

Council Assessment Panel Agenda & Reports

17 July 2023

Our Vision

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

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

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City of
Norwood
Payneham
& St Peters

12 July 2023

To all Members of the Council Assessment Panel:

- Mr Terry Mosel (Presiding Member)
- Mr Ross Bateup
- Mr Mark Adcock
- Mr Kester Moorhouse

NOTICE OF MEETING

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

Monday 17 July 2023, commencing at 7.00pm.

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

Yours faithfully



Geoff Parsons
ASSESSMENT MANAGER

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VENUE Council Chambers, Norwood Town Hall

HOUR

PRESENT

Panel Members

Staff

APOLOGIES Ms Jenny Newman, Ms Christel Mex

ABSENT

1. **COMMENCEMENT AND WELCOME**
2. **APOLOGIES**
3. **CONFIRMATION OF THE MINUTES OF THE MEETING OF THE COUNCIL ASSESSMENT PANEL HELD ON 19 JUNE 2023**
4. **DECLARATION OF INTERESTS**

5. DEVELOPMENT APPLICATIONS – PDI ACT

5.1 DEVELOPMENT NUMBER 22042866 – AUSTRALIAN VENUE COMPANY (AVC), C/- URPS PTY LTD – 319-327 PAYNEHAM RD ROYSTON PARK

DEVELOPMENT NO.:	22042866
APPLICANT:	Australian Venue Company (AVC), c/- URPS Pty Ltd
ADDRESS:	319-327 PAYNEHAM RD ROYSTON PARK SA 5070
NATURE OF DEVELOPMENT:	Additions and alterations to existing hotel comprising partial demolition, the construction of two beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • General Neighbourhood • Suburban Business <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Heritage Adjacency • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Transport Routes • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	16 Jan 2023
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at City of Norwood, Payneham and St. Peters
PLANNING & DESIGN CODE VERSION:	16 Jan 2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Kieran Fairbrother Senior Urban Planner
REFERRALS STATUTORY:	Commissioner of Highways
REFERRALS NON-STATUTORY:	Matthew Cole, City Arborist Gayle Buckby, Manager, Traffic & Integrated Transport

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ATTACHMENT 1:	Application Documents	ATTACHMENT 6:	Response to Representations
ATTACHMENT 2:	Subject Land Map	ATTACHMENT 7:	Prescribed Body Responses
ATTACHMENT 3:	Zoning and Locality Map	ATTACHMENT 8:	Internal Referral Advice
ATTACHMENT 4:	Representation Map	ATTACHMENT 9:	Applicant's Responses

DETAILED DESCRIPTION OF PROPOSAL:

The proposed development involves a large redevelopment of the Payneham Tavern (“**Tavern**”), including:

- minor partial demolition of the building;
- internal alterations that include, notably:
 - the relocation of the existing sports bar from the northeast portion of the building to the southwest portion of the building; and
 - the relocation of the existing bistro (dining area) from the southwest portion of the building to the northeast portion of the building;
- the construction of a beer garden (with a maximum capacity of 122 patrons) adjacent to the southwest sports bar area of the Tavern, which will be partially enclosed by way of acoustic glazed barriers and an acoustically-insulated corrugated metal roof;
- the construction of a second beer garden (with a maximum capacity of 132 patrons) adjacent to the northeast bistro area, which will be partially enclosed by way of acoustic glazed barriers and a retractable awning overhead;
- the construction of a children’s play area within the northeast beer garden;
- landscaping associated with the beer gardens
- the construction of illuminated advertisement displays to replace existing signage;
- the removal of 10 car parking spaces (from 123 spaces to 113 spaces); and
- the addition of 10 bicycle parking spaces.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6127/585 **Plan Parcel:** D1776 AL12 **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

Location reference: 319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6127/586 **Plan Parcel:** F103920 AL6 **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

Location reference: 319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6127/589 **Plan Parcel:** F125980 AL1 **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

