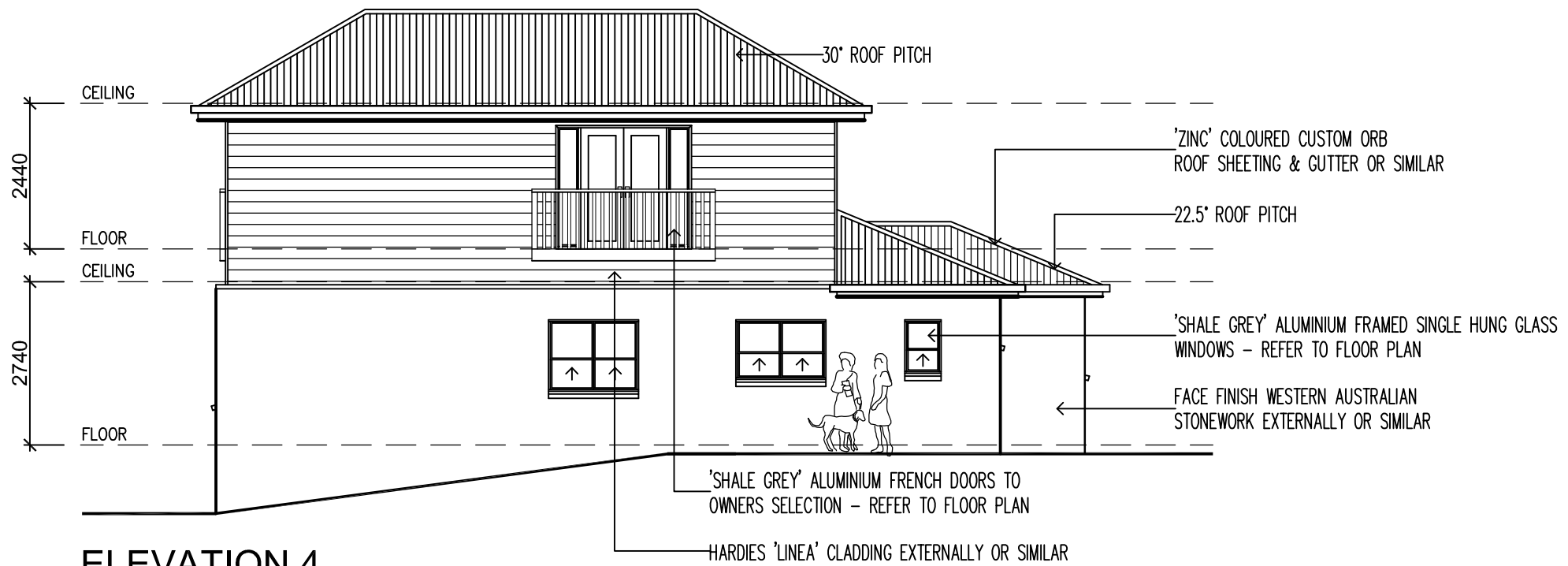
BUILDERS and CONTRACTORS
 Builder's Licence: G8717
 ABN 42 667 615 109

Shop 3 / 4, 125 North Terrace
 Conroe Heights, MT. GAMBIER, S.A. 5290
 Phone: (08) 8725 7066 Fax: (08) 8725 8482

REV:	DETAILS:	DATE:	BY:	ELEVATIONS 1			CLIENT	Sheet size
A	SK ISSUED FOR COMMENT	16.12.20	BKT	DRAWN	B THOMAS	Bushfire Risk Classification	PROPOSED RESIDENCE D & M LOXTON LOT 1 LORD SYLEHAM STREET, ROBE	A3
B	CHGS AS REQUESTED	11.03.21	SH	DATE	16.12.20	Wind Speed Classification		
C	CHGS AS REQUESTED	14.04.21	SH	SCALE	1:100			
D	UPDATES AS REQUESTED	30.04.21	BKT	JOB NO.	20_365			
				SHEET NO.	3 OF 5			



ELEVATION 3



ELEVATION 4

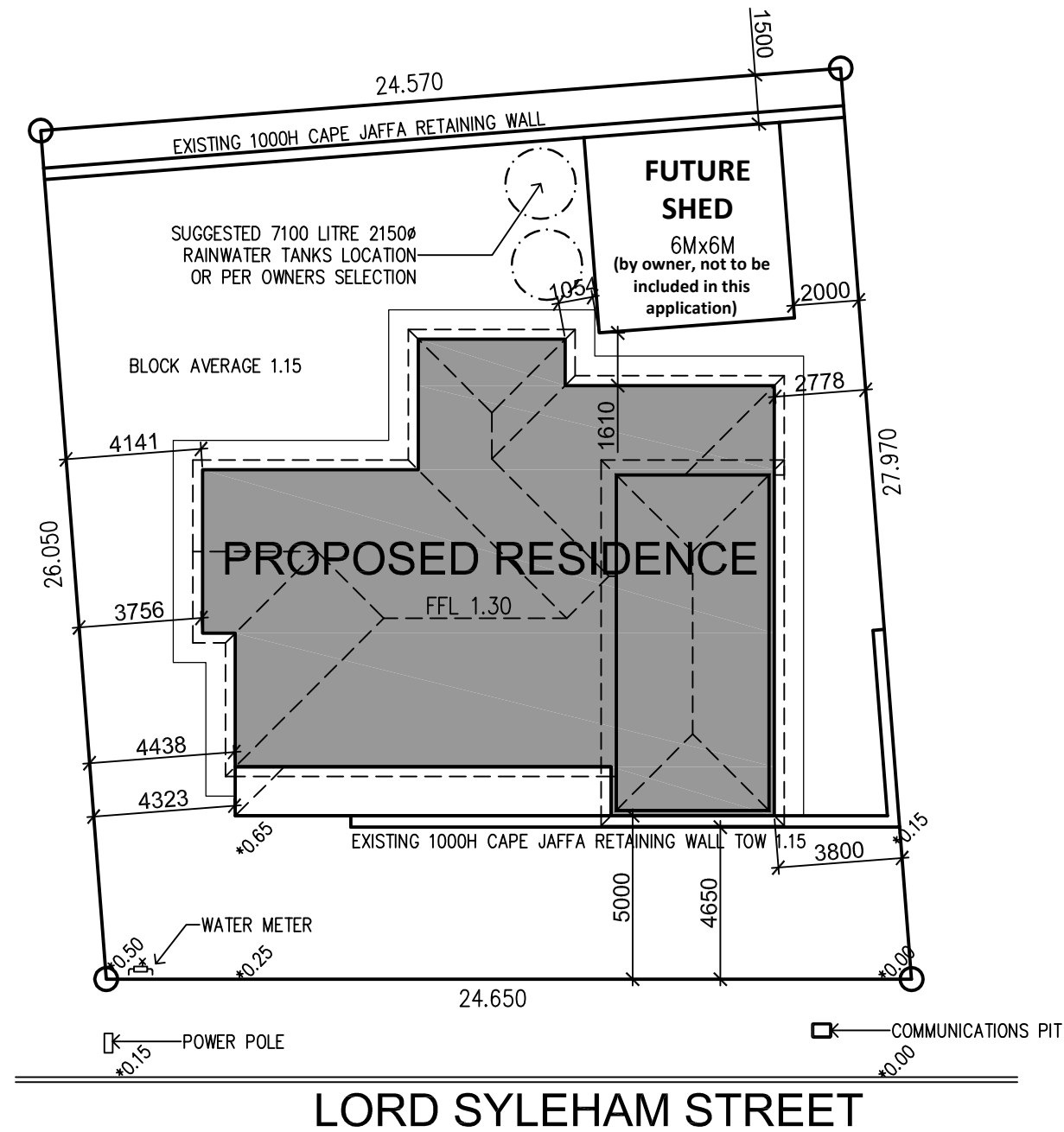
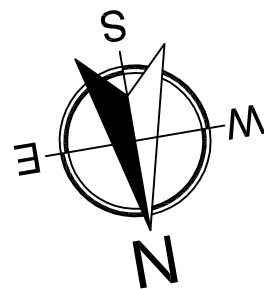
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Conroe Heights, MT. GAMBIER, S.A. 5290
Phone: (08) 8725 7066 Fax: (08) 8725 8482

REV:	DETAILS:	DATE:	BY:	ELEVATIONS 2			CLIENT	Sheet size
A	SK ISSUED FOR COMMENT	16.12.20	BKT	DRAWN	B THOMAS	Bushfire Risk Classification	PROPOSED RESIDENCE D & M LOXTON LOT 1 LORD SYLEHAM STREET, ROBE	A3
B	CHGS AS REQUESTED	11.03.21	SH	DATE	16.12.20	Wind Speed Classification		
C	CHGS AS REQUESTED	14.04.21	SH	SCALE	1:100			
D	UPDATES AS REQUESTED	30.04.21	BKT	JOB NO.	20_365			
				SHEET NO.	4 OF 5			

ALL DIMENSIONS ON SITE PLAN ARE TAKEN FROM THE EXTERNAL WALL OF THE PROPOSED RESIDENCE



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DO NOT SCALE. Dimensions are taken from the external face of brickwork, (Quoins & base course protrusions are not included). Confirm all dimensions and levels before commencing construction. Any discrepancies to be reported to draftsman immediately

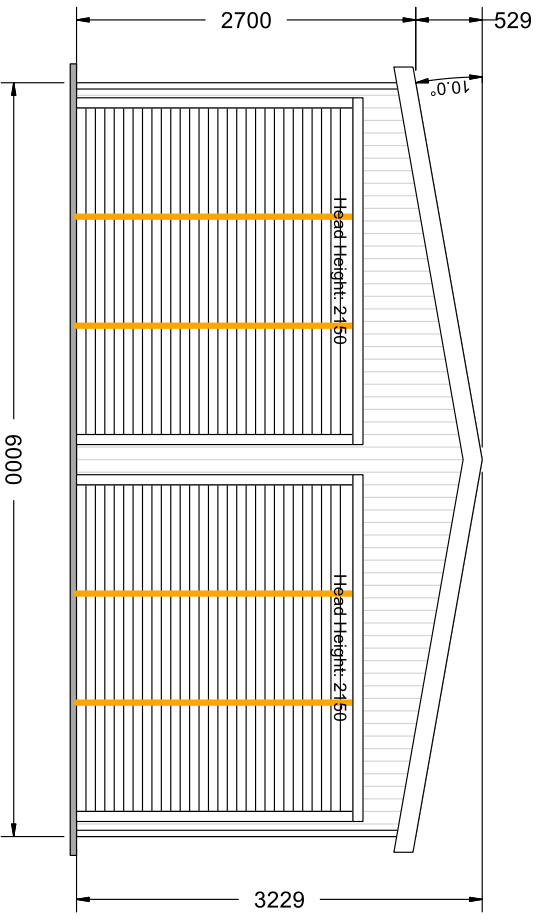


BUILDERS and CONTRACTORS
Builder's Licence: G8717
ABN 42 667 615 109

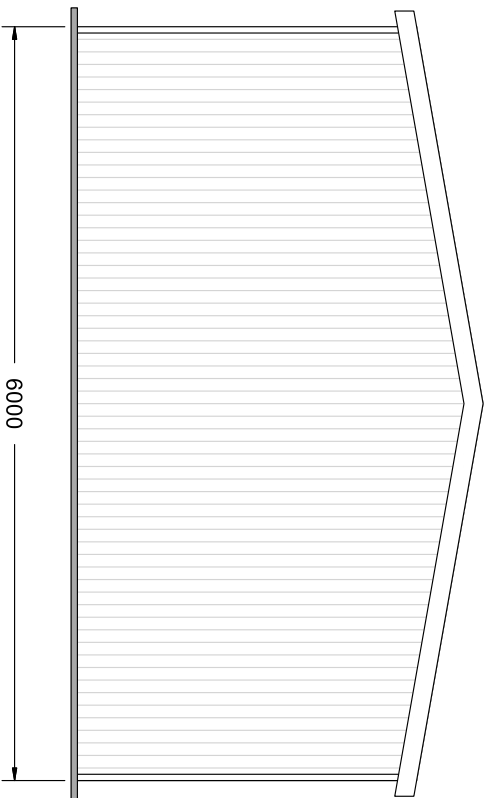
Shop 3 / 4, 125 North Terrace
Conroe Heights, MT. GAMBIER, S.A. 5290
Phone: (08) 8725 7066 Fax: (08) 8725 8482

REV:	DETAILS:	DATE:	BY:	SITE PLAN		CLIENT		Sheet size
A	SK ISSUED FOR COMMENT	16.12.20	BKT	DRAWN	B THOMAS	Bushfire Risk Classification	Wind Speed Classification	PROPOSED RESIDENCE D & M LOXTON LOT 1 LORD SYLEHAM STREET, ROBE
B	CHGS AS REQUESTED	11.03.21	SH	DATE	16.12.20			
C	CHGS AS REQUESTED	14.04.21	SH	SCALE	1:200			
D	UPDATES AS REQUESTED	30.04.21	BKT	JOB NO.	20_365			
				SHEET NO.	5 OF 5			

A3



FRONT ELEVATION



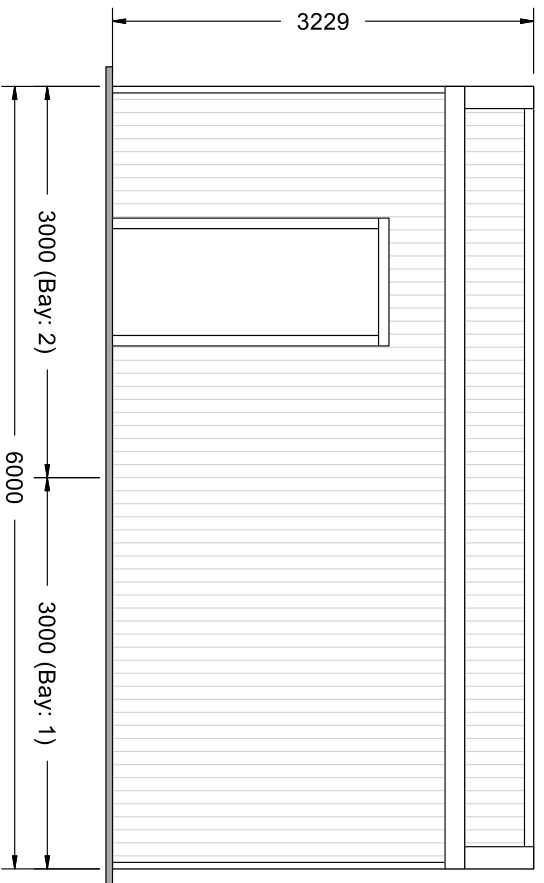
REAR ELEVATION

291 Commercial Street,
 Mt Gambier West, SA, 5290
 Phone: 08 87252155,
 Email: sales@thomsonbilt.com.au

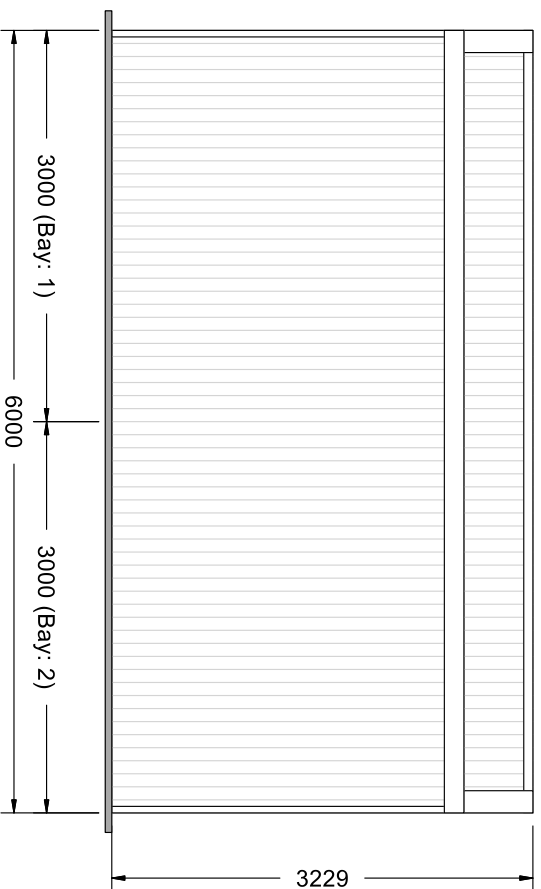
CLIENT: Clint Empak ACC LOXTON
 SITE ADDRESS: ROBE, SA,
 PHONE:
 EMAIL: clint@empak.com.au

DRAWING TITLE: End Elevations
 SCALE: 1:58,366
 DATE: 01-07-2021
 Job Number: FSB-210701091747





LEFT ELEVATION



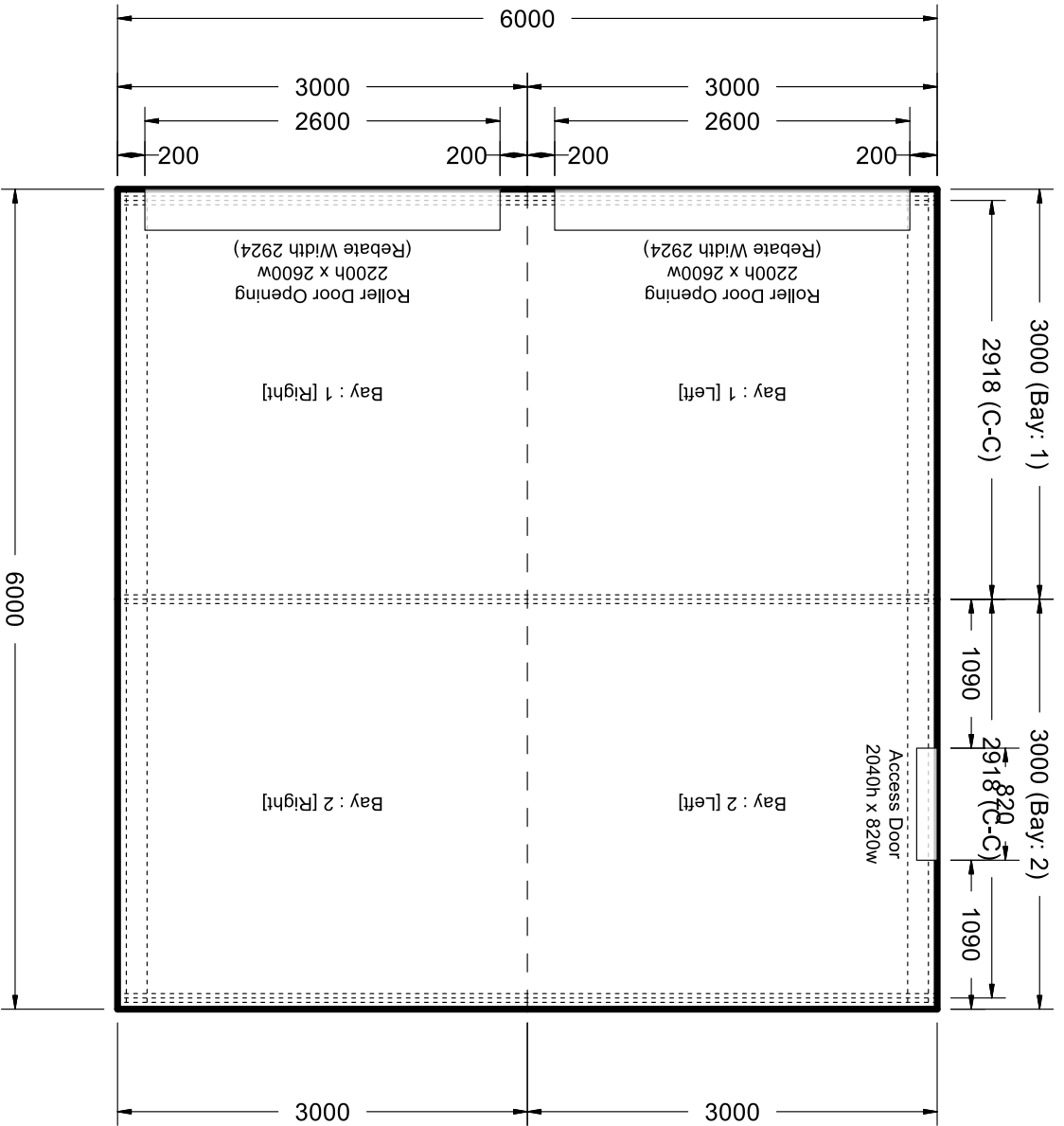
RIGHT ELEVATION



291 Commercial Street,
Mt Gambier West, SA, 5290
Phone: 08 87252155,
Email: sales@thomsonbilt.com.au

CLIENT: Clint Empak ACC LOXTON
SITE ADDRESS: ROBE, SA,
PHONE:
EMAIL: clint@empak.com.au

DRAWING TITLE: Floor Plan Elevation
SCALE: 1:50, 816
DATE: 01-07-2021
Job Number: FSB-210701091747



FLOOR PLAN

Attachment 2

Subject Land Map

SAPPA Report

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

Date created:

July 16, 2021

SUBJECT LAND MAP

34C LORD SYLEHAM STREET, ROBE



Government
of South Australia

Land Services Group

Disclaimer: The information provided above, is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.

Attachment 3

Representation Map



Subject site and representors

Attachment 4

Representations

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Patricia

Last name:

Yeo

Daytime Phone:

0417819596

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

Attached Documents

File
No records to display.

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Darren & Jackie

Last name:

Grant

Daytime Phone:

0417563177

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

Attached Documents

File
No records to display.

3 Hayes Carmel Hayes Carmel Carmel Hayes PO Box 504, Robe, Australia, 5276 1149

South Australia
PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

**REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED
 DEVELOPMENT**

Applicant:
Development Number: 21001114
Nature of Development:
Zone / Sub-zone / Overlay:
Subject Land:

Contact Officer:] **Phone Number:**
Close Date:]

My name*:	Carmel Hayes	My phone number:	044 887 6824 0837 1232
My postal address*:	Box 520 Rdse	My email:	Carmel.hayes@bigpond.com

* indicates mandatory information

My position is: (please tick one)

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:

my only concern is the height of the building on an elevated block. If the block was leveled to road level would have no concerns at all

[attached 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, which does not include the [list any accepted or deemed-to-satisfy elements of the development].

I: wish to be heard in support of my submission*
 do not wish to be heard in support of my submission

(please tick one)

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

By: appearing personally
(please tick one) being represented by the following person: _____

Signature:  **Date:** 11-6-2021

Return Address: [relevant authority postal address] or
Email: [relevant authority email address] or
Complete online submission: SA Planning Portal www.saplanningportal.sa.gov.au

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Donna & Wallis

Last name:

Meyer

Daytime Phone:

0428922326

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

I am concerned about our privacy from the upstairs west facing balcony over our property. Opaque frosting on balcony rail or other way of reducing visibility is suggested.

Attached Documents

File

No records to display.

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Nikolas

Last name:

Edgerley

Daytime Phone:

0477557101

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

Nominated Speaker:

Nikolas Edgerley

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:

The design illustrates a window at the top of the landing on the first floor potentially overlooking our yard with line of sight into the living area of our property. It is not clear how the design satisfies performance outcome 10.1.

Design does not illustrate vehicle accommodation. For a 3-4 bedroom development, as the owner of the adjoining (rear) property, I'm concerned that inadequate parking will lead to increased on-street parking - increasing traffic hazard in an area of reasonable pedestrian volumes.

By excluding the 'future shed' from this development application, I am concerned that I will not have an opportunity to raise concerns about the likely visual mass impact of such a construction on the perspective of my property as well as safe pedestrian access at that SW corner of the property. I believe if the future shed is reasonably expected to be constructed, it should form part of this

Attached Documents

File
No records to display.

Attachment 5

Applicant Response

Michelle Gibbs

From: Maureen Tyler
Sent: Friday, 2 July 2021 9:13 AM
To: Michelle Gibbs
Subject: FW: 21001114 - Loxton - 34C Lord Syleham Street, Robe - Response to residence concerns
Attachments: Loxton Shed.pdf; 0774 (Preliminary Plans) 20210506143409768v04.pdf

From: April | Empak Homes <april@empak.com.au>
Sent: Thursday, 1 July 2021 10:46 AM
To: Council <council@robe.sa.gov.au>
Cc: Heath Mitchell <heath@empak.com.au>; Clint Mitchell <clint@empak.com.au>
Subject: 21001114 - Loxton - 34C Lord Syleham Street, Robe - Response to residence concerns



Good Morning,

In response to concerns received by residents, please be advised as follows;

Meyer, D & W

Aluminium glazed doors to sitting room will remain clear and we would clarify that this is not a balcony. It is in fact a 'Juliet' balcony. As such it cannot be walked out on and the doors present no additional privacy issues than a standard window.

Edgerley, N

Aluminium window to first floor landing will contain obscure glass alleviating privacy concerns. This is now noted on plans.

Shed details are now included within our application which should alleviate both shedding and vehicular concerns. Shed details are attached.

Hayes, C

The question of elevation is often relative. Whilst the allotment is higher than those to the north & west, it is actually level with the allotment to the east, and lower than the allotment to the south. As such we feel that the siting of the dwelling is on balance appropriate.

Regards,

Heath Mitchell

Operations Manager
Empak Homes
p. (08) 8725 7066
m. 0488 223 493
e. heath@empak.com.au
w. www.empak.com.au

Empak Homes disclaimer

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APPENDIX 1

Relevant P&D Code Policies

14 LAKE RD ROBE SA 5276

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

Local Variation (TNV)

Minimum Frontage (*Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m*)

Minimum Site Area (*Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm*)

Maximum Building Height (Levels) (*Maximum building height is 1 level*)

Overlay

- Affordable Housing
- Hazards (Bushfire - Urban Interface) (*Urban Interface*)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

Zone

Neighbourhood

Selected Development(s)

Dwelling addition

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

Dwelling addition - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature		
Land Use and Intensity			
<p>PO 1.1</p> <p>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) Outbuilding (h) Pre-school (i) Recreation area (j) Retirement facility (k) Shop (l) Supported accommodation. 		
Site coverage			
<p>PO 3.1</p> <p>Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.</p>	<p>DTS/DPF 3.1</p> <p>The development does not result in site coverage exceeding 60% of the site area.</p>		
Building Height			
<p>PO 4.1</p> <p>Building height is consistent with the maximum height expressed in any relevant <i>Building Height Technical and Numeric Variation</i>, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.</p>	<p>DTS/DPF 4.1</p> <p>Building height (excluding garages, carports and outbuildings) is no greater than:</p> <ul style="list-style-type: none"> (a) the following: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: center;">Maximum Building Height (Levels)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Maximum building height is 1 level</td> </tr> </tbody> </table> (b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building 	Maximum Building Height (Levels)	Maximum building height is 1 level
Maximum Building Height (Levels)			
Maximum building height is 1 level			

	<p>height (levels)) - 2 building levels up to a height of 9m.</p> <p>In relation to DTS/DPF 4.1, in instances where:</p> <ul style="list-style-type: none"> (a) more than one value is returned in the same field, refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation</i> layer or <i>Maximum Building Height (Meters) Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development. (b) only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.
<p>Primary Street Setback</p>	
<p>PO 5.1</p> <p>Buildings are set back from primary street boundaries consistent with the existing streetscape.</p>	<p>DTS/DPF 5.1</p> <p>The building line of a building set back from the primary street boundary:</p> <ul style="list-style-type: none"> (a) at least 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), not less than 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.
<p>Secondary Street Setback</p>	
<p>PO 6.1</p> <p>Buildings are set back from secondary street boundaries to maintain a pattern of separation between buildings and public streets and reinforce a consistent streetscape character.</p>	<p>DTS/DPF 6.1</p> <p>Building walls are set back at least 900mm from the boundary of the allotment with the secondary street frontage.</p>
<p>Boundary Walls</p>	
<p>PO 7.1</p> <p>Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.</p>	<p>DTS/DPF 7.1</p> <p>Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on side boundary and satisfy (a) or (b) below:</p> <ul style="list-style-type: none"> (a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height (b) side boundary walls do not: <ul style="list-style-type: none"> (i) exceed 3.2m in height from the lower of the natural or finished ground level (ii) exceed 11.5m in length (iii) when combined with other walls on the boundary of the subject development site, exceed a length equal to 45% of the length of the boundary (iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.

<p>PO 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a low density streetscape character.</p>	<p>DTS/DPF 7.2</p> <p>Dwelling walls in a semi-detached, row or terrace arrangement are set back from side boundaries shared with allotments outside the development site at least 900mm.</p>
<p>Side Boundary Setback</p>	
<p>PO 8.1</p> <p>Buildings are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 8.1</p> <p>Building walls are set back from the side boundary at least:</p> <ul style="list-style-type: none"> (a) On sites greater than 800m²: <ul style="list-style-type: none"> (i) Other than a wall facing a southern boundary 1900mm from both side boundaries (ii) At least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern boundary (b) On sites 800m² or less, and other than walls located on a side boundary: <ul style="list-style-type: none"> (i) at least 900mm where the wall is up to 3m (ii) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m (iii) at least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern side boundary.
<p>Rear Boundary Setback</p>	
<p>PO 9.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours (c) private open space (d) space for landscaping and vegetation. 	<p>DTS/DPF 9.1</p> <p>Dwelling walls are set back from the rear boundary at least:</p> <ul style="list-style-type: none"> (a) if the size of the site is less than 301m²— <ul style="list-style-type: none"> (i) 3m in relation to the ground floor of the dwelling (ii) 5m in relation to any second building level of the dwelling (iii) 5m plus an additional 1m setback added for every 1m height increase above a wall height of 7m. (b) if the size of the site is 301m² or more— <ul style="list-style-type: none"> (i) 4m in relation to the ground floor of the dwelling (ii) 6m in relation to any second building level of the dwelling (iii) 6m plus an additional 1m setback added for every 1m height increase above a wall height of 7m.

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 storeys or greater 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) jetty, pontoon or boat berth (or any combination thereof) within the <i>Waterfront Subzone</i> (j) outbuilding (k) pergola (l) private bushfire shelter (m) residential flat building (n) retaining wall (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) swimming pool or spa pool (r) tree damaging activity (s) verandah (t) water tank. 	Except development that: <ul style="list-style-type: none"> 1. exceeds the maximum building height specified in 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 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
4. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	Except development that: <ul style="list-style-type: none"> 1. exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 or 2. does not satisfy Neighbourhood Zone DTS/DPF 1.2 or 3. 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 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) 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.
<p>6. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Part 3 - Overlays

Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
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Flood Resilience	
<p>PO 1.1</p> <p>Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.</p>	<p>DTS/DPF 1.1</p> <p>Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above:</p> <ul style="list-style-type: none"> (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb

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

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
<p>PO 1.1</p> <p>Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.</p>	<p>DTS/DPF 1.1</p> <p>An application is accompanied by:</p> <ul style="list-style-type: none"> (a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement

	<p>under a relevant overlay to establish an asset protection zone in a bushfire prone area</p> <p>or</p> <p>(b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.</p>
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <p>(a) significant wildlife habitat and movement corridors</p> <p>(b) rare, vulnerable or endangered plants species</p> <p>(c) native vegetation that is significant because it is located in an area which has been extensively cleared</p> <p>(d) native vegetation that is growing in, or in association with, a wetland environment.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.	Native Vegetation Council	To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.	Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome	
DO 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

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 contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance 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 Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street

Car Parking Requirements in Designated Areas.	
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 are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <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>
Overlooking / Visual Privacy (in building 3 storeys or less)	
<p>PO 10.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.</p>	<p>DTS/DPF 10.1</p> <p>Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
<p>PO 10.2</p> <p>Development mitigates direct overlooking from balconies, terraces</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p>

<p>and decks to habitable rooms and private open space of adjoining residential uses.</p>	<ul style="list-style-type: none"> (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
<p>All Residential development</p>	
<p>Front elevations and passive surveillance</p>	
<p>PO 11.1</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 11.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street.
<p>Outlook and amenity</p>	
<p>PO 12.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 12.1</p> <p>A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.</p>
<p>Garage appearance</p>	
<p>PO 14.1</p> <p>Garaging is designed to not detract from the streetscape or appearance of a dwelling.</p>	<p>DTS/DPF 14.1</p> <p>Garages and carports facing a street:</p> <ul style="list-style-type: none"> (a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling (b) are set back at least 5.5m from the boundary of the primary street (c) have a garage door / opening not exceeding 7m in width (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>Massing</p>	
<p>PO 15.1</p> <p>The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.</p>	<p>DTS/DPF 15.1</p> <p>None are applicable</p>
<p>Private Open Space</p>	
<p>PO 17.1</p> <p>Dwellings are provided with suitable sized areas of usable private</p>	<p>DTS/DPF 17.1</p> <p>Private open space is provided in accordance with Design Table 1 -</p>

open space to meet the needs of occupants.	Private Open Space.
Car parking, access and manoeuvrability	
<p>PO 19.1</p> <p>Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.1</p> <p>Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):</p> <ul style="list-style-type: none"> (a) single width car parking spaces: <ul style="list-style-type: none"> (i) a minimum length of 5.4m per space (ii) a minimum width of 3.0m (iii) a minimum garage door width of 2.4m (b) double width car parking spaces (side by side): <ul style="list-style-type: none"> (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space.
<p>PO 19.2</p> <p>Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.2</p> <p>Uncovered car parking spaces have:</p> <ul style="list-style-type: none"> (a) a minimum length of 5.4m (b) a minimum width of 2.4m (c) a minimum width between the centre line of the space and any fence, wall or other obstruction of 1.5m
<p>PO 19.3</p> <p>Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-street parking.</p>	<p>DTS/DPF 19.3</p> <p>Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.</p>
<p>PO 19.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 19.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed: <ul style="list-style-type: none"> (i) is set back 6m or more from the tangent point of an intersection of 2 or more roads (ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing (iii) does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.
<p>PO 19.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 19.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient 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 1:4 on average

	<ul style="list-style-type: none"> (b) they are aligned relative to the street boundary 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 street boundary (c) if located to provide access from an alley, lane or right of way - the alley, land or right of way is at least 6.2m wide along the boundary of the allotment / site
<p>PO 19.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 19.6</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> <ul style="list-style-type: none"> (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
Waste storage	
<p>PO 20.1</p> <p>Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 20.1</p> <p>None are applicable.</p>
Design of Transportable Dwellings	
<p>PO 21.1</p> <p>The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.</p>	<p>DTS/DPF 21.1</p> <p>Buildings satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) are not transportable or (b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.

Table 1 - Private Open Space

Dwelling Type	Minimum Rate
Dwelling (at ground level)	<p>Total private open space area:</p> <ul style="list-style-type: none"> (a) Site area <301m²: 24m² located behind the building line. (b) Site area ≥ 301m²: 60m² located behind the building line. <p>Minimum directly accessible from a living room: 16m² / with a minimum dimension 3m.</p>
Dwelling (above ground level)	<p>Studio (no separate bedroom): 4m² with a minimum dimension 1.8m</p> <p>One bedroom: 8m² with a minimum dimension 2.1m</p> <p>Two bedroom dwelling: 11m² with a minimum dimension 2.4m</p> <p>Three + bedroom dwelling: 15m² with a minimum dimension 2.6m</p>

Cabin or caravan (permanently fixed to the ground) in a residential park or a caravan and tourist park	Total area: 16m ² , which may be used as second car parking space, provided on each site intended for residential occupation.
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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
Wastewater Services	
PO 12.2 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.	DTS/DPF 12.2 Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.

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	
PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses in: <ul style="list-style-type: none"> a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter 	DTS/DPF 3.1 North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.

<p>sunlight.</p>	
<p>PO 3.2</p> <p>Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:</p> <p>a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight</p> <p>b. other zones is managed to enable access to direct winter sunlight.</p>	<p>DTS/DPF 3.2</p> <p>Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:</p> <p>a. for ground level private open space, the smaller of the following:</p> <p>i. half the existing ground level open space</p> <p>or</p> <p>ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>

Transport, Access and Parking

Assessment Provisions (AP)

<h2 style="text-align: center;">Desired Outcome</h2>	
<p>DO 1</p>	<p>A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.</p>

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

<h2 style="text-align: center;">Performance Outcome</h2>	<h2 style="text-align: center;">Deemed-to-Satisfy Criteria / Designated Performance Feature</h2>
<p>Vehicle Parking Rates</p>	
<p>PO 5.1</p> <p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <p>(a) availability of on-street car parking</p> <p>(b) shared use of other parking areas</p> <p>(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</p>	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <p>(a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements</p> <p>(b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas</p> <p>(c) if located in an area where a lawfully established carparking fund operates, the number of spaces</p>

(d) may be shared the adaptive reuse of a State or Local Heritage Place.	calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
--	---

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	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Group Dwelling	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered. 0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Residential Flat Building	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered. 0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Row Dwelling where vehicle access is from the primary street	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Semi-Detached Dwelling	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Aged / Supported Accommodation	
Retirement village	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.

	<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>
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>

<p>Shop (no commercial kitchen)</p>	<p>5.5 spaces per 100m² of gross leasable floor area where not located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.</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>
<p>Shop (in the form of a bulky goods outlet)</p>	<p>2.5 spaces per 100m² of gross leasable floor area.</p>
<p>Shop (in the form of a restaurant or involving a commercial kitchen)</p>	<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>
<p>Community and Civic Uses</p>	
<p>Childcare centre</p>	<p>0.25 spaces per child</p>
<p>Library</p>	<p>4 spaces per 100m² of total floor area.</p>
<p>Community facility</p>	<p>10 spaces per 100m² of total floor area.</p>
<p>Hall / meeting hall</p>	<p>0.2 spaces per seat.</p>
<p>Place of worship</p>	<p>1 space for every 3 visitor seats.</p>
<p>Pre-school</p>	<p>1 per employee plus 0.25 per child (drop off/pick up bays)</p>
<p>Educational establishment</p>	<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>
<p>Health Related Uses</p>	

Hospital	4.5 spaces per bed for a public hospital. 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 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
	Minimum number of spaces	Maximum number of spaces	
<p>Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.</p>			
Development generally			
All classes of development	No minimum.	<p>No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:</p> <p>1 space for each dwelling with a total floor area less than 75 square metres</p> <p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than 150 square metres.</p> <p>Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.</p>	<p>Capital City Zone</p> <p>City Main Street Zone</p> <p>City Riverbank Zone</p> <p>Adelaide Park Lands Zone</p> <p>Business Neighbourhood Zone (within the City of Adelaide)</p> <p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	5 spaces per 100m ² of gross leasable floor area.	<p>City Living Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>
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.	<p>Strategic Innovation Zone</p> <p>Suburban Activity Centre Zone</p> <p>Suburban Business Zone</p>

			<p>Business Neighbourhood Zone</p> <p>Suburban Main Street Zone</p> <p>Urban Activity Centre Zone</p>
Tourist accommodation	<p>1 space for every 4 bedrooms up to 100 bedrooms plus 1 space for every 5 bedrooms over 100 bedrooms</p>	<p>1 space per 2 bedrooms up to 100 bedrooms and 1 space per 4 bedrooms over 100 bedrooms</p>	<p>City Living Zone</p> <p>Urban Activity Centre Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>
Residential development			
Residential component of a multi-storey building	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling</p> <p>1 bedroom dwelling - 0.75 spaces per dwelling</p> <p>2 bedroom dwelling - 1 space per dwelling</p> <p>3 or more bedroom dwelling - 1.25 spaces per dwelling</p> <p>0.25 spaces per dwelling for visitor parking.</p>	<p>None specified.</p>	<p>City Living Zone</p> <p>Strategic Innovation Zone</p> <p>Urban Activity Centre Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>
Residential flat building	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling</p> <p>1 bedroom dwelling - 0.75 spaces per dwelling</p> <p>2 bedroom dwelling - 1 space per dwelling</p> <p>3 or more bedroom dwelling - 1.25 spaces per dwelling</p> <p>0.25 spaces per dwelling for visitor parking.</p>	<p>None specified.</p>	<p>City Living Zone</p> <p>Urban Activity Centre Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>

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.

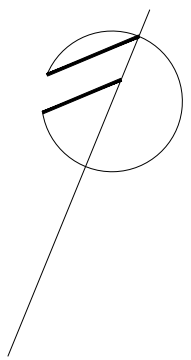
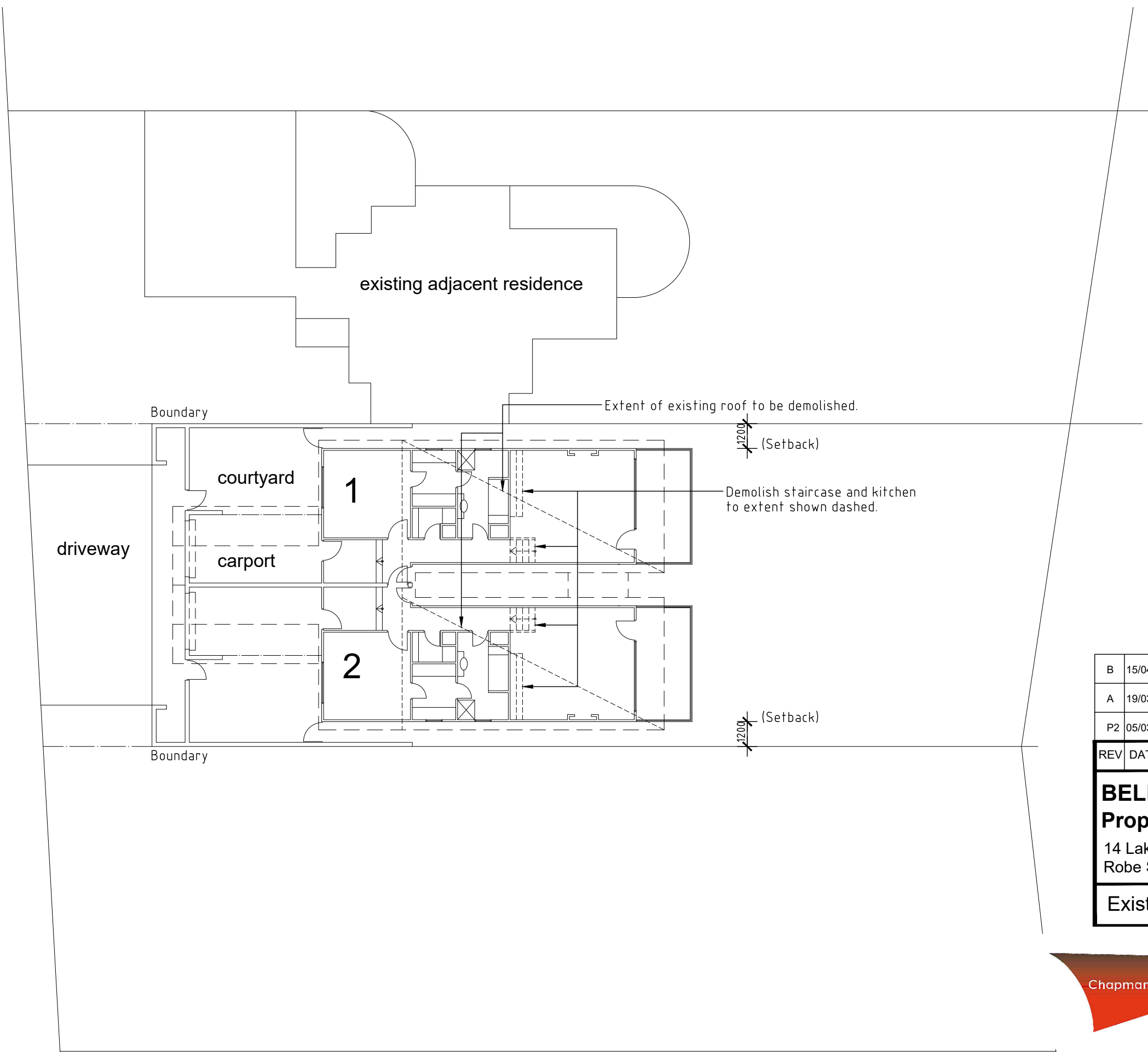
Criteria	Exceptions
<p>The designated area is wholly located within Metropolitan Adelaide and any part of the development site satisfies one or more of the following:</p> <ul style="list-style-type: none"> (a) is within 200 metres of any section of road reserve along which a bus service operates as a 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

[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.]

ATTACHMENT 1

Application Documents

L A K E R O A D



B	15/04/21	Setback Dimensions Added Re-Issued for Planning Assessment	GR	PGK
A	19/03/21	Client sign-off received Issued for Planning Assessment	PGK	PGK
P2	05/03/21	Completed Sketch Design Issued for Client review & sign-off	GR	PGK
REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD

BELL G - WHITE SAILS APTS
Proposed First Floor Extension
 14 Lake Road
 Robe SA 5276

Existing Site / Demo Plan	SCALE 1:100
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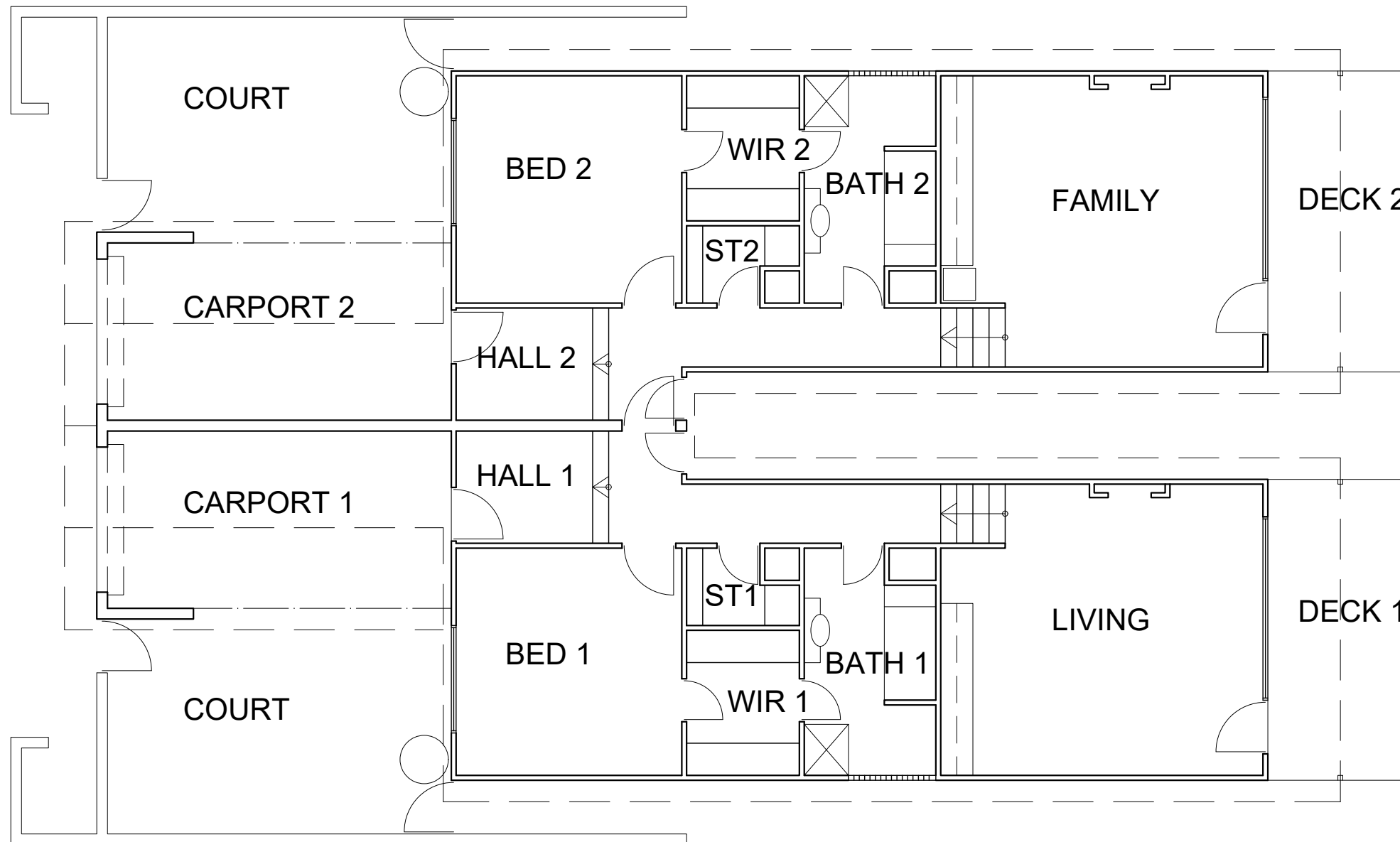
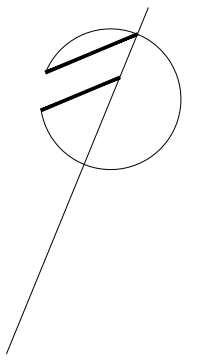
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Existing Site / Demolition Plan scale 1:200

ELECTRONIC FILE A20878-SD.dwg	SHT SIZE A3	DRAWN GR	DATE 15/04/21
DRAWING NO. A20878-S1			REV. B



Existing Ground Floor Plan scale 1:100

REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD
A	19/03/21	Client sign-off received Issued for Planning Assessment	PGK	PGK
P2	05/03/21	Completed Sketch Design Issued for Client review & sign-off	GR	PGK