Location reference: 319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6192/816 **Plan Parcel:** F3832 AL81 **Council:** THE CITY OF NORWOOD PAYNEHAM AND ST PETERS

Shape: irregular

Frontage width: approx. 101.3 metres

Depth: varying between 42.5 metres and 95.4 metres

Area: approx. 7884m²

Topography: relatively flat

Existing Structures: single-storey hotel together with attached drive-through bottle shop (with a total floor area of approx. 1620m²), freestanding advertisements, bitumen car park, perimeter sheet metal fencing

Existing Vegetation: low-level vegetation across the site’s frontage and a number of large (including regulated) trees around the site and throughout the car parking area

Locality

The locality considered for the purposes of this assessment is depicted in **Attachment 3**. It can be described particularly as the area bound by Battams Road to the north, First Avenue to the west, Salisbury Avenue to the south, and extending approximately 50m east of the subject land.

This locality can be divided into two distinct areas of character. The first, Payneham Road, is characterised by a mix of land uses and building types. More specifically, the eastern side of Payneham Road contains a mix of single- and two-storey commercial buildings comprising a mixture of uses including offices, consulting rooms and shops. Behind (east of) these uses are low-to-medium density housing. Similarly, the western side of Payneham Road contains the subject tavern, a two-storey office building, consulting rooms, a shop and some single-storey dwellings in the form of residential flat buildings. The second area of character within this locality is to the north and west of the subject land along First Avenue and Battams Road, which is comprised solely of low-density detached dwellings, most of which are historic dwellings identified as Representative Buildings.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Hotel: Code Assessed - Performance Assessed
Advertisement: Code Assessed - Performance Assessed
Internal building work: Accepted
Partial demolition of a building or structure: Accepted
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Alterations and additions to a hotel are not exempt from public notification in Table 5 of either the General Neighbourhood Zone or the Suburban Business Zone.
- **LIST OF REPRESENTATIONS**

Given Name	Family Name	Address	Position	Wishes to be heard?
Roger & Lia	Ellis	1 Battams Road ROYSTON PARK	Opposed	Yes
Arthur	Terrell	PO Box 80 MARDEN	Opposed	No
Timothy	Adey	PO Box 32 MARDEN	Opposed	Yes
Mark	Newton	183 First Avenue ROYSTON PARK	Opposed	No
Stephen	Jervis	175 First Avenue ROYSTON PARK	Opposed	Yes
Katarina	Grenfell	5 Battams Road ROYSTON PARK	Opposed	Yes

- **SUMMARY**

The concerns raised by the six (6) representors can be summarised as follows:

- The amenity of their residences will be detrimentally affected as a result of noise emanating from:
 - The beer gardens;
 - The children's play area;
 - Patron behaviour both inside and outside of the hotel;
 - Amplified music and large tv screens;
 - Increased traffic movements throughout the site; and
 - Waste collection;
- Amenity impacts caused by light spill;
- The proposed increase in patronage will result in amenity impacts also, as well as increased traffic generation by the site;
- No mention of security being provided to patrol the car park to control patron behaviour;
- Inadequate car parking provision to cater for the demand that the hotel upgrades will generate;
- Impacts to on-street parking availability in surrounding residential streets;
- Increased traffic through the surrounding residential streets;
- Purported deficiencies in both the applicant's traffic report and acoustic report;
- The need for more landscaping around the site;
- And one representor was concerned that trees were being removed as part of the proposal (although this is not the case).

AGENCY REFERRALS

- **Commissioner of Highways**

The application was referred to the Commissioner of Highways for direction, due to the change in the frequency of vehicle movements likely to be generated as a result of the proposed development. The Commissioner of Highways made no objections to the proposal and directed the imposition of one (1) planning condition and two (2) advisory notes.

INTERNAL REFERRALS

- Matthew Cole, City Arborist
- Gayle Buckby, Manager, Traffic & Integrated Transport

The City Arborist's referral response is contained in **Attachment 8**. The Manager, Traffic and Integrated Transport's response was provided verbally and will be discussed in the "Traffic Impact, Access and Parking" section of this report.