BELL G - WHITE SAILS APTS
Proposed First Floor Extension

14 Lake Road
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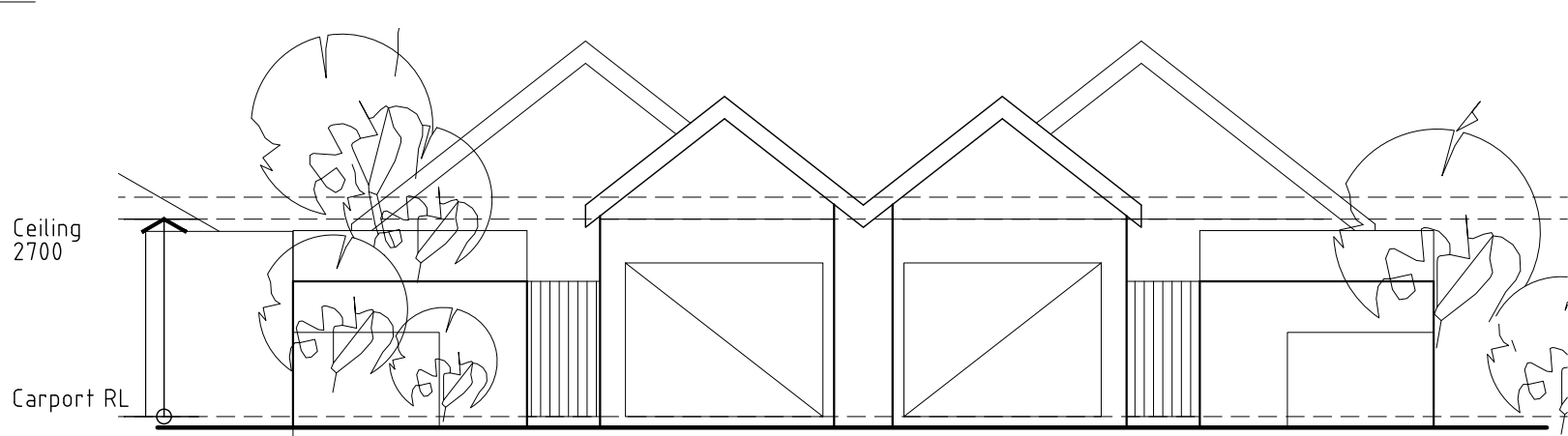
Existing Ground Floor Plan	SCALE 1:100
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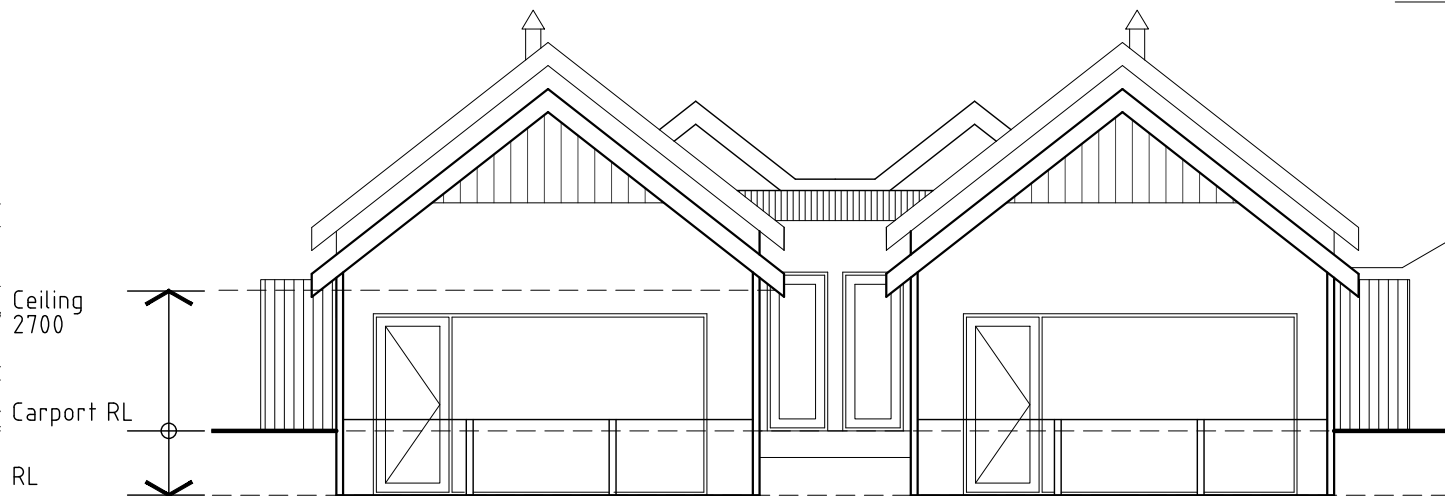
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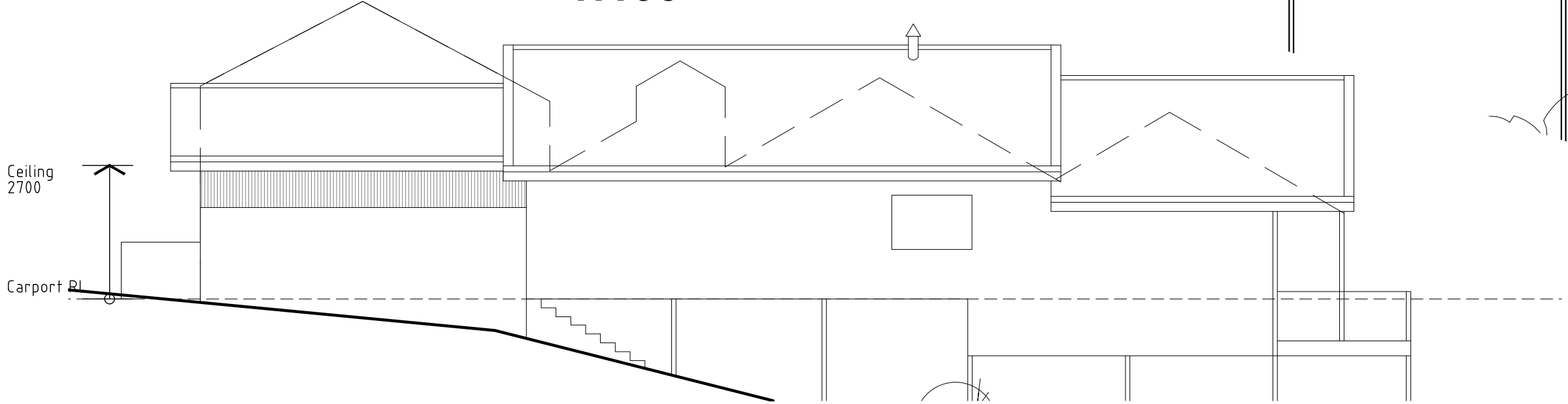
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DRAWING NO. A20878-S2			REV. A



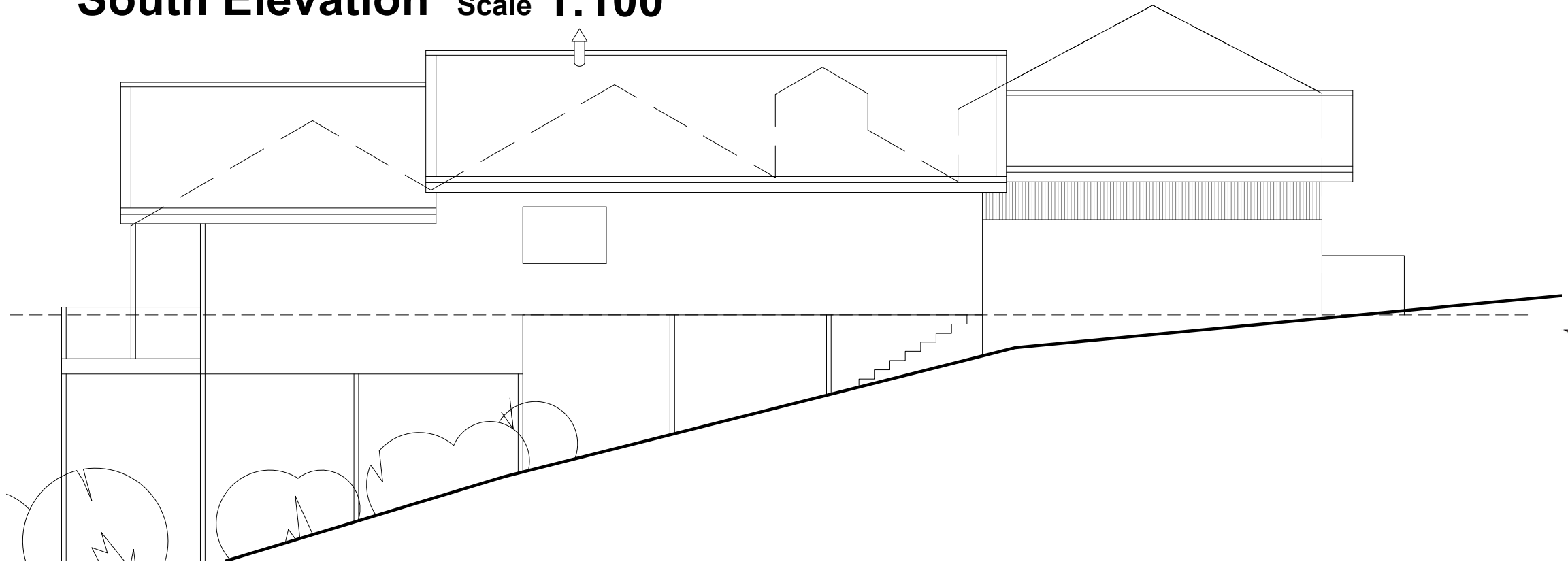
West Elevation Scale 1:100



East Elevation Scale 1:100



South Elevation Scale 1:100



North Elevation Scale 1:100

REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD
A	19/03/21	Client sign-off received Issued for Planning Assessment	PGK	PGK
P2	05/03/21	Completed Sketch Design Issued for Client review & sign-off	GR	PGK

BELL G - WHITE SAILS APTS
Proposed First Floor Extension
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 Robe SA 5276

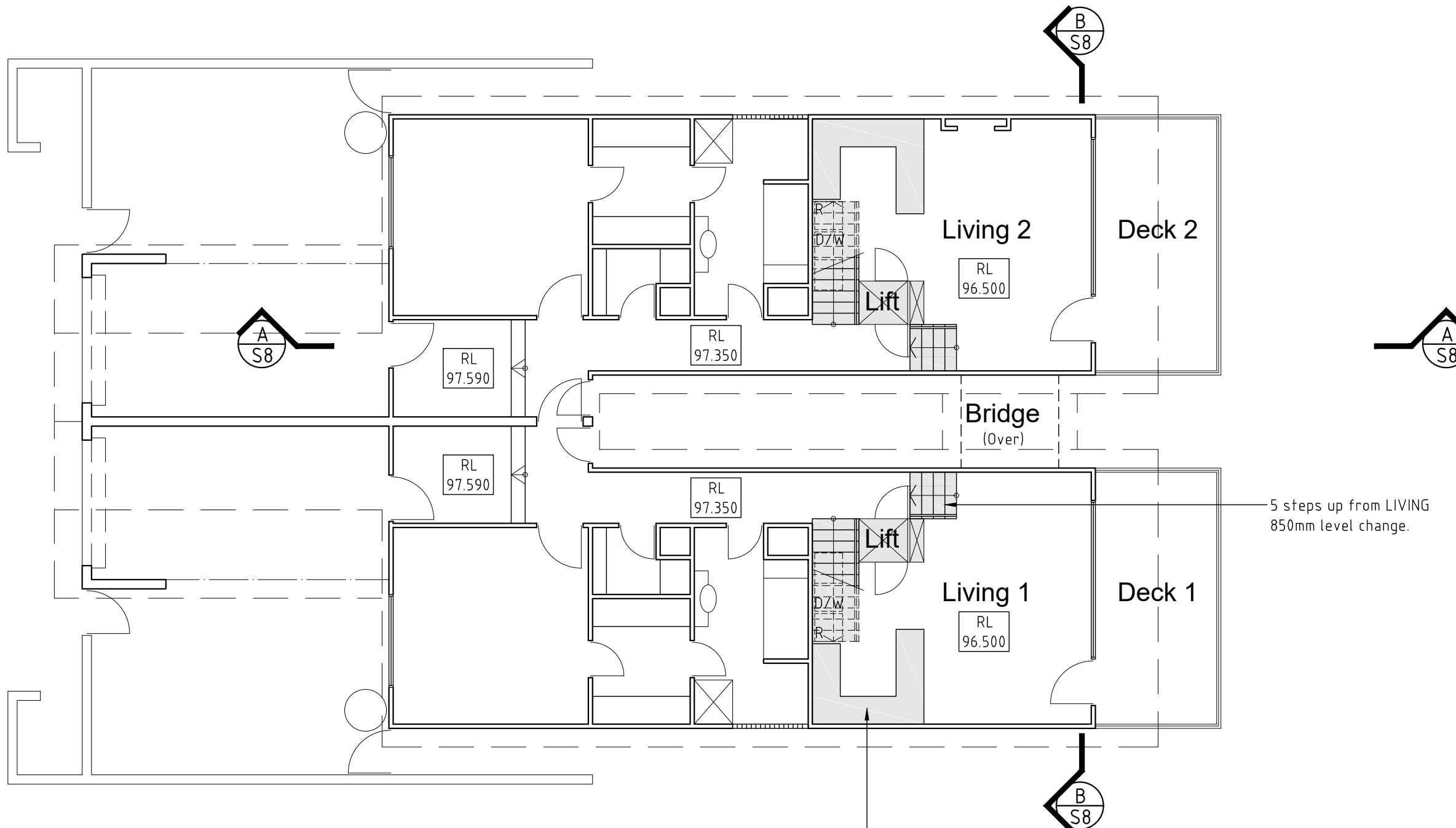
Existing Elevations SCALE 1:100

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ELECTRONIC FILE A20878-SD.dwg	SHT SIZE A3	DRAWN GR	DATE 19/03/21
DRAWING NO. A20878-S3			REV. A



Proposed Ground Floor Plan scale 1:100

REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD
A	19/03/21	Client sign-off received Issued for Planning Assessment	PGK	PGK
P3	05/03/21	Completed Sketch Design Issued for Client Review & sign-off	GR	PGK

BELL G - WHITE SAILS APTS
Proposed First Floor Extension
 14 Lake Road
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Proposed Ground Plan	SCALE 1:100
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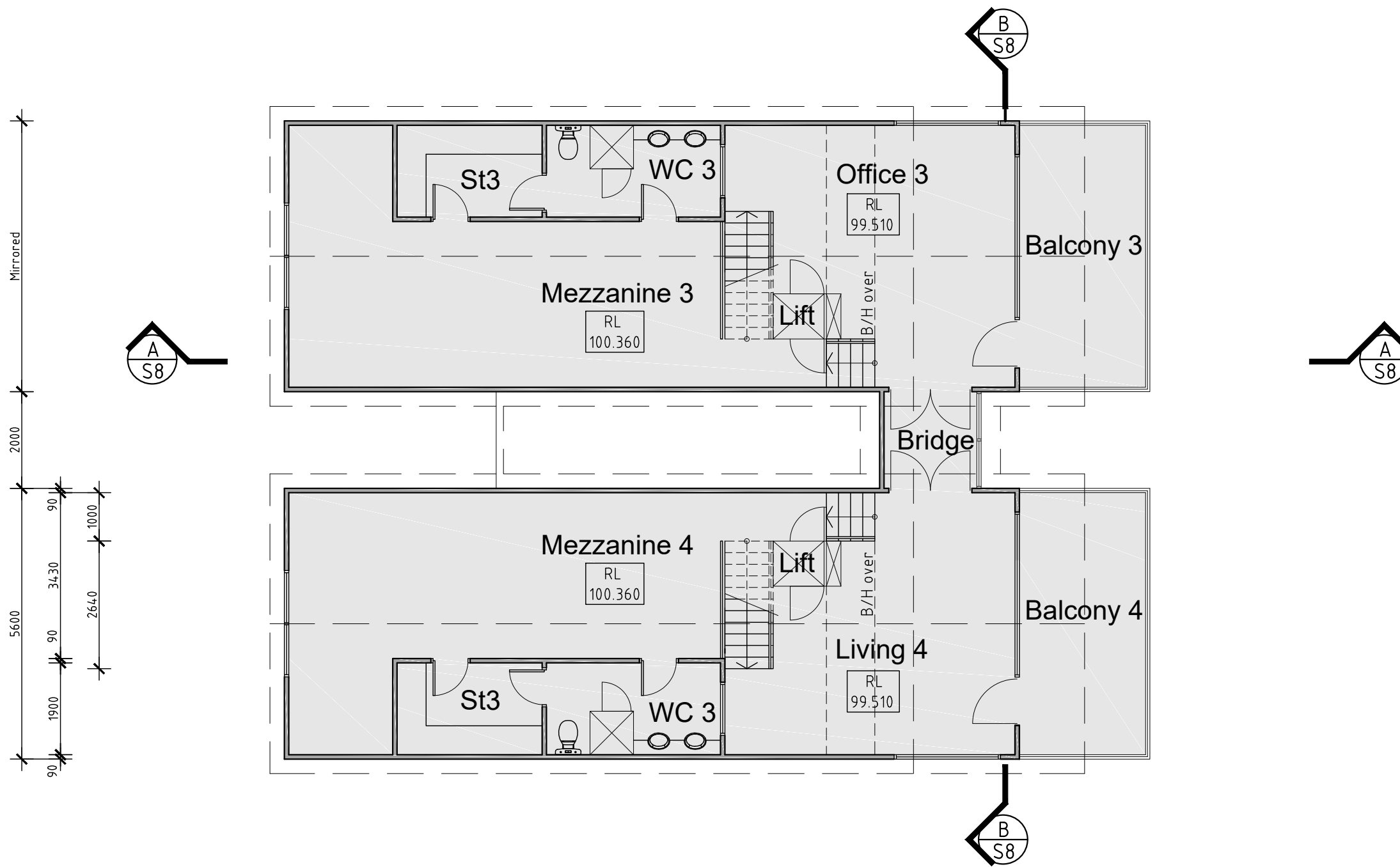
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ELECTRONIC FILE A20878-SD.dwg	SHT SIZE A3	DRAWN GR	DATE 19/03/21
DRAWING NO. A20878-S4			REV. A

Extent of proposed works shown shaded.

5 steps up from LIVING
850mm level change.



Proposed First Floor Plan scale 1:100

B	13/05/21	Mezzanines extended Re-issued for Planning Assessment	GR	PGK
A	19/03/21	Client sign-off received Issued for Planning Assessment	PGK	PGK
P3	05/03/21	Completed Sketch Design Issued for Client review & sign-off	GR	PGK
REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD

BELL G - WHITE SAILS APTS
Proposed First Floor Extension
 14 Lake Road
 Robe SA 5276

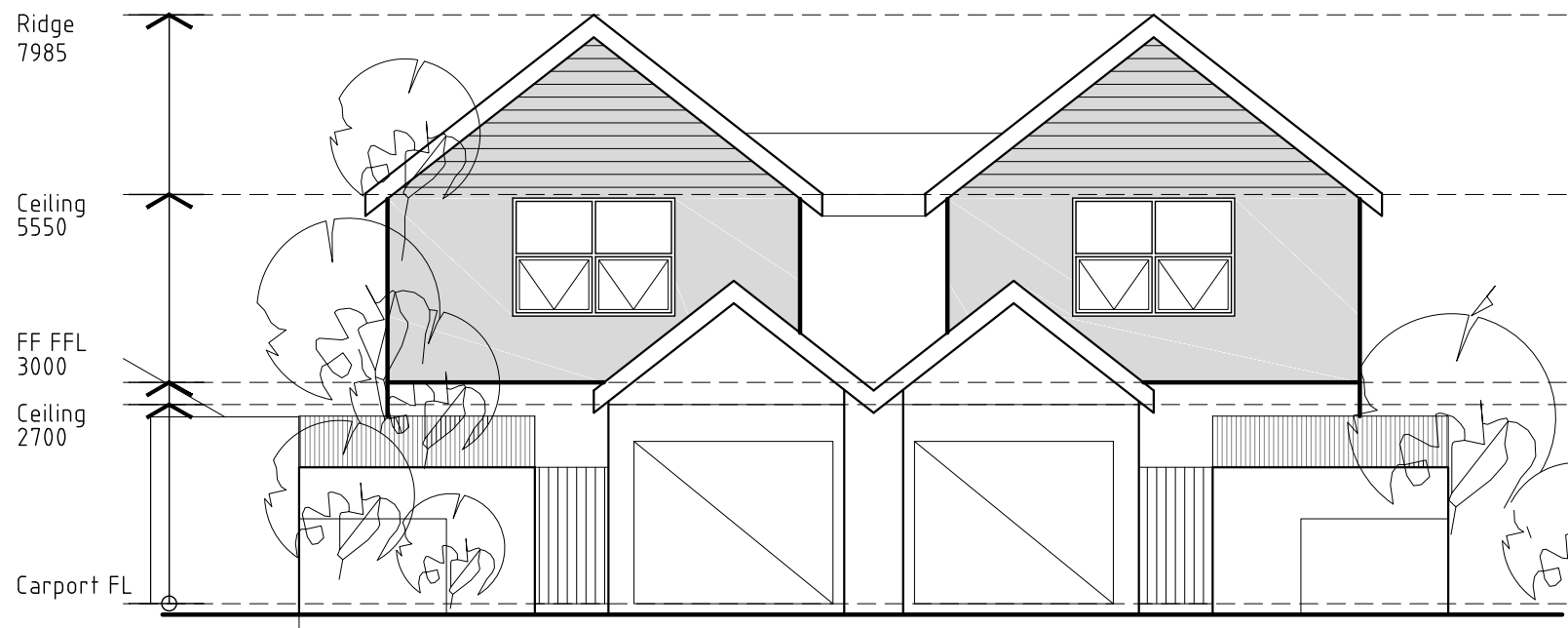
Proposed First Floor Plan	SCALE 1:100
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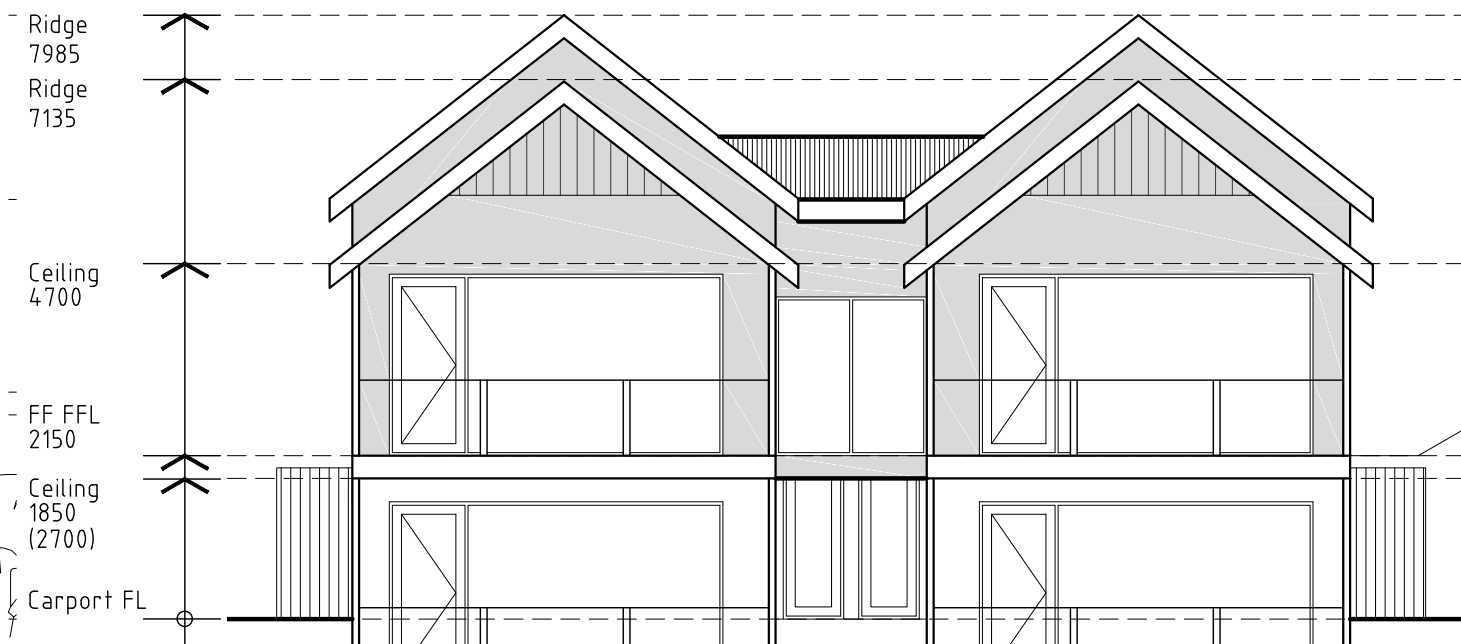
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DRAWING NO. A20878-S5			REV. B

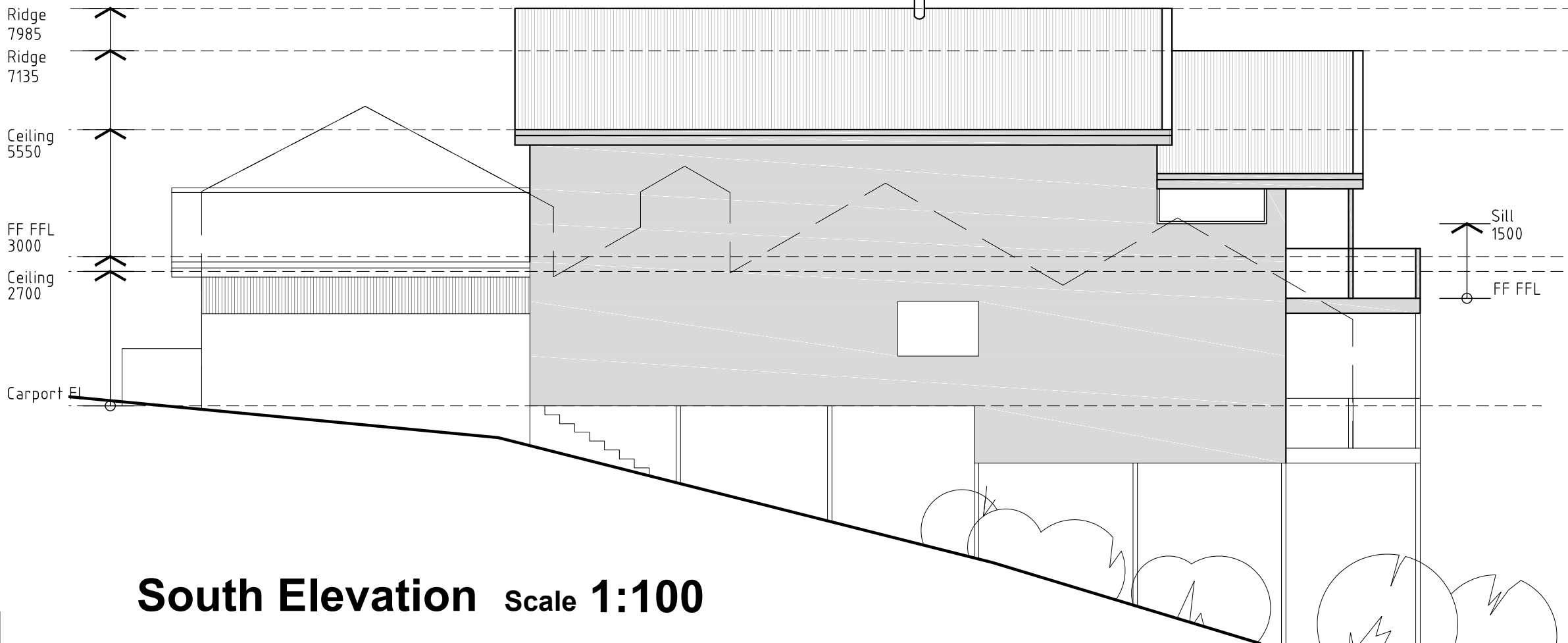


West Elevation Scale 1:100



East Elevation Scale 1:100

Colour Schedule - External		
MATERIAL:	FINISH:	COLOUR:
Roofing	Colorbond Steel	'Surfmist', or To match existing.
Roof Capping	Colorbond Steel	'Surfmist', or To match existing.
Gutters	Colorbond Steel	'Surfmist', or To match existing.
Fascias & Barges	Painted Timber	'White', or To match existing.
Door & Window Frames	Painted WRC	'White', or To match existing.
Weather Board Cladding	Painted FRC	'White', or To match existing.
Downpipes	Painted PVC	'White', or To match existing.



South Elevation Scale 1:100

REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD
D	08/07/21	Side windows amended. Sills at 1500mm AFL. Re-submitted	PGK	PGK
C	13/05/21	Mezzanines extended Re-issued for Planning Assessment	GR	PGK
B	15/04/21	Ridge Ht. & Windows to W Elev. Added Re-issued for Planning Assessment	PGK	PGK
A	19/03/21	Client sign-off received Issued for Planning Assessment	GR	PGK

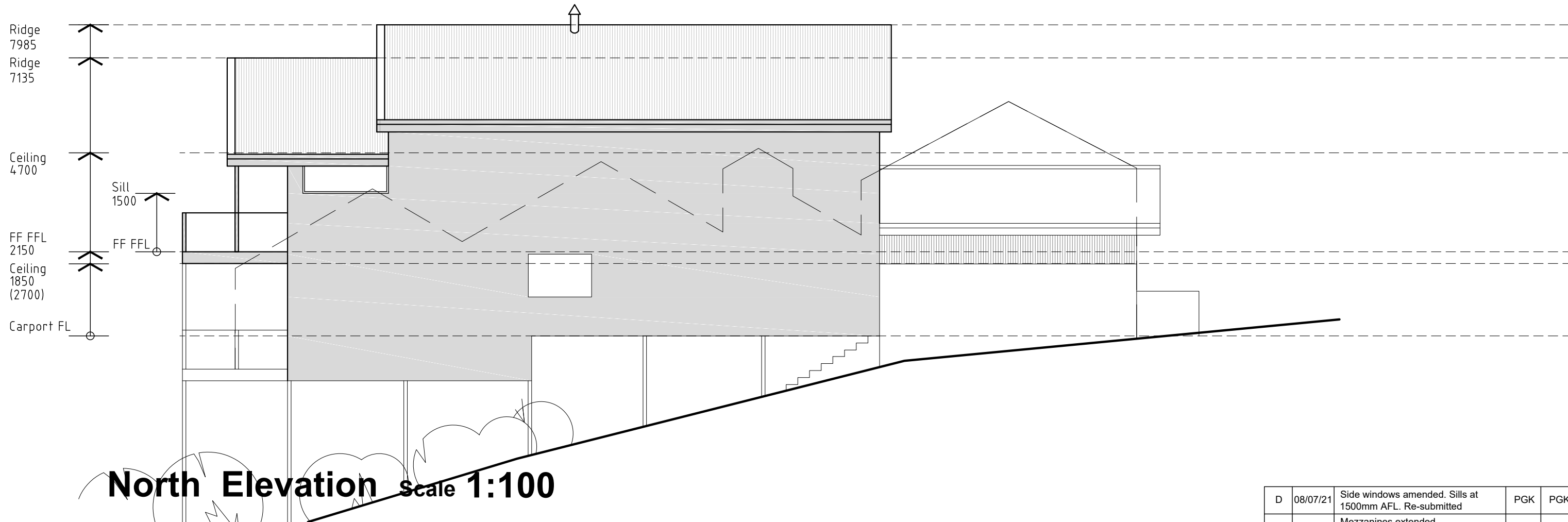
BELL G - WHITE SAILS APTS
Proposed First Floor Extension
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Proposed Elevations SCALE 1:100

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ELECTRONIC FILE A20878-SD.dwg	SHT SIZE A3	DRAWN GR	DATE 08/07/21
DRAWING NO. A20878-S6			REV. D



North Elevation scale 1:100

D	08/07/21	Side windows amended. Sills at 1500mm AFL. Re-submitted	PGK	PGK
C	13/05/21	Mezzanines extended Re-Issued for Planning Assessment	GR	PGK
B	15/04/21	Ridge Ht. & Windows to W Elev. Added Re-Issued for Planning Assessment	PGK	PGK
A	19/03/21	Client sign-off received Issued for Planning Assessment	GR	PGK
REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD

**BELL G - WHITE SAILS APTS
Proposed First Floor Extension**

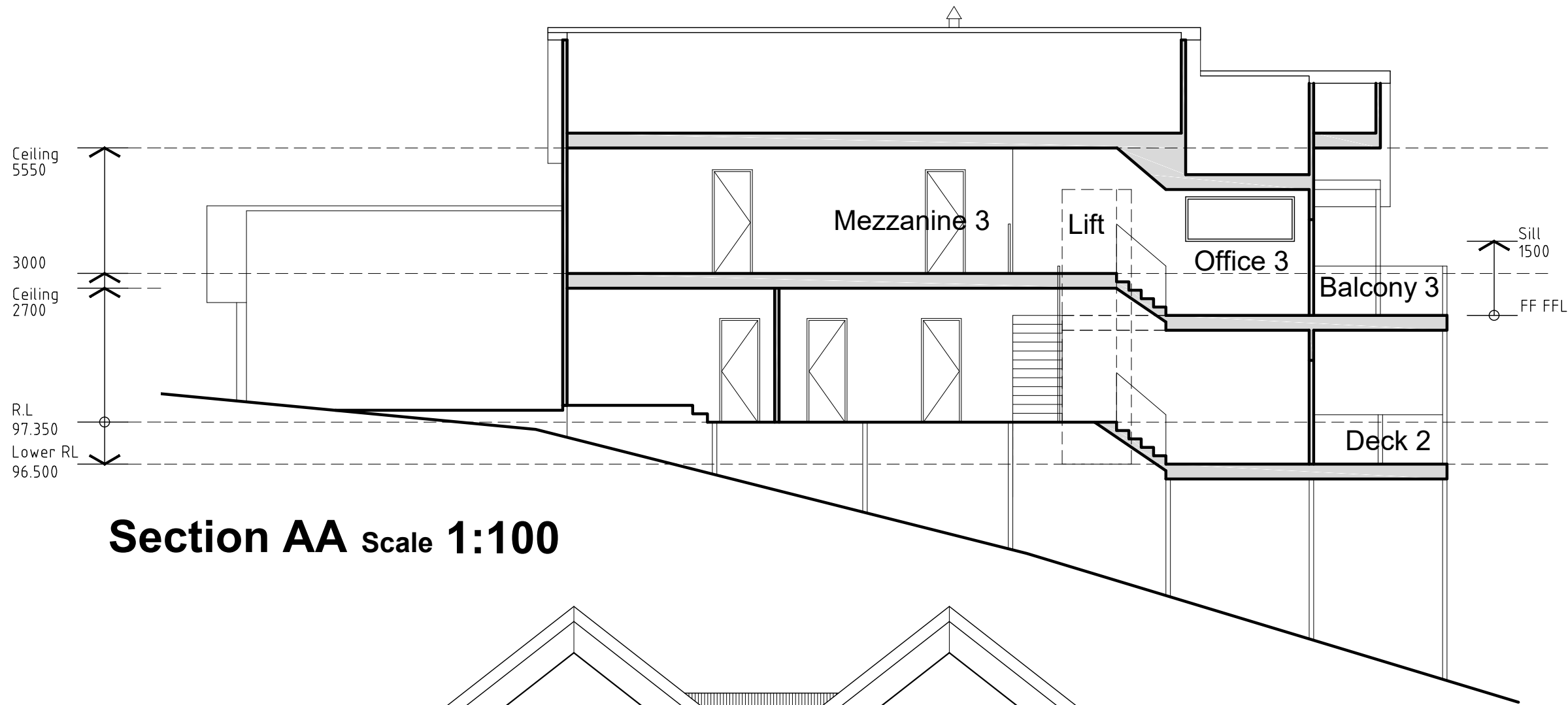
14 Lake Road
Robe SA 5276

Proposed Elevations	SCALE 1:100
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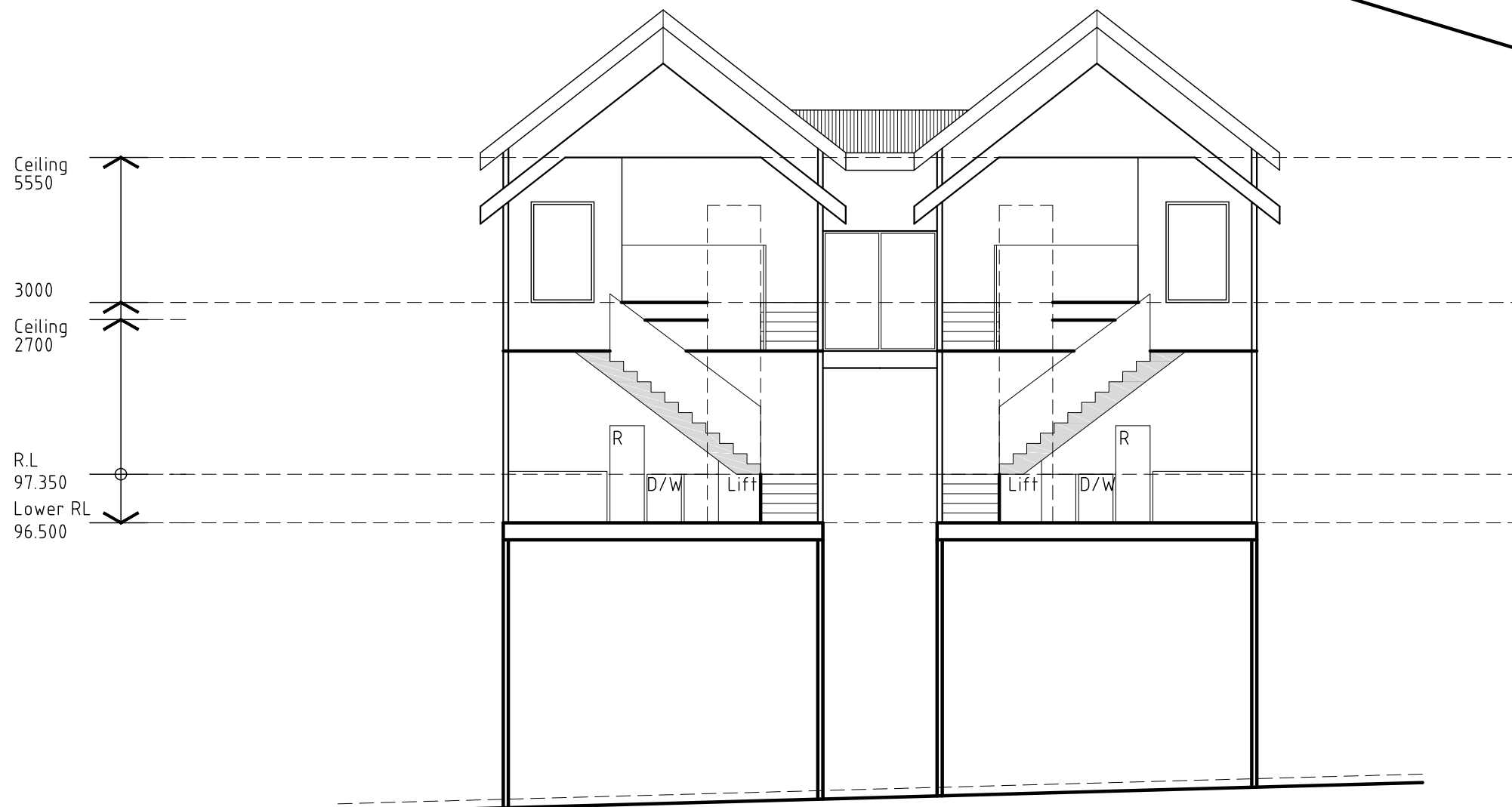
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ELECTRONIC FILE A20878-SD.dwg	SHT SIZE A3	DRAWN GR	DATE 08/07/21
DRAWING NO. A20878-S7			REV. D



Section AA Scale 1:100



Section BB Scale 1:100

C	08/07/21	Side windows amended. Sills at 1500mm AFL. Re-submitted	PGK	PGK
B	13/05/21	Mezzanines extended Re-issued for Planning Assessment	GR	PGK
A	19/03/21	Client sign-off received Issued for Planning Assessment	PGK	PGK
P2	05/03/21	Completed Sketch Design Issued for Client review & sign-off	GR	PGK
REV	DATE	ISSUE / AMENDMENT DETAILS	DRN	CHKD

**BELL G - WHITE SAILS APTS
Proposed First Floor Extension**

14 Lake Road
Robe SA 5276

Sections SCALE
1:100

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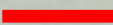
Chapman Herbert Architects Pty Ltd
50 North Terrace (PO Box 3589)
Mount Gambier SA 5290
Phone 0418 838 058
Email mtg@chapmanherbert.com.au
Web www.chapmanherbert.com.au

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DRAWING NO. A20878-S8			REV. C

ATTACHMENT 2

Subject Land Map

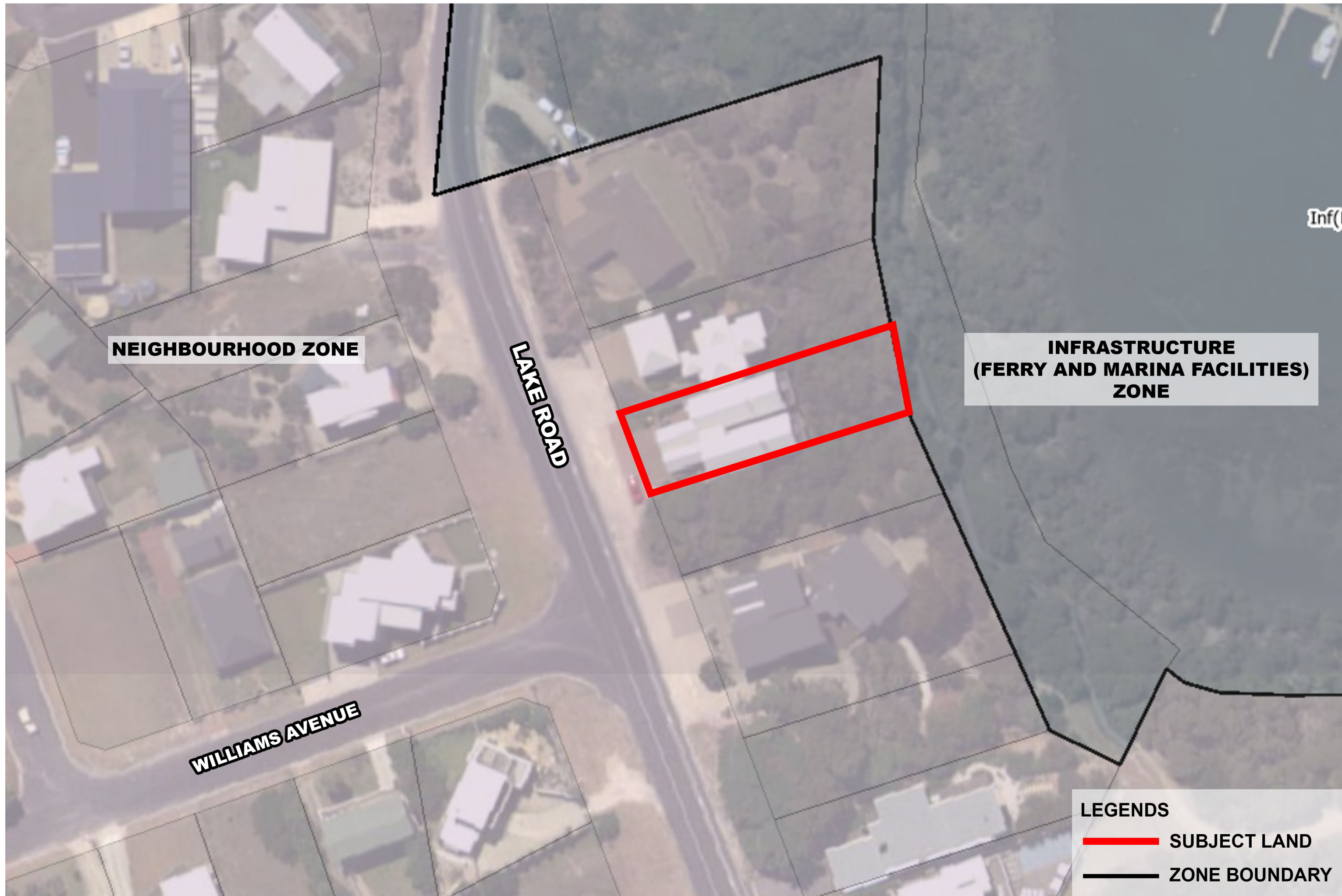


LEGEND
 **SUBJECT LAND**

SUBJECT LAND MAP

ATTACHMENT 3

Zoning Map



Inf()

NEIGHBOURHOOD ZONE

LAKE ROAD

**INFRASTRUCTURE
(FERRY AND MARINA FACILITIES)
ZONE**

WILLIAMS AVENUE

LEGENDS
— SUBJECT LAND
— ZONE BOUNDARY

ZONE MAP

ATTACHMENT 4

Representation Map



Representations Received			
		Support / Oppose	Wish to be Heard
1	Mr. Will Macdonald 16 Lake Road, Robe	Support with some concerns	Yes
2	Ms. Annabel Blanch 10 Lake Road, Robe	Support with some concerns	Yes
3	Mr. Dave Gray 9 Lake Road, Robe	Oppose	Yes
4	Mr. James Murray 12 Lake Road, Robe	Support with some concerns	Yes



LEGENDS

- █ SUBJECT LAND
- REPRESENTORS

ATTACHMENT 5

Representations

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Will

Last name:

Macdonald

Daytime Phone:

0428838801

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

Nominated Speaker:

Will Macdonald

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:

The proposed White Sails Apartment redevelopment

We have great concerns about a large window facing north towards our house, which is looking direct into two open large bedroom windows and our living room. This will have a significant impact to our privacy. We would like the removal of all windows facing north towards our house to protect our privacy. Considering closeness of the building and its projected rental status.

Attached Documents

File

No records to display.

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Annabel

Last name:

Blanch

Daytime Phone:

0411703130

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

Nominated Speaker:

David Blanch

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:

The side windows on the new upper floor facing east and west should start at a height of 1.80m above the floor level, or alternatively should be frosted.

The east facing windows would currently afford the occupants the opportunity to look directly into our bathroom and main bedroom at no 10 Lake road.

The height of the restructured building at 14 Lake road, will on the lake / marina side frontage, be some 12 meters plus above the existing ground level.

This will not be in keeping with existing roof lines along this section of Lake road facing the marina.

Perhaps a more appropriate solution to increasing the size of the existing building and floor space would be to slide the new upper story back towards the Lake road frontage and to give a tiered look

to the house facing the marina , so as to not give the impression of a massive wall facing the marina.

The upper level would still have the uninterrupted frontal views of the marina and bay as envisaged with the current plan and not affect height regulations facing the road boundary.

Attached Documents

File
No records to display.

South Australia

Planning, Development and Infrastructure Act 2016

Representation on Application – Performance Assessed Development

Applicant:	
Development Number:	21001242
Nature of Development:	
Zone/Sub-zone/Overlay:	
Subject Land:	14 LAKE ROAD, ROBE
Contact Officer:	
Phone Number:	
Close Date:	

My name*: DAVE GRAY	My phone number: 0419 035 446
My postal address*: 66 FERRERS ST	My email: dave.gray@walkerandgray.com.au
* Indicates mandatory information MT. GAMBIER	
(9 LAKE RD. ROBE)	

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

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

AT PRESENT ALL THE DWELLINGS LOCATED ON THE EASTERN SIDE OF LAKE RD. ARE SINGLE STORY (FROM ROAD HEIGHT) THEY ALL HAVE VIEWS OF THE ROBE MARINA AND BEYOND. GOING DOUBLE STORY WILL SUBSTANTIALLY OBSTRUCT VIEWS FOR THE RESIDENTS LOCATED ON THE WESTERN SIDE OF LAKE RD. IF CONSENT IS GRANTED IT WOULD SET A PRECEDENT TO ALL THE OTHER DWELLINGS ON THE EASTERN SIDE OF LAKE RD. ROBE

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, which does not include the:

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: 25-5-21

Return Address: PO Box 1, Robe SA 5276 or

Email: council@robe.sa.gov.au or

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

South Australia

Planning, Development and Infrastructure Act 2016

Representation on Application – Performance Assessed Development

Applicant:	philip kidman
Development Number:	21001242
Nature of Development:	
Zone/Sub-zone/Overlay:	
Subject Land:	14 LAKE ROAD, ROBE
Contact Officer:	
Phone Number:	
Close Date:	27 May 2021

My name*:	James Hope Murray	My phone number:	0411 859 095
My postal address*:	PO Box 3918 Mosman NSW 2088	My email:	jim@hopemurray.com.au

* Indicates mandatory information

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

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

PO 10.1 Overlooking / Visual Privacy
The development does not satisfy any of the 3 conditions listed in DTS/DPF 10.1. In particular the 1st floor windows directly overlook our property with floor to ceiling windows, which will cause us design issues when we build.

PO 15.1 Massing
This property is on one of the highest points in Robe, and by raising the roof line by 3 metres, the visual mass of this development will be enormous from all aspects i.e. 360°. The contrast with near neighbour properties will make it even greater. When we build we will be forced higher, to avoid shadowing, thereby creating even greater issues for surrounding neighbours.

PO 22.2 Amenity
I repeat my comments above and add that a flat roof would greatly reduce the massing and improve the amenity and outlook of neighbours. If the roof remains pitched and metal, we request a non-reflective finish, and preferably not white, surfmist or similar.

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, which does not include the:

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: 26/5/21

Return Address: PO Box 1, Robe SA 5276 or

Email: council@robe.sa.gov.au or

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

ATTACHMENT 6

Response to Representations

7th July 2021

Ref:9031resptoreps

The Chief Executive Officer
District Council of Robe
Royal Circus, Robe SA 5276

Attention Mr. Damien Dawson

Dear Damien

By email council@robe.sa.gov.au

Access Planning (SA) Pty Ltd
ABN 57 089 702 241

235 Henley Beach Road
Torrensville SA 5031

Telephone 08 8130 7222
Facsimile 08 8130 7299
admin@accessplanning.com.au

www.accessplanning.com.au

Re: DEVELOPMENT APPLICATION 21001242 - 14 LAKE ROAD, ROBE

I refer to the four representations received in relation to the public notification of the above development.

I note that three of the representations acknowledge support for the development subject to some reservations.

In preparing this response I have summarised the issues raised rather than responding to each individual submission in turn, given that a number of the submissions raise matters in common.

Issues as summarised include.

Privacy

Concern has been expressed by both adjoining neighbours about overlooking concerns from the large windows in each of the side elevations. The windows have been screened in accordance with DTS/DPF 10.1 to provide sill heights to 1.5m above finished floor level to address the neighbours' concerns.

References in the Blanche submission to overlooking from east facing windows would appear to be an error as the east facing windows look out over the marina.

Whilst it is noted that some overlooking of the rear of the adjoining allotments is available from the east facing windows of the subject dwelling now, these views are not direct views and are over steeply sloping land which is highly vegetated and not in use for private open space purposes.

Any overlooking resulting from the now amended proposal is considered in the circumstances to be reasonable and to not adversely impact on the privacy of the neighbours.

Form, Scale and Mass of the building

It is acknowledged that the relevant zone provisions at PO 4.1 seek development that is primarily single storey.

A similar policy referencing single storey development was contained in the previous Development Plan provisions.