PLANNING ASSESSMENT

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

Land Use

The subject land currently enjoys historic land use rights for a hotel and associated drive-through bottle shop. The proposed development does not seek to alter or vary these land use rights, but rather increase the intensity of the existing use through alterations and additions that will increase the total floor area of the building and thus accommodate a larger patronage. While this may not constitute a change of land use, it is important that consideration is given to the Desired Outcomes of both the General Neighbourhood Zone and Suburban Business Zone in which the subject land is located.

Desired Outcome 1 of the General Neighbourhood Zone states:

“Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.” (my emphasis)

Desired Outcome 1 of the Suburban Business Zone states:

“A business and innovation precinct that includes a range of emerging businesses which have low level off-site impacts.” (my emphasis)

Consequently, for the proposed development to warrant consent it is important that, among other things, the Tavern can continue to operate following completion of the proposed development without unreasonably compromising the surrounding residential amenity. This is discussed in detail within the “Environmental Factors” section of this report.

Building Height

Performance Outcome 4.1 of the General Neighbourhood Zone states:

“Buildings contribute to a low-rise suburban character.”

Performance Outcome 3.1 of the Suburban Business Zone states:

“Buildings are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of the locality.”

Performance Outcome 3.2 of the Suburban Business Zone states:

“Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.”

The proposed additions to the Tavern are single-storey in height, consistent with the low-rise character sought by both Zones. The southwest addition extends to 3.6m above ground level, which is commensurate with the existing Tavern and slightly lower than existing wall heights. Similarly, the northeast addition measures 4.5m in height at its highest point, consistent with the existing building height of the Tavern. Notwithstanding the fact that these additions are single-storey in height, it is important to note that they will maintain sufficient separation from side boundaries so as to not impose unreasonable visual impacts on neighbouring residential development.

Setbacks, Design & Appearance

Performance Outcome 5.1 of the General Neighbourhood Zone states:

“Buildings are setback from primary street boundaries to contribute to the existing/emerging pattern of street setbacks in the streetscape.”

Performance Outcome 3.4 of the Suburban Business Zone states:

“Buildings are set back from primary street boundaries to contribute to a consistent streetscape.”

The proposed southwest additions are closer to the Payneham Road boundary than the existing southwest portion of the Tavern, but will still maintain a setback of 3.6m from the building line of the drive-through bottle shop and 12.5m from the Payneham Road boundary; consistent with contributing to a cohesive streetscape.

Performance Outcome 2.1 of the Suburban Business Zone states:

“Building scale and design complement surrounding built form, streetscapes and character.”

Performance Outcome 2.2 of the Suburban Business Zone states:

“Development with high visual and environment amenity, particularly along arterial roads and the boundaries of adjoining zones is primarily intended to accommodate sensitive receivers.”

Performance Outcome 1.3 of the General Neighbourhood Zone states:

“Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.”

Performance Outcome 2.1 of the Design in Urban Areas module of the general development policies states:

“Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.”

The northeast addition won't be readily visible from the Payneham Road streetscape or neighbouring allotments, and so it is only the southwest addition that is considered relevant for the purposes of these policies. This addition will provide a contemporary look to the existing Tavern through the use of contrasting yet contemporary materials.

The existing southwest elevation is comprised of plain panelling and dark glazing that makes a relatively unattractive contribution to the street. The proposed southwest addition, on the other hand, will be comprised of 2.2m high glazing that will be encompassed by a 800mm-high brick garden bed to facilitate some low-level landscaping. Some nominal lighting will be incorporated around the addition also. This addition complements the existing building, will provide a high level of visual amenity and will make a positive contribution to the Payneham Road streetscape, while altogether allowing increased opportunities for passive surveillance to assist in discouraging antisocial behaviour on the premises.

Performance Outcome 3.1 of the Design in Urban Areas module of the general development policies states:

“Soft landscaping and tree planting are incorporated to:
(a) minimise heat absorption and reflection
(b) maximise shade and shelter
(c) maximised stormwater infiltration
(d) enhance the appearance of land and streetscapes.”