Notwithstanding the preference for single storey development throughout Robe, it was not, and has not been uncommon for double storey development to be approved throughout the Town, and particularly in the area generally to the east of the marina. As such 2-storey development is a common feature of the locality, and new storey developments in this area, some of substantial size, are currently under construction.

Whilst it is noted that the development on the eastern side of Lake Road is presently single storey, the slope and attributes of the subject land make extensions to the existing building problematic, with the only logical option being upwards. The design solution adopted is intended to provide an articulated building form with the main component of the addition being located centrally over the building. This has resulted in a building form with a rising building scale from the single storey garage fronting Lake Road, to the 2 storey addition, thence a reduction in scale to the roofline and rear elevation visible from public vantage points to the east.

Having regard to the above, the development shows an appropriate degree of articulation on both the horizontal and vertical planes the intention being to reduce the mass of the building as viewed from Lake Road and public vantage points around the marina.

Moreover, it should be noted that the two 2 dimensional elevations lodged with the application always exaggerate the vertical form of the building, and that viewed in 3 dimensional form from the road in particular, portion of the upper floor will be disguised by the intervening garage, whilst landscaping and intervening buildings to either side of the development provide screening to the side elevations and assist in minimising the appearance of the visual mass of the building and integrating this aspect of the development with the existing streetscape. Deck projections and roof overhangs also help in breaking up the mass of the building as viewed from what are really quite long distant views from the public vantage point around the marina.

The building alterations have been designed to reflect the finishes and building material of the existing development, which has proven to be durable and appropriate to sometimes harsh coastal conditions of the locality.

For the above reasons I consider the development to be appropriate and in accord with the following provisions of the Code.

Neighbourhood Zone
DO 1, PO 3.1

Design
DO 1, PO 8.4, PO 15.1

The Blanche submission expresses concerns at the height of the building above natural ground level. The height of the building is as noted above, a reasonable response to the constraints of the site. The design solution does not result in unreasonable bulk to the final form of the building as viewed from within the locality, noting that from Lake Road, the building appears as two storey structures, similar to many others in the locality, whilst the same is true of views of the development from the east, where the lower slopes of the subject land are covered in dense vegetation, such the projection above ground level is not readily apparent. The height of the development above ground level does not, in my view, give rise to unreasonable overshadowing impacts to the north or south, noting that overshadowing to any development to the south will largely occur in winter time when overcast conditions are such that discernible shadow is rare.

Preferences expressed in the various submissions for design changes, such as bringing the two-storey element of the building forward to Lake Road or using flat or skillion roofs are not appropriate design solutions and do little to address the perceived concerns with the building design, in some respects they would simply make the building bulkier as viewed for the road and of a more discordant appearance if a mix of roof forms was to be adopted.

Impact on views

The two-storey addition does not impact on views of the coast or the marina generally from Lake Road as these are limited to non-existent at present as they are blocked by intervening buildings (whether single or double storey) and by landscaping. The development will not exacerbate the loss of views in the locality.

The development will set a precedent

The precedent to allow two storey buildings in the neighbourhood zone has already been well and truly established, the approval of this dwelling will not further entrench that precedent.

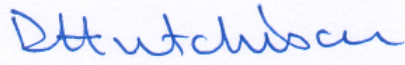
Conclusion

Having regard to the foregoing and to the relevant provisions of the SA Planning and Design Code, I am satisfied that the development proposed is a reasonable response to the constraints imposed on the development of the land by its physical attributes and adequately reflects the established character of the locality, including the extent to which 2 storey developments form an integral part of streetscapes in the locality.

I consider the changes made to the plans to address overlooking from the north and south facing windows address those concerns relating to overlooking and that the development form, scale and mass is appropriate to the locality.

I confirm that I will be available to attend at the Panel meeting at which this development will be assessed to respond as required to any more submissions that might arise in verbal presentations to the Panel.

Yours sincerely



David Hutchison BA PIA CPP
Access Planning (SA) Pty Ltd

DEVELOPMENT NO.:	21000972
APPLICANT:	Timothy Rogers Sonia Legoe
ADDRESS:	22 MCINTYRE ST ROBE
NATURE OF DEVELOPMENT:	Two storey dwelling
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Neighbourhood Overlays: <ul style="list-style-type: none"> • Affordable Housing • Hazards (Bushfire - Urban Interface) • Key Outback and Rural Routes • Native Vegetation • Prescribed Wells Area • Water Protection Area Technical Numeric Variations (TNVs): <ul style="list-style-type: none"> • Maximum Building Height (Levels)
LODGEMENT DATE:	12 Mar 2021
RELEVANT AUTHORITY:	District Council of Robe Assessment panel
PLANNING & DESIGN CODE VERSION:	7 th March 2021 - 2021.1
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Damian Dawson Assessment Manager
REFERRALS STATUTORY:	None
REFERRALS NON-STATUTORY:	None

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 3:	Representation Map
ATTACHMENT 1:	Application Documents	ATTACHMENT 4:	Representations
ATTACHMENT 2:	Subject Land Map	ATTACHMENT 5:	Applicant response

DETAILED DESCRIPTION OF PROPOSAL:

The proposal seeks the construction of a two storey detached dwelling upon the subject land. The proposed dwelling will have a minimum setback of 5.3 metres from the northern boundary (McIntyre Street), 5.8 metres from the rear boundary, 1 metre from the eastern boundary and 2.9 metres from the western boundary. The proposal will have a floor area of 225m² on the ground floor and 164m² on the first floor.

The dwelling will contain a double garage, three (3) bedrooms and living room on the ground floor and one (1) master bedroom, open plan living room with kitchen and dining room, study room and deck area at the upper level.

The dwelling will have a wall height of 6.2 metres when measured from the finished floor level with an overall roof height of approximately 6.8 metres when measured from natural ground level.

Vehicle access to the site is gained via a new crossover from McIntyre Street located at the eastern end of the northern boundary.

The dwelling will be connected to a rainwater tank located along the rear boundary and a new septic tank located along the south western corner of the dwelling feeding into Council's CWMS system.

External materials and finishes comprise of a mixture of natural field stone, vertical timber board, shadow clad plywood panelling, Hebel and metal sheet cladding for the external wall finishes and metal sheet roofing.

BACKGROUND:

The subject land was created in November 2019 following the division of the larger adjoining parcel of land to the east fronting the eastern end of McIntyre Street and Main Road.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 22 MCINTYRE ST ROBE

Title ref.: CT 6240/406 **Plan Parcel:** D123888 AL101 **Council:** DC OF ROBE

The subject land is described in Certificate of Title Volume 6240 Folio 406 as being Allotment 101 in Deposited Plan 123888. The land has a frontage of approximately 17.6 metres to McIntyre Street and an approximate site area of 510m².

The land is currently vacant of any built form and consists of dense shrubs along the north western portion of the allotment. The allotment is located on the southern edge of the cul-de-sac at the eastern end of McIntyre Street.

Locality

The locality is predominantly characterised by residential allotments with site areas ranging from approximately 500m² to 4,800m² consisting of two storey detached dwellings.

The immediate locality can be characterised by a two storey detached dwelling to the west and a two storey detached surrounded with dense vegetation and frontage to Main Road to the east of the allotment. The Robe coastal cliff top walk is located on the northern side of McIntyre Street along the cliffs fronting Guichen Bay.



Figure 1: Subject Land

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

Code Assessed - Performance Assessed

PUBLIC NOTIFICATION:

Required - The proposal exceeds the maximum building height with the Neighbourhood Zone and therefore is subject to public notification.

LIST OF REPRESENTATIONS

Council received one (2) representation during the notification period from the neighbour to the north of the subject land:

Representations Received			
		Support / Oppose	Wish to be Heard
1	Mr. Brian Sapiatzer 18 McIntyre Street, Robe	Support with some concerns	No
2	Mr. Orso Osti 20 McIntyre Street, Robe	Oppose	Yes

- SUMMARY**

A summary of the representor's comments and the applicant's response is provided below:

Summary of Representations	
Representation	Applicant's Response
<i>Two storey dwelling exceeds the Maximum Building Height of one storey dwelling</i>	<i>All the houses on McIntyre Street are two storey dwellings</i>
<i>The proposal is not consistent with the primary street setback/similar to the adjoining dwellings.</i>	<i>The subject land is out of line compared to the rest of the allotments with frontage to McIntyre Street and cannot achieve a consistent setback. The provision recommends setback to be consistent with same primary street frontage. As the adjacent allotment to the east has a frontage to Main Road it is not applicable to this proposal.</i>
<i>Exceeds the site coverage of 60% which results in visual impact and does not allow sufficient space and ventilation.</i>	<i>The development is within the maximum site coverage requirement.</i>
<i>Does not comply with the Robe Council guidelines of minimal coastal impact.</i>	<i>The allotment is not located within Coastal Overlays.</i>
<i>Lacks safe vehicle access and interferes with the street furniture and street vegetation</i>	<i>The proposal has adequate on-site car parking. The vehicle access is similar to most cul-de-sac residential allotments. There are no significant trees on the site and the large Cypress trees are not located within the allotment.</i>



Figure 2: Representation Map

AGENCY REFERRALS

None required.

INTERNAL REFERRALS

None undertaken.

PLANNING ASSESSMENT

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

The subject land is located within the Neighbourhood Zone. The assessment of the proposal has been limited to the provisions within the zone along with the relevant overlays and general provisions as outlined within the attached extract of the Code provisions.



Figure 3: Zone Map

Quantitative Provisions

The following table provides an assessment against the relevant quantitative provisions contained within the P&D Code:

	Requirement	Proposal
Building Height	1 Level	2 Level
Site Coverage	60%	44%
Primary Street Setback	Where there is only one existing building on adjoining sites which face the same primary street, not less than the setback to the building line of that building or not less than 5m where no building exists on an adjoining site with the same primary street frontage.	5.3 to 6.3 m
Side Boundary Setback	<ul style="list-style-type: none"> - 900 mm for walls up to 3 m height then an additional 1/3 of the wall height above 3 m - Proposed wall height of 6.2 m on western side requires a setback of 1.9 metres - Proposed wall height of 3 m on eastern side requires 900 mm 	Western Boundary – 2.9 m Eastern Boundary – 1 – 1.5 m
Rear Boundary	<ul style="list-style-type: none"> - 4 m for the first building level - 6 m for any second building level 	Ground floor - 5.8 m (min) Upper level – 6 m

The proposal easily satisfies the side boundary setback provisions outlined above. It exceeds the building height requirement by one storey and is at odds with the front boundary setback requirements when considered in relation to the setback of the adjoining dwelling to the west. Both of these elements are discussed further below.

Land Use

As noted below the Desired Outcome of the Neighbourhood Zone encourages the development of dwellings consistent with the existing characteristics of the locality.

Desired Outcome	
DO 1	Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

The proposed construction of a detached dwelling upon the land satisfies the desire of the zone for residential development as noted within DO 1 and Performance Outcome (PO) 1.1 and Designated Performance Feature (DPF) 1.1 which lists detached dwellings as an envisaged land use.

The subject land is an existing residential allotment which satisfies the minimum allotment size and frontage to accommodate a detached dwelling. The development of a dwelling upon the land is therefore supported.

Building Height

The Neighbourhood Zone provides the following guidance in relation to building height:

PO 4.1

Building height is consistent with the maximum height expressed in any relevant Building Height Technical and Numeric Variation, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.

DTS/DPF 4.1

*Building height (excluding garages, carports and outbuildings) is no greater than:
Maximum building height is 1 level*

The proposed two-storey detached dwelling exceeds the maximum building height/levels by one level. It is noted that the majority of dwellings within the locality and along McIntyre Street are two storeys in height with many more across the Neighbourhood Zone in Robe. The additional building height proposed is not considered to be fatal to the assessment of the application as it is still consistent with the prevailing character and complementary to the height of nearby buildings as sought by PO 4.1.

The flat roof nature of the proposal provides for a lower scale dwelling relative to two storey dwellings with gabled or skillion roof forms. The differentiation in external materials between the lower and upper levels and in setting of the upper level at the rear and eastern side provides for a suitable degree of articulation and detailing to reduce the overall visual scale and bulk of the building.

Setbacks, Design & Appearance

As noted above the proposal satisfies the relevant side and rear setback requirements. The Neighbourhood Zone provides the following guidance in relation to the setback of dwellings from the primary street frontage:

PO 5.1

Buildings are set back from primary street boundaries consistent with the existing streetscape.

DTS/DPF 5.1

The building line of a building set back from the primary street boundary:

- a) at least 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), not less than 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.*

The subject land is located at the eastern end of the McIntyre Street, forward of all the other parcels fronting McIntyre Street to the west as shown within Figure 4 below. The subject land has a depth of approximately 30 metres. Approximately half of this depth (15 metres) is located forward of the adjoining allotment to the west. As such any development upon the subject allotment will naturally sit forward of the predominate building line along McIntyre Street to the west. The bend/curve in McIntyre Street adjacent the subject land signifies a change in the allotment alignment with the subject land and adjoining allotment to the west siting forward, closer to the cliff line.



Figure 4: View east along McIntyre Street with the subject land located within the centre (vegetated)

The proposed primary street setback of between 5.3 and 6.3 metres is considered to be sufficient given the nature of the road alignment and allotment pattern at the end of the cul-de-sac. Whilst the proposed dwelling will sit forward of the adjoining development to the west it is located at the end of the road at the point at which the roadway turns to the north and therefore will be read within a difference context to the established setback character of the dwellings to the west.

The following provisions provide guidance as to the general design and appearance of dwelling sought within the Zone:

PO 11.1

Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.

DTS/DPF 11.1

Each dwelling with a frontage to a public street:

- a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m*
- b) has an aggregate window area of at least 2m² facing the primary street.*

PO 12.1

Living rooms have an external outlook to provide a high standard of amenity for occupants.

DTS/DPF 12.1

A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.

PO 17.1

Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.

DTS/DPF 17.1

Private open space is provided in accordance with Design Table 1 Private Open Space.

Dwelling Type	Minimum Rate
Dwelling (at ground level)	Total private open space area: (a) Site area <301m ² : 24m ² located behind the building line. (b) Site area ≥ 301m ² : 60m ² located behind the building line. Minimum directly accessible from a living room: 16m ² / with a minimum dimension 3m.
Dwelling (above ground level)	Studio (no separate bedroom): 4m ² with a minimum dimension 1.8m One bedroom: 8m ² with a minimum dimension 2.1m Two bedroom dwelling: 11m ² with a minimum dimension 2.4m Three + bedroom dwelling: 15m ² with a minimum dimension 2.6m

The proposed dwelling is appropriately designed and sited to overlook the adjoining public realm and roadway at the end of the cul-de-sac. The dwelling takes advantage of the views to the north and north east out over the bay and towards Long Beach. The ground and upper level living areas and upper level deck all look to the north providing passive surveillance of the road and walking track.

The rear garden provides a suitable area of private open space to supplement the upper level deck with sufficient space for meaningful landscaping within both front and rear yards.

The dwelling design is contemporary and utilises a range of natural materials and finishes consistent with the beachside character of Robe. It is sufficiently setback from the adjoining boundaries to not be overbearing or result in any significant overshadowing or overlooking. Living areas are proposed at ground and upper level

on the northern side of the dwelling to take advantage of the outlook and provide good passive solar design with high levels of natural light and ventilation provided.

Overall, the design and appearance of the proposed dwelling is supported with an appropriate mixture of materials proposed and a high level of residential amenity anticipated.

Traffic Impact, Access and Parking

The following zone provisions provide guidance regarding access and parking:

DTS/DPF 19.3

Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.

DTS/DPF 19.4

Vehicle access to designated car parking spaces satisfy (a) or (b):

- a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land*
- b) where newly proposed:*
 - i. is set back 6m or more from the tangent point of an intersection of 2 or more roads*
 - ii. is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing*
 - iii. does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.*

A new crossover/access is proposed from McIntyre Street adjacent the subject land. The access point is clear of any infrastructure within the road reserve and appropriately located to provide safe and convenient access to the subject allotment.

A double garage is proposed which will provide a sufficient level of off street parking for the proposed dwelling.

Impacts/interface

Consideration has been given to the potential impacts of the proposal upon the adjoining dwellings to the east and west. As noted above the proposed dwelling achieves the minimum setback (1.9 metres) from the adjoining residential allotment to the west with a setback of 2.9 metres provided. Whilst it is noted that the proposed dwelling will sit forward of the adjoining dwelling to the west the increased side boundary setback will provide a degree of separation between the dwellings. The proposed side and front setbacks proposed will allow the adjoining dwelling to the west to retain views from their upper level windows and balconies to the west, north and north east. The proposal will potentially limit some views currently enjoyed to the east but these views are likely to already be restricted on account of the vegetation upon the subject land and along the common boundary. The eastern views from the adjoining dwelling are also likely to be restricted by the large pine trees to the east of the subject land which are to be retained and sit outside of the subject land.

The adjoining dwelling to the east is well removed from the subject land and screened by existing vegetation including the row of large pine trees to the east of the subject land.

Overlays

The following Overlays apply to the subject land:

- Affordable Housing
- Hazards (Bushfire Urban Interface)
- Hazards (Flooding Evidence Required)

- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

There are no specific provisions within the overlays that are of relevant to the assessment of the proposal in this instance.

CONCLUSION

The proposal seeks to develop a well considered and designed two storey detached dwelling upon the subject land. The dwelling achieves all the relevant provisions regarding side and rear setbacks, private open space, site coverage and car parking. The proposal exceeds the desired minimum building height of 1 level however the two storey design is consistent with the established character of two storey dwellings along McIntyre Street.

The location of the subject land at the end of McIntyre Street at the head of the cul-de-sac will result in the dwelling sitting forward of the established building line of the dwellings to the west. This is an unavoidable consequence of the location of the allotment and the alignment of the road at the eastern end.

Overall, the proposal is considered to achieve the intent of the Code in relation to the development of dwellings within the Neighbourhood Zone.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21000972, by Timothy Rogers and Sonia Legoe is granted Planning Consent subject to the following conditions:

CONDITIONS

1. The Development shall be carried out in accordance with plan/s and details as approved by Council except where required to be varied by any condition of consent or where approval is sought from and granted by Council, for any variation. Reason: To ensure the development proceeds in an orderly manner.
2. The front setback area (between the front property boundary and front of the dwelling) shall be landscaped with suitable trees, shrubs, lawn and/or ground cover and may include some paving, retaining and the like. Such landscaping shall be completed within 2 years of completion of the dwelling and shall be maintained in good condition at all times and any dead or diseased vegetation shall be promptly replaced to the reasonable satisfaction of Council.
3. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - (a) result in the entry of water into a building; or
 - (b) affect the stability of a building or;
 - (c) create unhealthy or dangerous conditions on the site or within the building; or
 - (d) flow or discharge onto the land or an adjoining owner and not flow across property boundaries and onto the adjoining road.

4. Approval shall be obtained from the District Council of Robe for a new On-Site Wastewater system or alteration to an existing system prior to issue of Development Approval. An application form can be downloaded from Council's website and submitted with a wastewater engineers report (if applicable) and relevant plans. Once approval has been granted, please upload the Wastewater Approval to PlanSA ePlanning Platform.

ADVISORY NOTES

General 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 act of a relevant authority in relation to the determination of this application, including conditions.

APPENDIX 1

Relevant P&D Code Policies

22 MCINTYRE ST ROBE SA 5276

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

Local Variation (TNV)

Minimum Frontage (*Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m*)

Minimum Site Area (*Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm*)

Maximum Building Height (Levels) (*Maximum building height is 1 level*)

Overlay

- Affordable Housing
- Hazards (Bushfire - Urban Interface)
- Hazards (Flooding - Evidence Required)
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

Zone

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 - Deemed to Satisfy

Part 2 - Zones and Sub Zones

Detached dwelling - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>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) Outbuilding (h) Pre-school (i) Recreation area (j) Retirement facility (k) Shop (l) Supported accommodation.
Site Dimensions and Land Division	
<p>PO 2.1</p> <p>Allotments/sites created for residential purposes are consistent with the density and dimensions expressed in any relevant <i>Minimum Site Area Technical and Numeric Variation</i> and <i>Minimum Frontage Technical and Numeric Variation</i>, or are otherwise generally consistent with the prevailing pattern of development in the locality and suitable for their intended use.</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> <ul style="list-style-type: none"> (a) where allotments/sites are connected to mains sewer or a Community Wastewater Management System: <ul style="list-style-type: none"> (i) site areas (or allotment areas in the case of land

	<p>division) are not less than the following (average site area per dwelling, including common areas, applies for group dwellings or dwellings within a residential flat building):</p> <table border="1" data-bbox="831 286 1520 427"> <tr> <th style="text-align: center;">Minimum Site Area</th> </tr> <tr> <td>Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm</td> </tr> </table> <p style="text-align: center;">(ii) site frontages are not less than:</p> <table border="1" data-bbox="831 524 1520 665"> <tr> <th style="text-align: center;">Minimum Frontage</th> </tr> <tr> <td>Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m</td> </tr> </table> <p style="text-align: center;">(b) where allotments/sites are not connected to mains sewer or an approved common waste water disposal service:</p> <p style="text-align: center;">(i) site areas are not less than the greater of:</p> <p style="text-align: center;">A. 1200m²</p> <p style="text-align: center;">B. the following:</p> <table border="1" data-bbox="831 965 1520 1106"> <tr> <th style="text-align: center;">Minimum Site Area</th> </tr> <tr> <td>Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm</td> </tr> </table> <p style="text-align: center;">(ii) site frontages are not less than the greater of:</p> <p style="text-align: center;">A. 20m</p> <p style="text-align: center;">B. the following:</p> <table border="1" data-bbox="831 1308 1520 1449"> <tr> <th style="text-align: center;">Minimum Frontage</th> </tr> <tr> <td>Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m</td> </tr> </table> <p>In relation to DTS/DPF 2.1, in instances where:</p> <p style="text-align: center;">(c) more than one value is returned in the same field, refer to the <i>Minimum Frontage Technical and Numeric Variation</i> layer or <i>Minimum Site Area Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development</p> <p style="text-align: center;">(d) no value is returned for DTS/DPF 2.1(a)(i) and/or (ii) (i.e. there is a blank field), then none are applicable and the relevant development cannot be classified as deemed-to-satisfy</p> <p style="text-align: center;">(e) no value is returned for DTS/DPF 2.1(b)(i)(B) and/or 2.1(b)(ii)(B), the value for DTS/DPF 2.1(b)(i)(B) and/or 2.1(b)(ii)(B) is zero.</p>	Minimum Site Area	Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm	Minimum Frontage	Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m	Minimum Site Area	Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 450 sqm; row dwelling is 450 sqm; group dwelling is 450 sqm; residential flat building is 450 sqm	Minimum Frontage	Minimum frontage for a detached dwelling is 10m; semi-detached dwelling is 10m; row dwelling is 10m; group dwelling is 10m; residential flat building is 10m
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<p>PO 2.2</p> <p>Development results in sites suitable for their intended 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 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 Table 1 - Private Open Space (ii) Car parking requirements 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. 		
Site coverage			
<p>PO 3.1</p> <p>Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.</p>	<p>DTS/DPF 3.1</p> <p>The development does not result in site coverage exceeding 60% of the site area.</p>		
Building Height			
<p>PO 4.1</p> <p>Building height is consistent with the maximum height expressed in any relevant <i>Building Height Technical and Numeric Variation</i>, or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.</p>	<p>DTS/DPF 4.1</p> <p>Building height (excluding garages, carports and outbuildings) is no greater than:</p> <ul style="list-style-type: none"> (a) the following: <table border="1" data-bbox="831 1077 1522 1155" style="margin-left: 20px;"> <thead> <tr> <th style="text-align: center;">Maximum Building Height (Levels)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Maximum building height is 1 level</td> </tr> </tbody> </table> (b) in all other cases (i.e. there are blank fields for both maximum building height (metres) and maximum building height (levels)) - 2 building levels up to a height of 9m. <p>In relation to DTS/DPF 4.1, in instances where:</p> <ul style="list-style-type: none"> (a) more than one value is returned in the same field, refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation</i> layer or <i>Maximum Building Height (Meters) Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the site of the proposed development. (b) only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other. 	Maximum Building Height (Levels)	Maximum building height is 1 level
Maximum Building Height (Levels)			
Maximum building height is 1 level			
Primary Street Setback			
<p>PO 5.1</p> <p>Buildings are set back from primary street boundaries consistent with the existing streetscape.</p>	<p>DTS/DPF 5.1</p> <p>The building line of a building set back from the primary street boundary:</p> <ul style="list-style-type: none"> (a) at least 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 		

	<p>allotment), not less than the setback to the building line of that building</p> <p>or</p> <p>(c) not less than 5m where no building exists on an adjoining site with the same primary street frontage.</p>
Secondary Street Setback	
<p>PO 6.1</p> <p>Buildings are set back from secondary street boundaries to maintain a pattern of separation between buildings and public streets and reinforce a consistent streetscape character.</p>	<p>DTS/DPF 6.1</p> <p>Building walls are set back at least 900mm from the boundary of the allotment with the secondary street frontage.</p>
Boundary Walls	
<p>PO 7.1</p> <p>Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.</p>	<p>DTS/DPF 7.1</p> <p>Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on 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> <p>(i) exceed 3.2m in height from the lower of the natural or finished ground level</p> <p>(ii) exceed 11.5m in length</p> <p>(iii) when combined with other walls on the boundary of the subject development site, exceed a length equal to 45% of the length of the boundary</p> <p>(iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.</p>
<p>PO 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a low density streetscape character.</p>	<p>DTS/DPF 7.2</p> <p>Dwelling walls in a semi-detached, row or terrace arrangement are set back from side boundaries shared with allotments outside the development site at least 900mm.</p>
Side Boundary Setback	
<p>PO 8.1</p> <p>Buildings are set back from side boundaries to provide:</p> <p>(a) separation between dwellings in a way that complements the character of the locality</p> <p>(b) access to natural light and ventilation for neighbours.</p>	<p>DTS/DPF 8.1</p> <p>Building walls are set back from the side boundary at least:</p> <p>(a) On sites greater than 800m²:</p> <p>(i) Other than a wall facing a southern boundary 1900mm from both side boundaries</p> <p>(ii) At least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern boundary</p> <p>(b) On sites 800m² or less, and other than walls located on a side boundary:</p> <p>(i) at least 900mm where the wall is up to 3m</p> <p>(ii) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m</p> <p>(iii) at least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern side boundary.</p>

Rear Boundary Setback	
<p>PO 9.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours (c) private open space (d) space for landscaping and vegetation. 	<p>DTS/DPF 9.1</p> <p>Dwelling walls are set back from the rear boundary at least:</p> <ul style="list-style-type: none"> (a) if the size of the site is less than 301m²— <ul style="list-style-type: none"> (i) 3m in relation to the ground floor of the dwelling (ii) 5m in relation to any second building level of the dwelling (iii) 5m plus an additional 1m setback added for every 1m height increase above a wall height of 7m. (b) if the size of the site is 301m² or more— <ul style="list-style-type: none"> (i) 4m in relation to the ground floor of the dwelling (ii) 6m in relation to any second building level of the dwelling (iii) 6m plus an additional 1m setback added for every 1m height increase above a wall height of 7m.
Concept Plans	
<p>PO 11.1</p> <p>Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 11.1</p> <p>The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 11.1, in instances where:</p> <ul style="list-style-type: none"> (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 11.1 is met.

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)
<p>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.</p>	<p>None specified.</p>
<p>2. All development undertaken by: (a) the South Australian Housing Trust either</p>	<p>Except development involving any of the following:</p>

<p>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.</p>	<ol style="list-style-type: none"> 1. residential flat building(s) of 3 storeys or greater 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.
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ol 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) jetty, pontoon or boat berth (or any combination thereof) within the <i>Waterfront Subzone</i> (j) outbuilding (k) pergola (l) private bushfire shelter (m) residential flat building (n) retaining wall (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) swimming pool or spa pool (r) tree damaging activity (s) verandah (t) water tank. 	<p>Except development that:</p> <ol style="list-style-type: none"> 1. exceeds the maximum building height specified in 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: <ol style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).
<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ol style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	<p>Except development that:</p> <ol style="list-style-type: none"> 1. exceeds the maximum building height specified in Neighbourhood Zone DTS/DPF 4.1 or 2. does not satisfy Neighbourhood Zone DTS/DPF 1.2 or 3. 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: <ol style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3.2m measured from the lower of the natural or finished ground level (other than where the proposed wall abuts an existing wall or structure of greater height on the adjoining allotment).

<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) 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. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Part 3 - Overlays

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	DTS/DPF 1.2 Development comprising 20 or more dwellings / or residential

<p>allotments provides housing suited to a range of incomes including households with low to moderate incomes.</p>	<p>allotments includes a minimum of 15% affordable housing except where:</p> <ul style="list-style-type: none"> (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.
<p>PO 1.3 Affordable housing is distributed throughout the development to avoid an overconcentration.</p>	<p>DTS/DPF 1.3 None are applicable.</p>
<p>Built Form and Character</p>	
<p>PO 2.1 Affordable housing is designed to complement the design and character of residential development within the locality.</p>	<p>DTS/DPF 2.1 None are applicable.</p>
<p>Affordable Housing Incentives</p>	
<p>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.</p>	<p>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.</p>
<p>PO 3.2 To support the provision of affordable housing, building heights may be increased above the maximum specified in a zone.</p>	<p>DTS/DPF 3.2 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

	<p>Overlay or Historic Area Overlay or (b) other height incentives already apply to the development.</p>
<p>Movement and Car Parking</p>	
<p>PO 4.1 Sufficient car parking is provided to meet the needs of occupants of affordable housing.</p>	<p>DTS/DPF 4.1 Dwellings constituting affordable housing are provided with car parking in accordance with the following:</p> <p>(a) 0.3 carparks per dwelling within a building which incorporates dwellings located above ground level within either:</p> <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. <p>or</p> <p>(b) 1 carpark per dwelling for any other dwelling.</p> <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 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.]</p>

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>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>).</p>	<p>Minister responsible for administering the <i>South Australian Housing Trust Act 1995</i>.</p>	<p>To provide direction on the conditions required to secure the provision of dwellings or allotments for affordable housing.</p>	<p>Development of a class to which Schedule 9 clause 3 item 20 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb

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

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
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Environmental Protection	
<p>PO 1.1</p> <p>Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.</p>	<p>DTS/DPF 1.1</p> <p>An application is accompanied by:</p> <p>(a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur:</p> <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area <p>or</p> <p>(b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.</p>
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <ul style="list-style-type: none"> (a) significant wildlife habitat and movement corridors (b) rare, vulnerable or endangered plants species (c) native vegetation that is significant because it is located in an area which has been extensively cleared (d) native vegetation that is growing in, or in association with, a wetland environment. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.</p>	<p>Native Vegetation Council</p>	<p>To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.</p>	<p>Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development</p>

			and Infrastructure (General) Regulations 2017 applies.
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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.

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

Design

Assessment Provisions (AP)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance
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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 Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
<h3 style="text-align: center;">Earthworks and sloping land</h3>	
<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 are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <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 nor increases the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>

Overlooking / Visual Privacy (in building 3 storeys or less)	
<p>PO 10.1</p> <p>Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses.</p>	<p>DTS/DPF 10.1</p> <p>Upper level windows facing side or rear boundaries shared with a residential allotment/site satisfy one of the following:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
<p>PO 10.2</p> <p>Development mitigates direct overlooking from balconies, terraces and decks to habitable rooms and private open space of adjoining residential uses.</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: <ul style="list-style-type: none"> (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
All Residential development	
Front elevations and passive surveillance	
<p>PO 11.1</p> <p>Dwellings incorporate windows along primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.</p>	<p>DTS/DPF 11.1</p> <p>Each dwelling with a frontage to a public street:</p> <ul style="list-style-type: none"> (a) includes at least one window facing the primary street from a habitable room that has a minimum internal room dimension of 2.4m (b) has an aggregate window area of at least 2m² facing the primary street.
<p>PO 11.2</p> <p>Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.</p>	<p>DTS/DPF 11.2</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 12.1</p> <p>Living rooms have an external outlook to provide a high standard of amenity for occupants.</p>	<p>DTS/DPF 12.1</p> <p>A living room of a dwelling incorporates a window with an outlook towards the street frontage or private open space, public open space, or waterfront areas.</p>

Garage appearance	
PO 14.1 Garaging is designed to not detract from the streetscape or appearance of a dwelling.	DTS/DPF 14.1 Garages and carports facing a street: (a) are situated so that no part of the garage or carport is in front of any part of the building line of the dwelling (b) are set back at least 5.5m from the boundary of the primary street (c) have a garage door / opening not exceeding 7m in width (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.
Massing	
PO 15.1 The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.	DTS/DPF 15.1 None are applicable
Private Open Space	
PO 17.1 Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.	DTS/DPF 17.1 Private open space is provided in accordance with Design Table 1 - Private Open Space.
Car parking, access and manoeuvrability	
PO 19.1 Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.	DTS/DPF 19.1 Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area): (a) single width car parking spaces: (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 (b) double width car parking spaces (side by side): (i) a minimum length of 5.4m (ii) a minimum width of 5.4m (iii) minimum garage door width of 2.4m per space.
PO 19.2 Uncovered parking spaces are of a size and dimensions to be functional, accessible and convenient.	DTS/DPF 19.2 Uncovered car parking spaces have: (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
PO 19.3 Driveways are located and designed to facilitate safe access and egress while maximising land available for street tree planting, landscaped street frontages, domestic waste collection and on-street parking.	DTS/DPF 19.3 Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.

<p>PO 19.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 19.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed: <ul style="list-style-type: none"> (i) is set back 6m or more from the tangent point of an intersection of 2 or more roads (ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing (iii) does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.
<p>PO 19.5</p> <p>Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.</p>	<p>DTS/DPF 19.5</p> <p>Driveways are designed and sited so that:</p> <ul style="list-style-type: none"> (a) the gradient 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 1:4 on average (b) they are aligned relative to the street boundary 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 street boundary (c) if located to provide access from an alley, lane or right of way - the alley, land or right of way is at least 6.2m wide along the boundary of the allotment / site
<p>PO 19.6</p> <p>Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.</p>	<p>DTS/DPF 19.6</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> <ul style="list-style-type: none"> (a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number) (b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly (c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.
<p>Waste storage</p>	
<p>PO 20.1</p> <p>Provision is made for the adequate and convenient storage of waste bins in a location screened from public view.</p>	<p>DTS/DPF 20.1</p> <p>None are applicable.</p>
<p>Design of Transportable Dwellings</p>	
<p>PO 21.1</p> <p>The sub-floor space beneath transportable buildings is enclosed to give the appearance of a permanent structure.</p>	<p>DTS/DPF 21.1</p> <p>Buildings satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) are not transportable or

	(b) the sub-floor space between the building and ground level is clad in a material and finish consistent with the building.
Group dwelling, residential flat buildings and battle-axe development	
Amenity	
PO 22.2 The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.	DTS/DPF 22.2 None are applicable.
PO 22.3 Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties.	DTS/DPF 22.3 None are applicable.
PO 22.4 Battle-axe development is appropriately sited and designed to respond to the existing neighbourhood context.	DTS/DPF 22.4 Dwelling sites/allotments are not in the form of a battle-axe arrangement.
Carparking, access and manoeuvrability	
PO 24.4 Residential driveways in a battle-axe configuration are designed to allow safe and convenient movement.	DTS/DPF 24.4 Where in a battle-axe configuration, a driveway servicing one dwelling has a minimum width of 3m.

Table 1 - Private Open Space

Dwelling Type	Minimum Rate
Dwelling (at ground level)	<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>
Dwelling (above ground level)	<p>Studio (no separate bedroom): 4m² with a minimum dimension 1.8m</p> <p>One bedroom: 8m² with a minimum dimension 2.1m</p> <p>Two bedroom dwelling: 11m² with a minimum dimension 2.4m</p> <p>Three + bedroom dwelling: 15m² with a minimum dimension 2.6m</p>
Cabin or caravan (permanently fixed to the ground) in a residential park or a caravan and tourist park	Total area: 16m ² , which may be used as second car parking space, provided on each site intended for residential occupation.

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.
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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
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: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) it is wholly located and contained within the allotment of the development it will service (b) in areas where there is a high risk of contamination of surface, ground, or marine water resources from on-site disposal of liquid wastes, disposal systems are included to minimise the risk of pollution to those water resources (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm. 	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: <ul style="list-style-type: none"> (a) the system is wholly located and contained within the allotment of development it will service; and (b) the system will comply with the requirements of the South Australian Public Health Act 2011.
PO 12.2 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.	DTS/DPF 12.2 Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.

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.
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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
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>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>

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 /
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	Designated Performance Feature
<p>PO 1.1</p> <p>Ensure land is suitable for use when land use changes to a more sensitive use.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies (a), (b), (c) or (d):</p> <ul style="list-style-type: none"> (a) does not involve a change in the use of land (b) involves a change in the use of land that does not constitute a change to a more sensitive use (c) involves a change in the use of land to a more sensitive use on land at which site contamination is unlikely to exist (as demonstrated in a site contamination declaration form) (d) involves a change in the use of land to a more sensitive use on land at which site contamination exists, or may exist (as demonstrated in a site contamination declaration form), and satisfies both of the following: <ul style="list-style-type: none"> (i) a site contamination audit report has been prepared under Part 10A of the <i>Environment Protection Act 1993</i> in relation to the land within the previous 5 years which states that- <ul style="list-style-type: none"> A. site contamination does not exist (or no longer exists) at the land or B. the land is suitable for the proposed use or range of uses (without the need for any further remediation) or C. where remediation is, or remains, necessary for the proposed use (or range of uses), remediation work has been carried out or will be carried out (and the applicant has provided a written undertaking that the remediation works will be implemented in association with the development) and (ii) no other class 1 activity or class 2 activity has taken place at the land since the preparation of the site contamination audit report (as demonstrated in a site contamination declaration form).

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome	
DO 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 /
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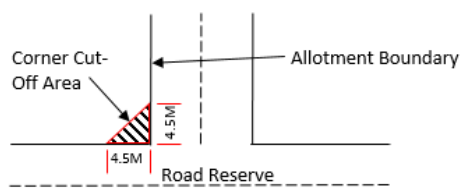
Designated Performance Feature	
Vehicle Parking Rates	
<p>PO 5.1</p> <p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <ul style="list-style-type: none"> (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared (d) the adaptive reuse of a State or Local Heritage Place. 	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 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	
<p>PO 10.1</p> <p>Development is located and designed to ensure drivers can safely turn into and out of public road junctions.</p>	<p>DTS/DPF 10.1</p> <p>Development does not involve building work, or building work is located wholly outside the land shown as Corner Cut-Off Area in the following diagram:</p> 

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</p>

	<p>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>
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	Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for

	<p>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)	<p>5.5 spaces per 100m² of gross leasable floor area where not located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.</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	<p>4.5 spaces per bed for a public hospital.</p> <p>1.5 spaces per bed for a private hospital.</p>
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	<p>6.5 spaces per 100m² of total floor area for a Fitness Centre</p> <p>4.5 spaces per 100m² of total floor area for all other Indoor recreation facilities.</p>
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 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
	Minimum number of spaces	Maximum number of spaces	
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.			
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: 1 space for each dwelling with a total floor area less than 75 square metres	Capital City Zone City Main Street Zone City Riverbank Zone Adelaide Park Lands Zone Business Neighbourhood Zone (within the City of Adelaide)

		<p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than 150 square metres.</p> <p>Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.</p>	<p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	5 spaces per 100m ² of gross leasable floor area.	<p>City Living Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>
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.	<p>Strategic Innovation Zone</p> <p>Suburban Activity Centre Zone</p> <p>Suburban Business Zone</p> <p>Business Neighbourhood Zone</p> <p>Suburban Main Street Zone</p> <p>Urban Activity Centre Zone</p>
Tourist accommodation	1 space for every 4 bedrooms up to 100 bedrooms plus 1 space for every 5 bedrooms over 100 bedrooms	1 space per 2 bedrooms up to 100 bedrooms and 1 space per 4 bedrooms over 100 bedrooms	<p>City Living Zone</p> <p>Urban Activity Centre Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>
Residential development			
Residential component of a multi-storey building	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling</p> <p>1 bedroom dwelling - 0.75</p>	None specified.	<p>City Living Zone</p> <p>Strategic Innovation Zone</p> <p>Urban Activity Centre Zone</p>

	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.		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
<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> <p>(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⁾</p> <p>(b) is within 400 metres of a bus interchange⁽¹⁾</p> <p>(c) is within 400 metres of an O-Bahn interchange⁽¹⁾</p> <p>(d) is within 400 metres of a passenger rail station⁽¹⁾</p> <p>(e) is within 400 metres of a passenger tram station⁽¹⁾</p> <p>(f) is within 400 metres of the Adelaide Parklands.</p>	<p>(a) All zones in the City of Adelaide</p> <p>(b) Strategic Innovation Zone in the following locations: (i) City of Burnside (ii) City of Marion (iii) City of Mitcham</p> <p>(c) Urban Corridor (Boulevard) Zone</p> <p>(d) Urban Corridor (Business) Zone</p> <p>(e) Urban Corridor (Living) Zone</p> <p>(f) Urban Corridor (Main Street) Zone</p> <p>(g) Urban Neighbourhood Zone</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 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.]

ATTACHMENT 1

Application Documents

Development Locations

Location 1

Location reference

22 MCINTYRE ST ROBE SA 5276

Title Ref

CT 6240/406

Plan Parcel

D123888 AL101

Council

DC OF ROBE

Zone Overlays

Zones

- Neighbourhood

Sub-zones

(None)

Overlays

- Affordable Housing
- Hazards (Bushfire - Urban Interface)
- Key Outback and Rural Routes
- Native Vegetation
- Prescribed Wells Area
- Water Protection Area

Variations

- Minimum Frontage
- Minimum Site Area
- Maximum Building Height (Levels)

Application Contacts

Applicant(s)

Stakeholder info

Mr Timothy Rogers

Stakeholder info

Mrs Sonia Legoe

Contact

Stakeholder info

Mr Timothy Rogers

Invoice Contact

Stakeholder info

Mrs Sonia Legoe

Invoice sector type

Land owners

Stakeholder info

Mrs Sonia Legoe

Nature Of Development

Nature of development

2 storey , 4 bedroom dwelling. Timber framed and timber and masonry clad. 1st floor living, kitchen , study with main bedroom and en suite. Ground floor living room, 3 bedrooms, bathroom and garage space.

Development Details

Current Use

empty block

Proposed Use

Residential

Development Cost

\$650,000.00

Proposed Development Details

2 storey , 4 bedroom dwelling. Timber framed and timber and masonry clad. 1st floor living, kitchen , study with main bedroom and en suite. Ground floor living room, 3 bedrooms, bathroom and garage space.

Element Details

You have selected the following elements

New housing

- Detached dwelling

New House

Is there a brush fence within 3m of the proposed house?

No

Are you proposing to add or modify a driveway?

Yes

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?

Yes

Consent Details

Have any of the required consents for this development already been granted using a different system?

No

Consent list:

- Planning Consent
- Building Consent

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at District Council of Robe

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Relevant Authority

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, 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.

Native Vegetation Declaration

The proposed development will not or would not, involve the clearance of Native Vegetation under the Native Vegetation Act 1991, including any clearance that may occur in connection with a relevant access point and/or driveway, and/or within 10m of a building (other than a residential building or tourist accommodation), and/or within 20m of a dwelling or addition to an existing dwelling for fire prevention and control, and/or within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
Legoe site plan.jpg	Site Plans	3 Mar 2021 5:31 PM
Legoe sections A & B.jpg	Sectional Drawings	3 Mar 2021 5:31 PM
Legoe 1st Floor.jpg	Floor Plans	3 Mar 2021 5:31 PM
Legoe Ground Floor.jpg	Floor Plans	3 Mar 2021 5:31 PM
Legoe Elevations.jpg	Elevations	3 Mar 2021 5:31 PM

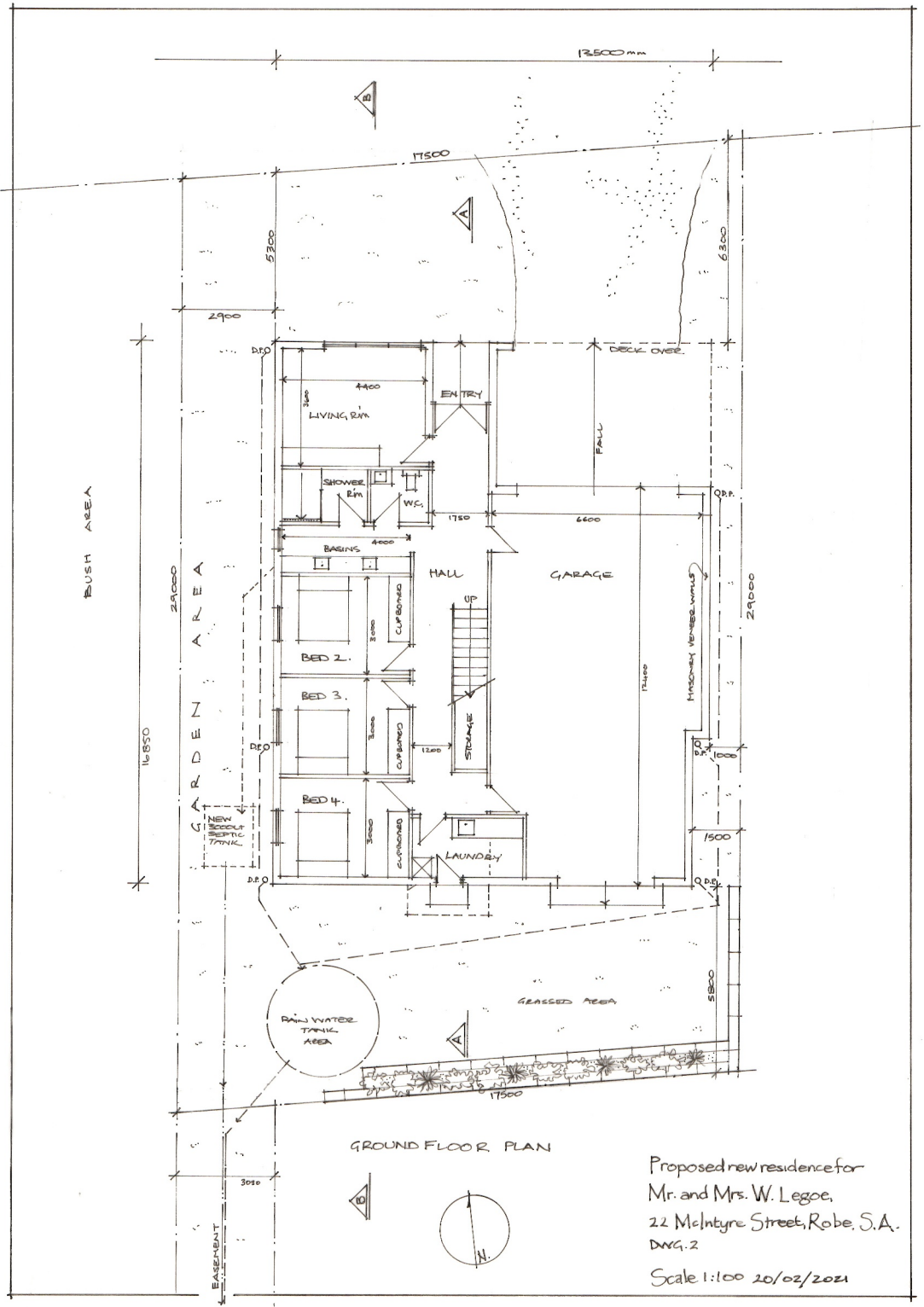
Application Created User and Date/Time

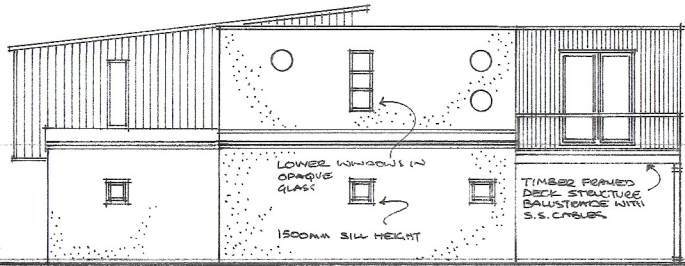
Created User

timothy.rogers

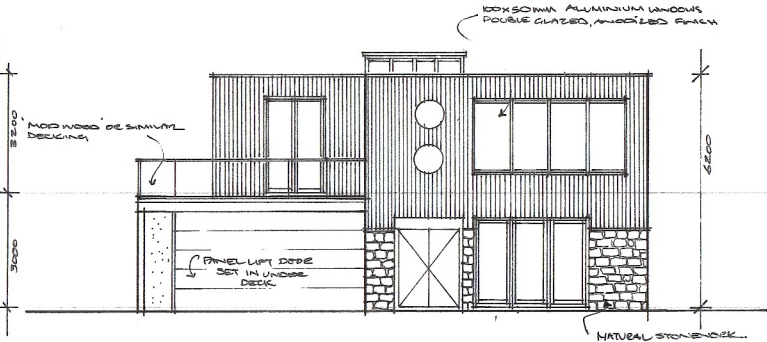
Created Date/Time

3 Mar 2021 5:31 PM

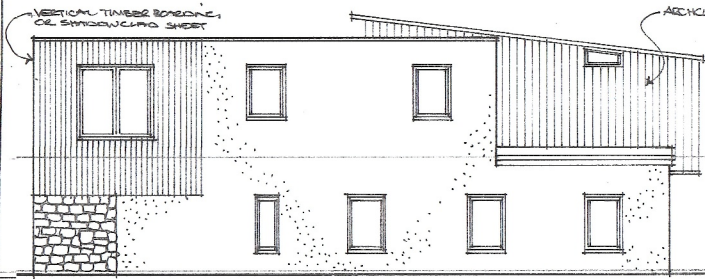




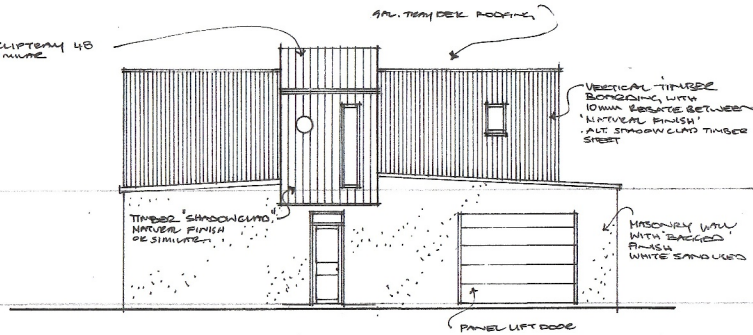
EASTERN ELEVATION



NORTHERN ELEVATION



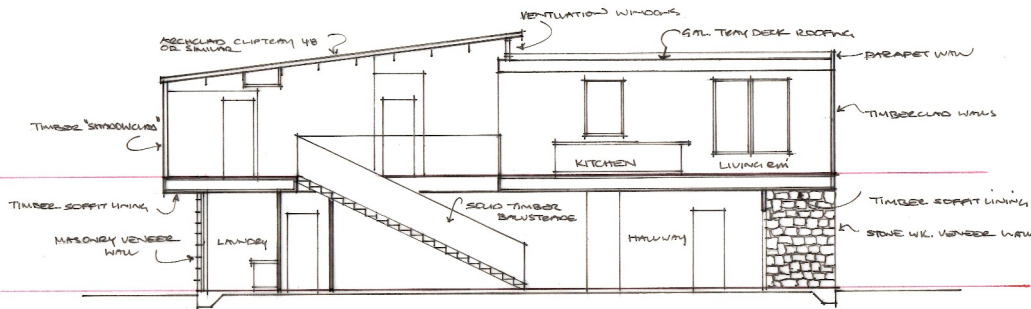
WESTERN ELEVATION



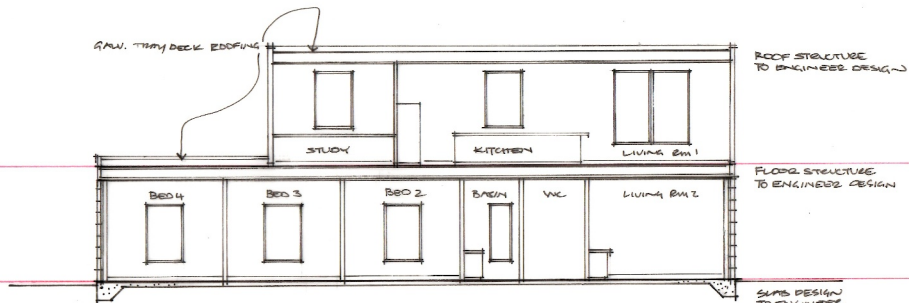
SOUTHERN ELEVATION

Proposed new residence for
 Mr. and Mrs. W. Legoe,
 22 McIntyre Street, Robe S. A.
 DWG. 1.

Scale 1:100 20/02/2021



SECTION A:A

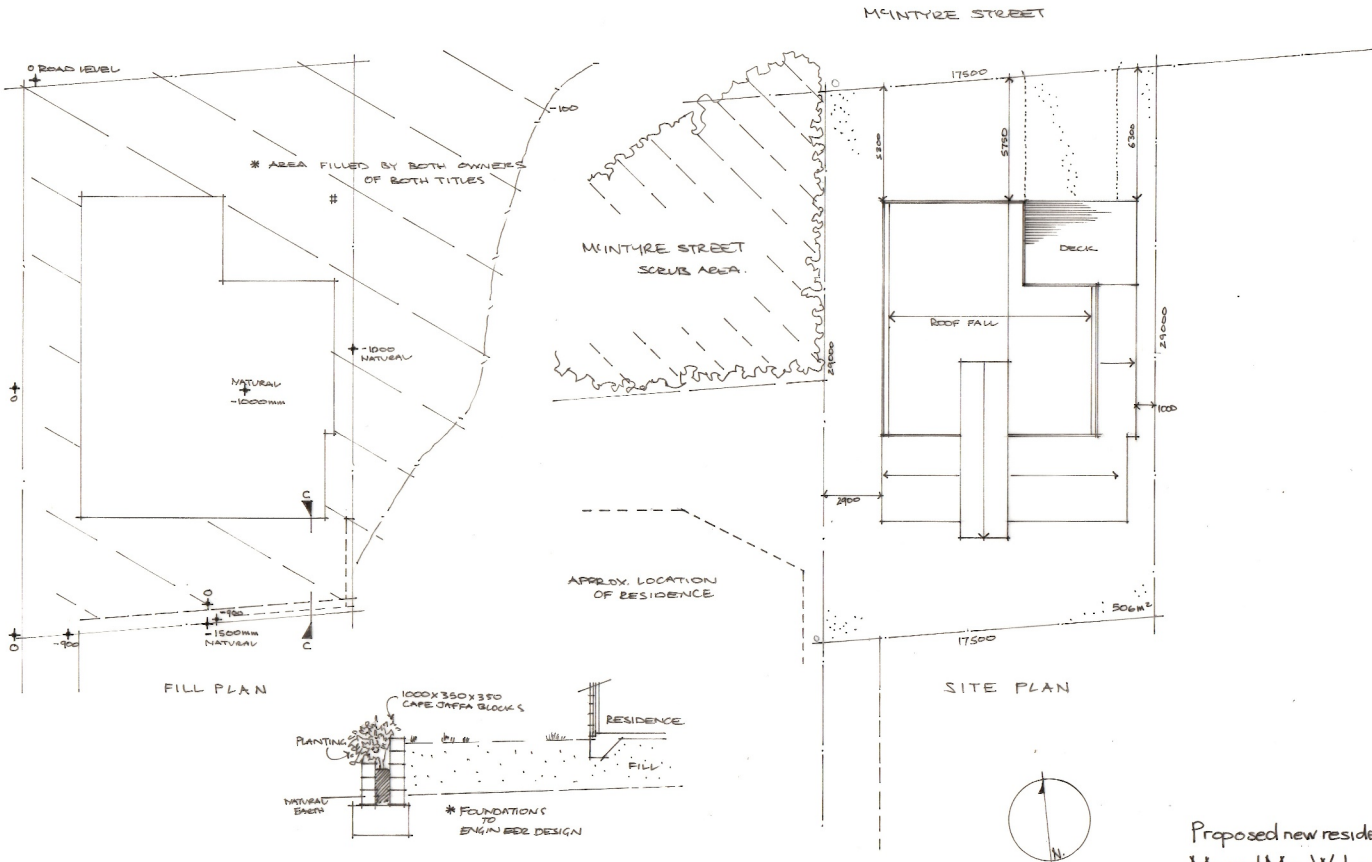


SECTION B:B

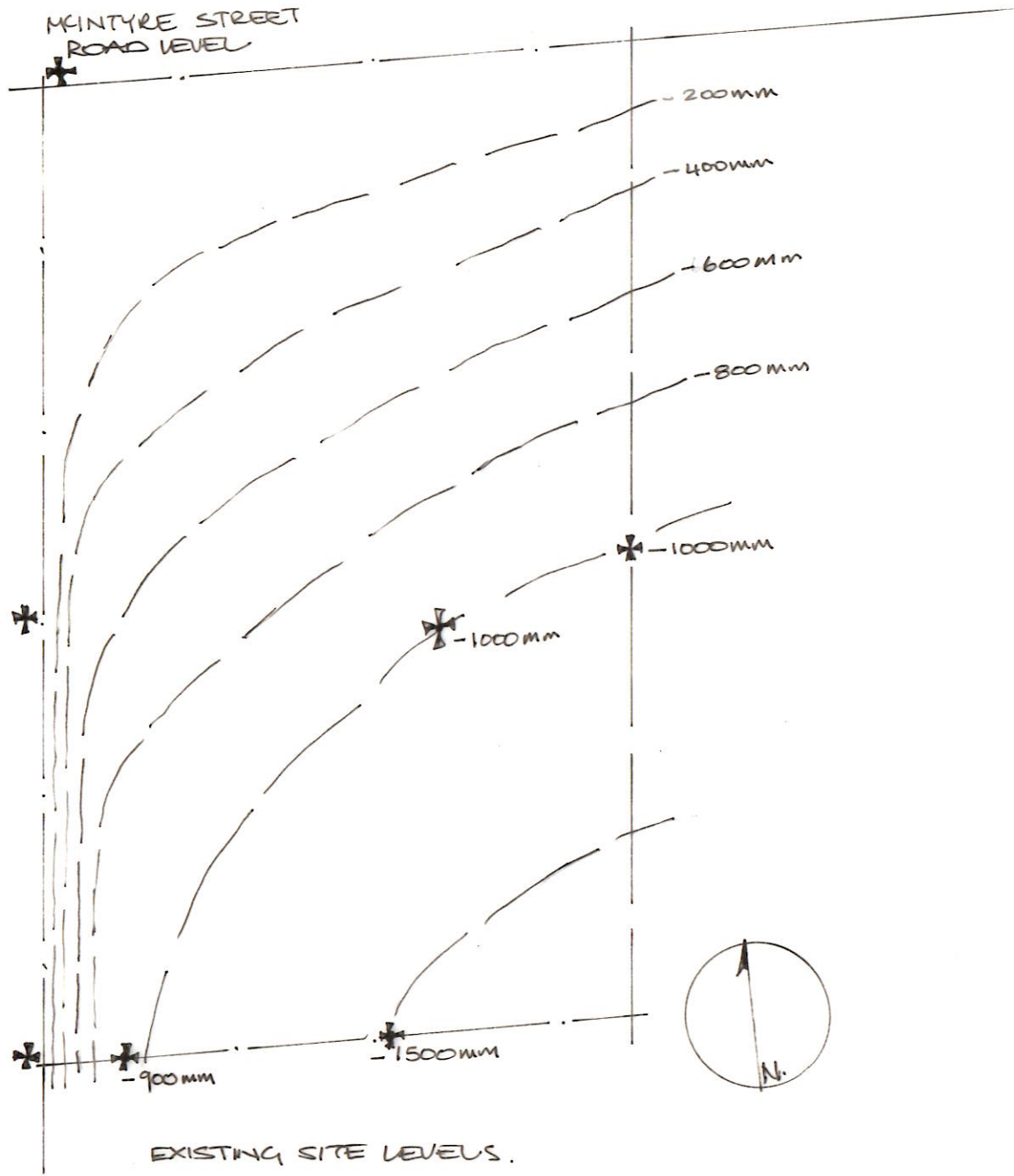
MCINTYRE STREET

Proposed new residence for
 Mr. and Mrs. W. Legoe,
 22 McIntyre Street, Robe S.A.
 DWG. 4

Scale 1:100 '20/02/2021



Proposed new residence for
 Mr. and Mrs. W. Legoe,
 22 McIntyre Street, Robe SA.
 DWG. 5
 Scale 1:200 20/02/2021



MATERIAL & FINISH SCHEDULE
(AS NOTED ON DRAWINGS)

- NATURAL FIELD STONE WALL TO FRONT LOWER ELEVATION
- VERTICAL TIMBER BOARDING TO UPPER ELEVATION
• NATURAL OR OILED FINISH.
- "SHADOW CLAD" - PLYWOOD PANELLING SYSTEM
• OILED OR STAINED FINISH
- HEBEL OR SIMILAR MASONRY WALLS WITH "SAND" BAGGED OR PROPRIETARY RENDER.
- ARCH CLAD CURTAIN 48 STEEL ROOF AND WALL CLADDING
- ROOFING GALV. TRAY DECK
- TIMBER FASCIA & BARGE BOARDS PAINTED FINISH "SURFIST"
- WINDOWS - 100x50mm ALUMINIUM FRAMES - NATURAL ANODISED FINISH
- DECK FROM TIMBER FRAMING, DECKING FROM "ENDURADECK" RECYCLED PLASTIC - OR SIMILAR, BALUSTRADE FROM S. STEEL FRAME & WIRES.

Proposed new residence for
Mr. and Mrs. W. Legoe.
22 McIntyre Street, Robe S.A.
Dwg. 6
Scale 1:200 11/03/2021

ATTACHMENT 2

Subject Land Map



McINTYRE STREET

MAIN ROAD



LEGEND

 **SUBJECT LAND**

ATTACHMENT 3

Representation Map

McINTYRE STREET

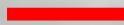

1

2



MAIN ROAD

LEGENDS

-  SUBJECT LAND
-  REPRESENTORS

ATTACHMENT 4

Representations

Details of submitter No: 1 - Brian Sapiatzer

Submitter:	Brian Sapiatzer
Submitter Address:	Millicent , Australia

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Brian

Last name:

Sapiatzer

Daytime Phone:

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

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:

It is important that the proposed development is not built any closer to the road than the existing buildings in McIntyre street. This will ensure all residents are complying with the same building regulations.

Attached Documents

File

No records to display.

Details of submitter No: 2 - Orso Osti

Submitter:	Orso Osti
Submitter Address:	North Adelaide , Australia

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Orso

Last name:

Osti

Daytime Phone:

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

Nominated Speaker:

Orso Osti

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:

See attached submission.

Attached Documents

File

Objection to the proposed development at 22 McIntyre st

Objection to the proposed development at 22 McIntyre St., Robe

My name is Orso Lorenzo Osti.

I am the sole owner of "Unnecessary", the house on 20 McIntyre St. Robe.

I would like to lodge a formal objection to the proposed residential development on 22 McIntyre St.

I believe, in fact, that the proposed plans for a two-storey residence at 22 McIntyre St, which I have been able to review, are in breach of a number of fundamental criteria set by the Planning and Design Code (the Code) for the construction of new residential coastal dwellings at this location.

The first and most obvious is that the approval for the subdivision at 22 McIntyre St, the site of the proposed development, is for a single rather than a two-storey building.

I also submit that this proposal does not complement the local context as it will compromise the residential amenity and character of the neighbourhood per Code requirements. In particular, the proposed building site contravenes the Council guidelines of the house being built with a "similar and commensurate setback to adjacent dwellings" and/or complying with a "continuous street pattern".

Relevantly the proposal does not meet any of the three Code criteria for set back of the building as it is further forward than average set back to the building line for the residential dwellings on McIntyre Street and the existing dwelling on the site, noting that the other two criteria do not apply as there is more than one existing building on adjoining sites. As such the proposal is not consistent with the existing streetscape per PO 5.1.

The proposed development, in fact, is expected to be built in its' entirety in front of a line drawn from the front of the existing adjacent buildings on either side of it.

It is also submitted that the dwelling does not retain sufficient space to limit visual impact and enable sufficient space and ventilation per PO 3.1 as the proposed dwelling size area exceeds 60% of the site area.

Moreover, it does not comply with the Robe Council guidelines of "minimal coastal impact" and/or being mindful of the important issue of "coastal erosions", being, the proposed site, situated at the narrowest point along McIntyre St. between the front of the building site and the coastline.

Other obvious and significant breaches of Council Guidelines include inadequate carparking due to the front of the building facing the "cul de sac" of McIntyre St., and the unfavourable environmental impact due to the need for the felling of significant trees on the block. This indicates contravention of PO 19.4 due to lack of safe vehicle access that will interfere with street infrastructure (eg.the bench currently in place for walkers) and existing street vegetation.

The proposed building would have a significantly unfavourable impact on my house as it would encroach in its' entirety onto the eastern aspect of "Unnecessary".

On the basis of the multiple, substantial and documented breaches of Council Guidelines, I would respectfully request that Robe Council rejects the development proposal for 22 McIntyre St. and

asks the applicants to resubmit an appropriate alternative development plan complying with current guidelines for the construction of coastal residential dwellings in Robe.

It would be very concerning, in fact, not only for me but more importantly for the Robe Community at large, if such a development proposal, in flagrant contravention to some of the more fundamental Council planning guidelines, were to be allowed to go ahead, creating a dangerous precedent for future coastal applications, with a potentially devastating effect on the safeguard of this unique landscape.

Yours Faithfully,

Orso Lorenzo Osti

ATTACHMENT 5

Applicant Response

Timothy J. G. Rogers
B. Architecture
B.A. Environmental Design

Planning Application for 22 McIntyre Street, Robe.

Reply to Submitters:

Brian Sapiatzer

Re: setback of residence. Please see following statement on this matter.

Orso Osti

2 storey residence compliance.

As per all 2 storey houses in Robe, we are applying for permission.

I note that all the houses on McIntyre Street are 2 storey.

With regard to similar set back to adjacent buildings off the primary street.

In the case of this title, 22 McIntyre Street, the site is located on the end of the street, where the line of the street diverges north, one full road width, ending in a "cul de sac". The line of the titles also diverges, reflecting the road. McIntyre Street effectively forms a corner and the subject title moves forward and out of line with the rest of the street. Any street with a sudden change in direction, cannot comply with a consistent line of set back.

(Further, before creating this title, my clients sought direction from the then District Council of Robe's consultant Planner, Mr. David Hutchison, and later, with the new Consultant Planners and Council Planning officer on this matter, before therefore continuing with the creation of this Title.)

The proposal made, that the residence is forward of a "line" drawn between "Unnecessary" and further adjacent buildings, is not representing the actual case, as the isolated buildings beyond McIntyre Street, are not subject to the guidelines of that street and are rather, set back from their primary street, Main Road.

With regard to Site Coverage.

The building is set back from the title boundary of "Unnecessary" 2900mm and as such, allows more than sufficient light and air movement between the buildings.

The residence is designed as a permanent dwelling, for this site.

It has internal garaging and storage areas. This is done to avoid external sheds being accommodated on site, as well. The ground floor has an area of 198M² (including the aforementioned garages and store), whilst the upper floor covers 144.05M², reducing the visual presence. The building is set back from the front boundary by 6M, the Western boundary by 2.9M, the Eastern boundary by the required 1M and the southern boundary by 6.4M.

P.O.Box 522, Robe S.A. 5276
macrobar@mail.com
Ph. 0447825640

Timothy J. G. Rogers
B. Architecture
B.A. Environmental Design

P.2

The site area is 506M2 and 60% would be 303.6M2. Pursuant to DTS/DPF 3.1 definition, the roof area of the residence comes in at 236.5M2.

With regards to Coastal impact.

The residence's proposed site is within the Neighbourhood Zone and is sited in similar location from the sea as other buildings. Plan SA records no coastal overlay for this site.

"Other obvious and significant breaches":

The proposal has adequate car parking on site with space for approx. 6 cars. There is no requirement for residential development to ensure street parking. The vehicle access is similar to most existing "cul de sacs" in residential Australia.

There are no Significant trees on this site. All are non native. The larger "Cypress trees" are not on this site.

Significant impact on "Unnecessary".

The proposed residence is 2.9M set back from the Eastern side of "Unnecessary" and the existing long distance views from "Unnecessary" are blocked by the larger "Cypress trees". There are no relevant "rights to view".

Yours faithfully,

Tim Rogers

Michelle Gibbs

From: Tim Rogers <macrobar@mail.com>
Sent: Friday, 16 July 2021 1:33 PM
To: Damian Dawson; Michelle Gibbs
Subject: Fw: Legoe House Survey, 22 McIntyre Street, Robe
Attachments: 22554-03 House Survey.pdf

Dear Damian and Michelle, Herewith Cameron Lock survey dwg. locating neighbouring building location and heights. For CAP info. Regards, Tim Rogers

Sent: Friday, July 16, 2021 at 9:55 AM
From: "Michael@cameronlock" <michael@cameronlock.com.au>
To: "macrobar@mail.com" <macrobar@mail.com>
Subject: Legoe House Survey

Tim,

Please find attached a pdf plot of the house survey with a few key levels on it for you. Note I have made the peg at the front of the block RL: 10.0m as a reference.

Regards

Mike Cameron



Cameron Lock Surveying

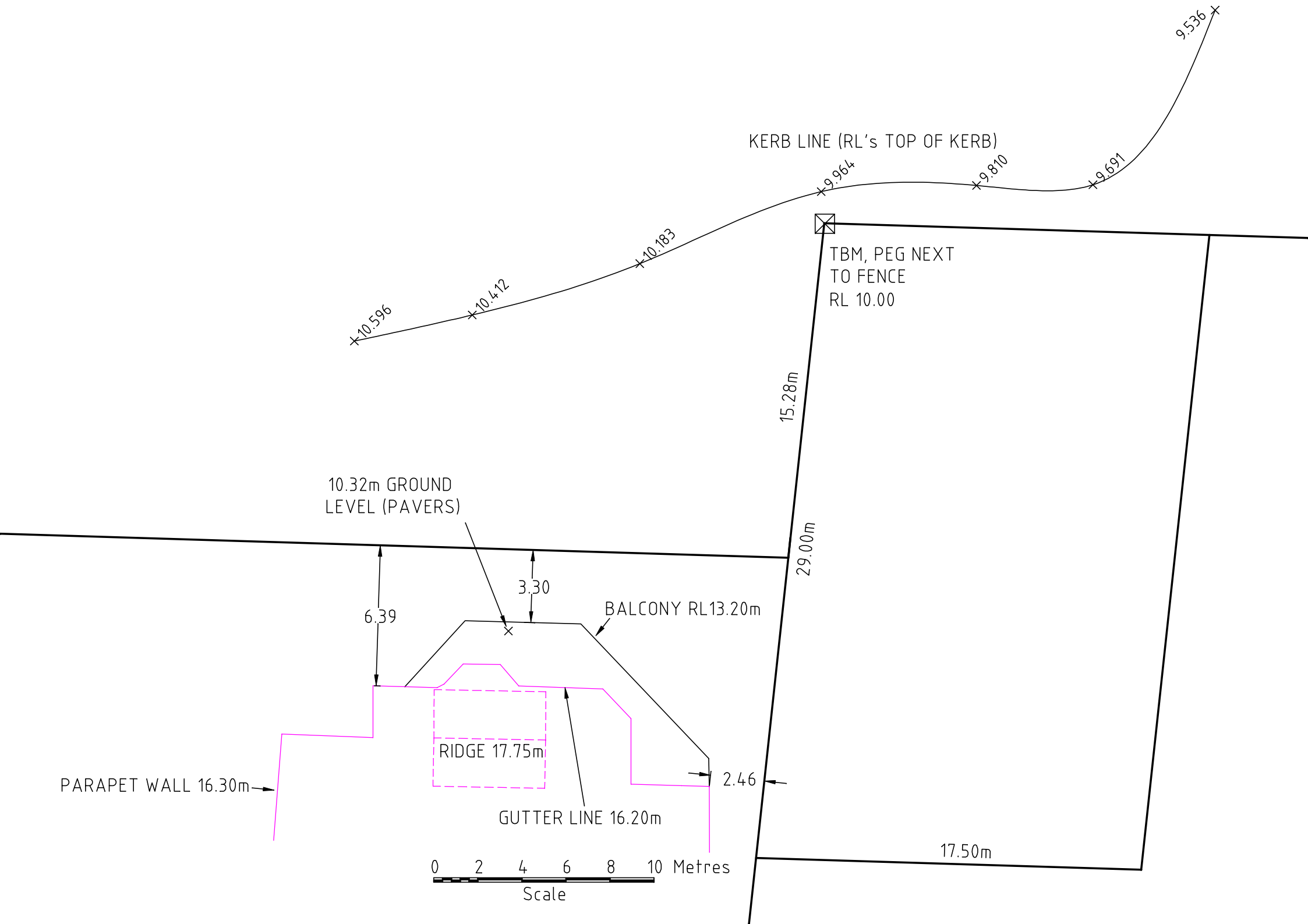
45 Helen Street, PO Box 289 Mount Gambier SA 5290

P: (08)87258422 **M:** 0437 716 252 | **E:** michael@cameronlock.com.au | **W:** www.cameronlock.com.au

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Cameron Lock Surveying does not warrant that this email is virus free.



Michelle Gibbs

From: Tim Rogers <macrobar@mail.com>
Sent: Friday, 16 July 2021 1:30 PM
To: Damian Dawson; Michelle Gibbs
Subject: Comparative building drawings (22 McIntyre Street, Robe.
Attachments: Comparative dwg McIntyre st..JPG; Composite Photo McIntyre st..JPG; Screenshot (1).png; Screenshot (2).png; Screenshot (3).png

Dear Damian and Michelle,

Herewith updated Drawings for Tuesday's meeting. Both drawings are supported by survey conducted by Mike cameron yesterday. (Please see forwarded email from Mike.)

Difference proved to be that the neighbouring building is set slightly higher, the side-set back is taken from a slightly different point and that the gable roof is much higher than I expected.

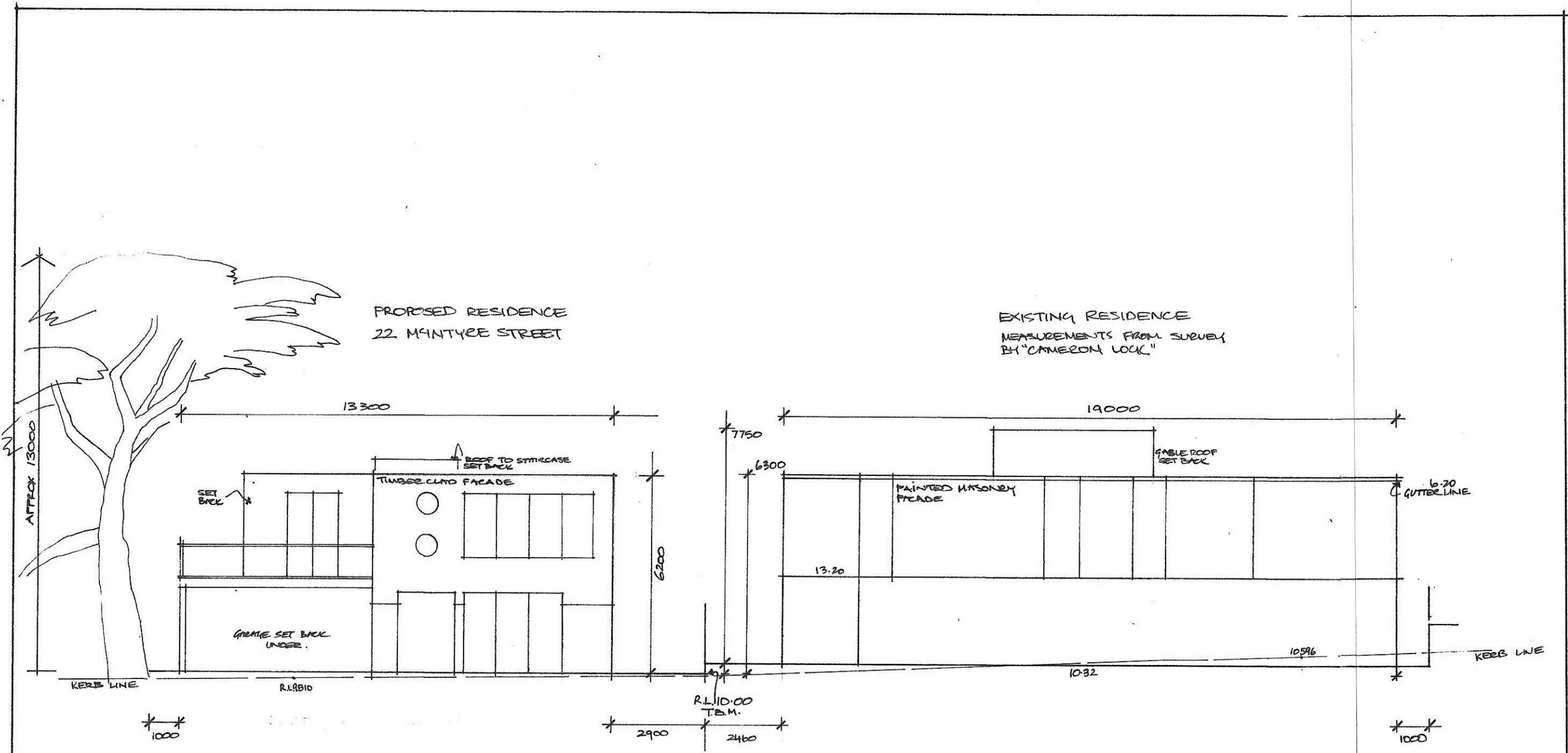
The outcome is that I have now reflected the measurements from the Surveyor in the 1:100 elevation and that the composite photograph remains a decent reflection of the proposed residence.

Also I have included screen shots from the Plan SA website, showing the position in which 22 McIntyre St. title is located, in contrast to the straight line of the balance of the Street.

Further, the other Google Earth screen shot, showing Seafarers Crs. turning a corner, thus misaligning the house alignment. The same turn in the street is occurring at the end displacing the alignment of the titles .

Hope these are now sufficient for the CAP.

Thanks and Regards, Tim Rogers



DRAWING SHOWING
 COMPARATIVE BUILDING SIZES & HEIGHTS
 July 2021
 SCALE 1:100
 N.T.S.



6200

6000

Info

Land Parcels

Valuation No: 8207081115
 Parcel Identifier: D115664AL50
 Unit No:
 Street No:
 Street Name: MCINTYRE
 Street Type: ST
 Suburb: ROBE
 Hundred: WATERHOUSE
 Title Ref: CR6200/536
 Plan Parcel: D115664 A50
 Crown Ref:
 SAILIS:

Link

Planning & Design Code:

All policies that apply to this address

Policies for development at this address

Planning Report for Parcel:

Print report

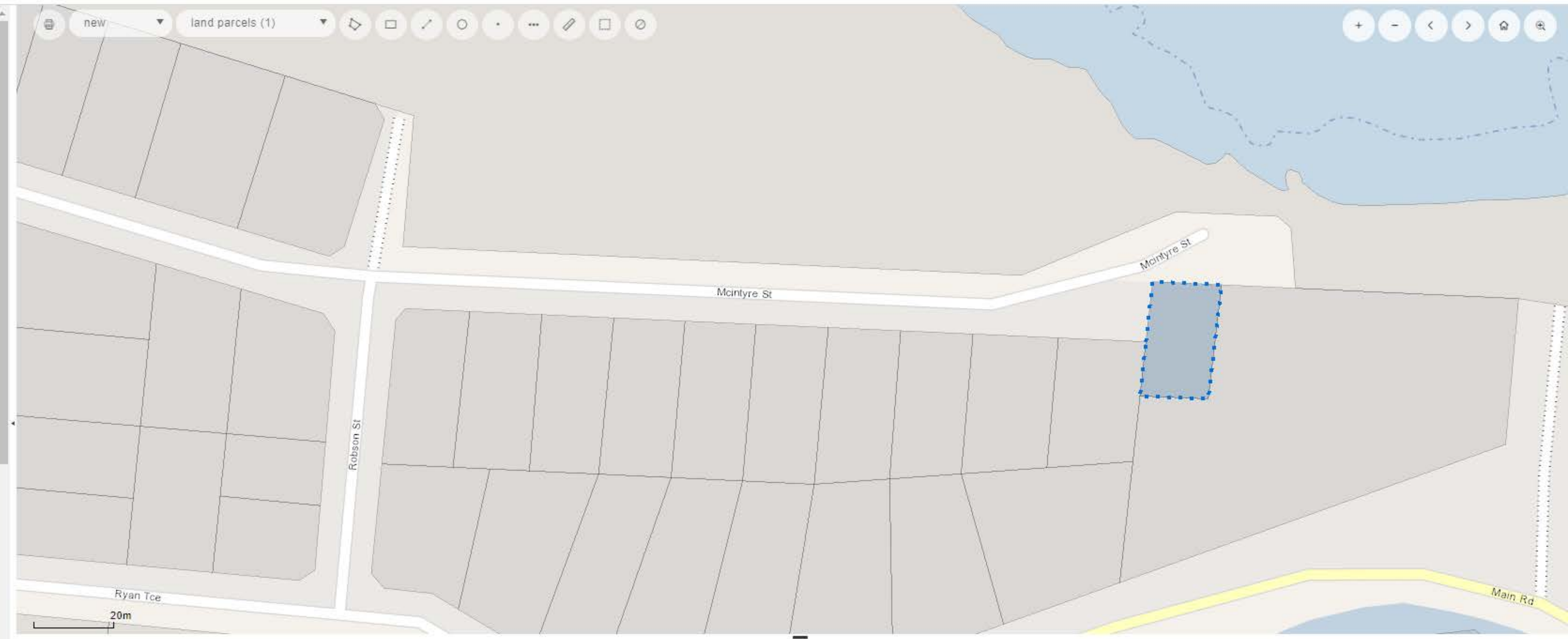
Click the button below to identify planning zone, subzones and overlays that apply to this address

Planning Zones & Overlays

Show on screen

Valuation

P&D Code Zones



Remove Zoom to Print Export table to: CSV HTML Excel SAILIS Link P&D Code

Property Data Zoning - PDI Act

Plan Parcel	Title	Crown Ref.	Property Unit	Property St No.	Property St Name	Property St Type	Property Suburb	Valuation No.
D123888A...	CT6240/406			22	MCINTYRE	ST	ROBE	8207082441

1 5 items per page 1 - 1 of 1 items

Info

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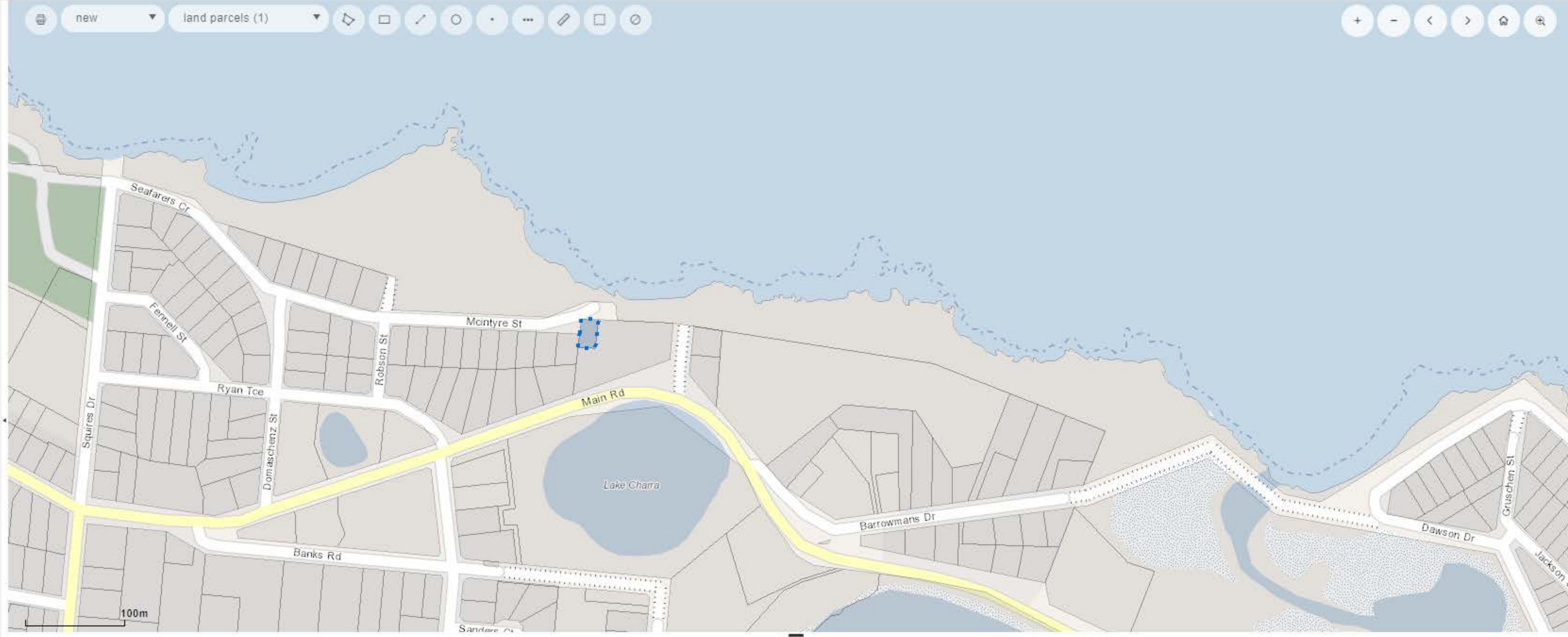
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Valuation

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D123888A...	CT6240/406			22	MCINTYRE	ST	ROBE	8207082441

1 5 items per page 1 - 1 of 1 items



Distance ⓘ
318.63 m ▾
Start new

1.1 Delegation of Powers – Planning, Development and Infrastructure Act and Regulations							
MEETING DATE:	20 July 2021						
AUTHOR:	Michelle Gibbs, Development Officer						
RESPONSIBLE OFFICER:	Rob Moir, Director of Infrastructure						
PREVIOUS MEETING:							
REFERENCES:	NIL						
FILE NO:							
ATTACHMENTS:	<ul style="list-style-type: none"> • Attachment 1 - Instrument C: Instrument of Delegation under the <i>Planning, Development and Infrastructure Act 2016</i>, Regulations, Planning and Design Code and Practice Directions – Powers of an Assessment Panel 						
IN CONFIDENCE:	No						
POLICY REFERENCE:	There are no known policy requirements related to this item.						
LEGISLATIVE REFERENCE:	<i>Planning, Development and Infrastructure Act 2016</i> <i>Planning, Development and Infrastructure (General) Regulations 2017</i> <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i> <i>Local Government Act 1999</i> (s44 and s101) Planning and Design Code Practice Directions (3, 5 and 6)						
STRATEGIC MANAGEMENT PLAN REFERENCE:	<table border="1"> <tr> <td>Strategic Goal:</td> <td>Provide Quality Services & Infrastructure</td> </tr> <tr> <td>Success:</td> <td>Council is meeting its legislative obligations and policy review schedule</td> </tr> <tr> <td>Strategy:</td> <td>Ensure Council has effective mechanisms for good governance, policy control and legislative compliance.</td> </tr> </table>	Strategic Goal:	Provide Quality Services & Infrastructure	Success:	Council is meeting its legislative obligations and policy review schedule	Strategy:	Ensure Council has effective mechanisms for good governance, policy control and legislative compliance.
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Success:	Council is meeting its legislative obligations and policy review schedule						
Strategy:	Ensure Council has effective mechanisms for good governance, policy control and legislative compliance.						
FINANCIAL CONSIDERATIONS:	<table border="1"> <tr> <td>Budget:</td> <td>\$N/A</td> </tr> <tr> <td>Actual (YTD):</td> <td>\$N/A</td> </tr> <tr> <td>Budget Variation Required:</td> <td>NIL</td> </tr> </table>	Budget:	\$N/A	Actual (YTD):	\$N/A	Budget Variation Required:	NIL
Budget:	\$N/A						
Actual (YTD):	\$N/A						
Budget Variation Required:	NIL						
CONSULTATION UNDERTAKEN:	NIL						

PURPOSE OF REPORT:

To adopt the further updated instrument of delegation under the *Planning, Development and Infrastructure Act 2016* (**the PDI Act**) and associated Regulations – as required under the new planning regime (“Instrument C”).

BACKGROUND:

Additional updates have now been released by the LGA, requiring the instrument to be further updated accordingly.

COMMENT:

As previously discussed, the legislation has four separate delegation instruments attached to it, as follows:

1. **Instrument A** – for delegation by Council as:
 - The Council;
 - A “designated authority”; or
 - A “designated entity”.
2. **Instrument B** – for delegations by Council as:
 - A “relevant authority”.
3. **Instrument C** – for delegations by the CAP / RAP:
4. **Instrument D** – for delegations by Council’s Assessment Manager:

Instrument C has now been amended to reflect the newest updates and the draft updated instrument is attached for the Panel’s consideration.

With a new framework, the implementation of the new planning regime and legislation and the impending amendments to the *Local Government Act 1999*, it is expected there will be further delegations updates to be made by CAP (or RAP) in the near future, although we expect these to be on a lesser scale.

It should be noted that the District Council of Grant, the City of Mount Gambier, the Wattle Range and the District of Robe Councils are still proposing to establish a Regional Assessment Panel (RAP) in the near future, which is envisaged to replace Council’s current Council Assessment Panel (CAP).

STAFF RECOMMENDATION:

1. **Revocation**
 - a. ***The District Council of Robe Council Assessment Panel hereby revokes, its previous delegations of those powers and functions under the Planning, Development and Infrastructure Act 2016 and Regulations contained in the Instrument of Delegation titled “Instrument C” attached to this report (identified as Attachment 1).***
2. **Delegations under the Planning, Development and Infrastructure Act 2016 – to the District Council of Robe’s Assessment Manager**
 - a. ***In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 each of the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation titled “Instrument C” (identified as Attachment 1) are hereby delegated this 20th day of July 2021 to the identified delegate(s) as referenced in the attached tables, subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.***

- b. Such powers and functions may be further delegated by the identified delegate(s), in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the identified delegate(s) sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.***
- c. For the purposes of these delegations, should the Assessment Manager at the time of making these delegations change, all delegations made to the Assessment Manager extend to any person appointed as a replacement to the Assessment Manager (as long as that person is also given the appropriate appointment as the Assessment Manager by the Council).***
- d. For the purposes of these delegations, all delegations to the Chief Executive Officer extend to any person appointed to act in the position of Chief Executive Officer.***
- e. For the purposes of these delegations all further delegations made by the Chief Executive Officer extend to any person who is appointed to act in the position of the delegate.***
- f. The District Council of Grant Council Assessment Panel ("Panel") determines to act under Section 99(1)(b) of the Planning, Development and Infrastructure Act 2016 in relation to all development applications received by it that involve the performance of building work.***
- g. Pursuant to Section 99(1)(c) of the Planning, Development and Infrastructure Act 2016, where the Panel has determined to act under Section 99(1)(b) of the Act, the Panel refers the assessment of the development in respect of the Building Rules to the District Council of Robe.***

ATTACHMENT 1

Instrument of Delegation under the *Planning, Development and Infrastructure Act 2016*, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)

NEW PROVISIONS

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
502759	Planning, Development and Infrastructure (General) Regulations 2017	r 3(6)(b)	<p>25. Interpretation</p> <p>25.1 The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to require that a statement of site suitability provided to a relevant authority in connection with an application for development authorisation be issued by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application</p>	CEO, AM	
502760	Planning, Development and Infrastructure (General) Regulations 2017	r 32A(1)	<p>28. Site Contamination – Detailed Site Investigation Report</p> <p>28.1 The power pursuant to Regulation 32A(1) of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if:</p> <p>28.1.1 the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the proposed development; and</p> <p>28.1.2 the delegate considers that there is insufficient information to determine that the site is suitable for its intended use, having regard to:</p>	CEO, AM	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			28.1.2.1 site contamination; and 28.1.2.2 if remediation is required, the extent of that remediation; and 28.1.3 the application is not required to be referred to the Environment Protection Authority under Item 9A or 9AB of the table in Schedule 9 clause 3.		
502761	Planning, Development and Infrastructure (General) Regulations 2017	r 32A(2)	28. Site Contamination – Detailed Site Investigation Report 28.2 The power pursuant to Regulation 32A(2) of the General Regulations to require that a detailed site investigation report be prepared by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.	<u>CEO, AM</u>	
502762	Planning, Development and Infrastructure (General) Regulations 2017	r 32B	29. Site Contamination – Statement of Suitability 29.1 The power pursuant to Regulation 32B of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which Schedule 8 clause 2A applies, require the applicant to provide a statement of site suitability that confirms that the site is suitable for its intended use before the relevant authority issues a planning consent in relation to the application.	<u>CEO, AM</u>	
502763	Planning, Development and	cl 2(1)(b)	49. New Dwellings 49.1 The power pursuant to clause 2(1)(b) of Schedule 6B of the General Regulations to form the belief that the allotment is, or	<u>CEO, AM</u>	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Infrastructure (General) Regulations 2017		may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, other than a previous use or activity that was for residential purposes.		
486422	Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)		<p>8.5 The power pursuant to Section 119(9) of the PDI Act to:</p> <p>8.5.4 if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.</p>	CEO, AM	
502764	Site Planning Commission Practice	cl 12	<p>60. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>60.1 The power pursuant to clause 12 of the State Planning Commission Practice</p>	CEO, AM	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Direction 14 Site Contamination Assessment 2021		Direction (Site Contamination Assessment) 2021 (PD14) to be satisfied that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out, subject to Condition A, B or C in PD14 as relevant.		
502765	Site Planning Commission Practice Direction 14 Site Contamination Assessment 2021	cl 13	<p>61. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</p> <p>61.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition:</p> <p>A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.</p>	CEO, AM	
502766	Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme	cl 6(2)	<p>62. Reserved Matter</p> <p>62.1 The power pursuant to clause 6(2) of State Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme (PD16) to where an applicant has elected to reserve consideration of the DTS/DPF Policy in the Overlay, as provided for in the Code and under Section 102(4) of the PDI Act, to require the applicant to provide documents which are considered by the</p>	CEO, AM	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			delegate as sufficient to confirm whether the relevant development site includes a Designated Soil Type.		
502767	Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme	cl 7	63. Process for Payments to the Fund 63.1 The power pursuant to clause 7 of PD16 where an applicant has elected to make a payment into the Fund, in lieu of planting a tree (or trees) as provided in the DTS/DPF Policy in the Overlay, to verify the payment as being correct in accordance with the Scheme, prior to the granting of development authorisation under the PDI Act.	<u>CEO, AM</u>	
502768	Site Planning Commission Practice Direction 16 Urban Tree Canopy Off-set Scheme	cl 8(3)	64. Development within Council Fund Designated Areas 64.1 The power pursuant to clause 8(3) of PD16, where a development application relates to a site which is located both within a Council Fund Designated Area and within the Overlay to impose a condition requiring payment into a Council Fund, irrespective of an election by the applicant to plant a tree or make a payment into the Fund as provided under the Scheme.	<u>CEO, AM</u>	
502769	Urban Tree Canopy Off-set Scheme	cl 6(4)	65. Payment into Fund 65.1 The power pursuant to clause 6(4) of the Urban Tree Canopy Off-set Scheme (UTCOS) where an applicant has elected to make a contribution to the fund under this scheme to impose a condition on the relevant development authorisation for planning consent requiring that payment of the amount specified in clause 6(1) of the UTCOS be	<u>CEO, AM</u>	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			made into the fund before the issue of development approval for the subject development application.		

CHANGED PROVISIONS

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
318239	Planning, Development and Infrastructure (General) Regulations 2017	r25(7)(c)	<p>2426. Accredited Professionals</p> <p>2426.1 The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the General Regulations.</p>	Not Delegated	
318240	Planning, Development and Infrastructure (General) Regulations 2017	r31(1)	<p>2527. Verification of Application</p> <p>2527.1 The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:</p> <p>2527.1.1 determine the nature of the development; and</p> <p>27.1.2 if the application is for planning consent - determine:</p> <p>27.1.2.1 whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and</p> <p>27.1.2.2 the category or categories of development that apply for the purposes of development assessment; and</p> <p>27.1.3 determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and</p> <p>27.1.4 if the relevant authority is the correct entity to assess the application (or any part of the application):</p> <p>27.1.4.1 check that the appropriate documents and information have been lodged with the application; and</p>	AM, DO, BS	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			<p>27.1.4.2 confirm the fees required to be paid at that point under the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019; and</p> <p>27.1.4.3 provide an appropriate notice via the SA planning portal; and</p> <p>27.1.5 if the relevant authority is not the correct entity to assess the application (or any part of the application):</p> <p>27.1.5.1 provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and</p> <p>27.1.5.2 provide an appropriate notice via the SA planning portal.</p>		
318272	Planning, Development and Infrastructure (General) Regulations 2017	r76(2)	<p>4246. Advice from Commission</p> <p>4246.1 The power pursuant to Regulation 4476(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.</p>	AM, DO	
318276	Planning, Development and Infrastructure (General)	cl4(3)	<p>455150. Plans for Building Work</p> <p>455150.1 The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building must, if:</p> <p>455150.1.1 the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or</p> <p>455150.1.2 the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to</p>	Not Delegated	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	Regulations 2017		the building, to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.		
386383	State Planning Commission Practice Direction - 3 (Notification of Performance Assessed Development Applications) 2019	cl8	<p>525756. Preparing for Notification</p> <p>525756.1 The power pursuant to clause 8 of PD3, if the applicant has confirmed they accept responsibility to place a notice on the land as per clause 6(3)(a) of PD3, to, at least 4 business days prior to the commencement of the notification period:</p> <p>525756.1.1 give notice of the anticipated commencement date and of the notification period to the applicant; and</p> <p>525756.1.2 provide the applicant with a copy of the content of the notice to be placed on the relevant land in PDF format; and</p> <p>525756.1.3 advise the applicant of the position and number of notice(s) to be erected on the land in accordance with clause 10 of PD3.</p>	AM, DO	
386384	State Planning Commission Practice Direction - 3	cl10(1)(a)	<p>535857. Notice on Land</p> <p>535857.1 The power pursuant to clause 10(2) of PD3, in relation to clause 10(2(1)(a) of PD3, to determine the most appropriate position for the notice on the land in order to provide for maximum visibility from a public road, and in cases where the relevant land has more than 1 frontage to a public road, to determine that more than 1 notice must be</p>	AM, DO, GI	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	(Notification of Performance Assessed Development Applications) 2019		erected on each of the public road frontages to ensure that notice of the development is reasonably apparent to members of the public.		

DELETED PROVISIONS

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
318274	Planning, Development and Infrastructure (General) Regulations 2017	cl2(d)(ii)(B)	46. Plans for Residential Alterations, Additions and New Dwellings 46.1 The power pursuant to Clause 2(d)(ii)(B) of Schedule 8 of the General Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land.	AM, DO	
318275	Planning, Development and Infrastructure	cl2(d)(ii)(D)	46. Plans for Residential Alterations, Additions and New Dwellings 46.2 The power pursuant to Clause 2(d)(ii)(D) of Schedule 8 of the General Regulations to be satisfied a site contamination audit report (within the meaning of the Environment Protection Act 1993) is not required.	AM, DO	

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
	(General) Regulations 2017				
318280	Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019	r7	<p>47. Waiver or Refund of Fee</p> <p>47.1 The power pursuant to Regulation 7 of the Fees Regulations to, as the delegate considers appropriate to do so:</p> <p>47.1.1 waive the payment of the fee, or the payment of part of the fee; or</p> <p>47.1.2 refund the whole or a part of the fee.</p>	CEO, DI	
502770	Urban Tree Canopy Offset Scheme	cl 9	<p>67. Use of Money from Fund</p> <p>67.1 The power pursuant to clause 9 of the UTCOS to use money distributed from the fund for any of the following purposes (and for no other purpose):</p> <p>67.1.1 to provide for the planting, establishment and maintenance of trees within reserves or public land anywhere within a designated local government area; or</p> <p>67.1.2 the purchase of land within a designated local government area to ensure:</p> <p>67.1.2.1 the preservation of trees; or</p> <p>67.1.2.2 that trees can be established in an area with a low urban tree canopy level or a demonstrated urban tree canopy</p>		

#	Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
			loss		