The proposed development offers additional landscaping than what currently exists on site through the construction of raised garden beds around the perimeter of both of the proposed additions. These will provide for heat absorption and improve the appearance of these additions both to Payneham Road and internally to the car parking areas. Importantly, the application does not seek to reduce any existing areas of soft landscaping and seeks the retention of all of the existing regulated trees on the site.

Traffic Impact, Access and Parking

Performance Outcome 3.1 of the Transport, Access and Parking module of the general development policies states:

“Safe and convenient access minimises impact or interruption on the operation of public roads.”

Performance Outcome 3.9 of the Transport, Access and Parking module of the general development policies states:

“Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.”

Performance Outcome 6.1 of the Transport, Access and Parking module of the general development policies states:

“Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.”

The proposal does not seek to alter existing access and egress arrangements for the subject site. One-way access to the site is accommodated by one crossover located adjacent the south corner of the site, and one-way egress from the site takes place via the one crossover located in the eastern corner of the site.

Importantly, two-way vehicle circulation throughout the car park is being maintained, allowing visitors to the Tavern to circulate from the car park into the drive-through bottle shop before exiting the site should that be necessary. The car parking spaces in the eastern corner of the site will not be able to circle back for bottle shop access however, due to insufficient aisle width adjacent the northeast section of the Tavern. But this is a pre-existing arrangement and so no further impacts will arise from the proposed development in this respect.

This application was internally referred to the Council’s Manager, Traffic and Integrated Transport for comment on vehicle access arrangements. No written response was provided, but the verbal response provided advised support for this aspect of the proposal; maintaining existing access and vehicle circulation arrangements will continue to provide safe and convenient access to, and in, the site without impacting on surrounding public roads.

Performance Outcome 5.1 of the Transport, Access and Parking module of the general development policies states:

“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...”

The corresponding Designated Performance Feature refers to prescribed rates of car parking demand provided in Tables 1 and 2 of the Transport, Access and Parking module. The rates prescribed in Table 2 refer to those applicable in specified ‘designated areas’, whereas those in Table 1 relate to all other areas.

The subject land is located partially in the General Neighbourhood Zone and partially in the Suburban Business Zone. The General Neighbourhood Zone is not able to constitute a designated area for the purposes of car parking. The Suburban Business Zone, however, may constitute a designated area where it meets certain criteria; one of which is where the subject site is within 200m of a section of road reserve along which a high-frequency public transport service operates. A high-frequency bus route does operate along Payneham Road, and consequently the portion of the site that is within the Suburban Business Zone is considered as a designated area for the purposes of car parking.

Strictly speaking, the theoretical parking demand rates applicable to the subject site are partially those prescribed in Table 1 of the Transport, Access and Parking module, and partially those prescribed in Table 2. Pragmatically speaking, however, it is considered appropriate that the designated area rates are imposed on the whole of the site, rather than a mixed approach. Part of the rationale behind reduced car parking rates for designated areas – as evidenced in the criteria applicable to such – is because sites within designated areas are located close enough to high-frequency public transport routes or alternative transport methods that the likely increased uptake of these alternate transport methods result in a lower demand for car parking on the site. With respect to the subject land, the fact that part of the site is not zoned as a Suburban Business Zone does not weaken the justification that the site can accommodate a reduced car parking rate due to alternative available transport options.

With this in mind, Table 2 prescribes a rate of 3 spaces per 100m² of gross leasable floor area for any non-residential land use. The total gross leasable floor area following the proposed development has been calculated at 1995m². Therefore, at a rate of 3 spaces per 100m², this results in an on-site car parking demand of 60 spaces.

Despite the proposal to remove 10 car parking spaces, the site will still provide 113 spaces which exceeds the rate prescribed by Table 2 of the Transport, Access and Parking module.

Cirqa was engaged by the applicant to provide a traffic impact statement in this respect, and it is worth considering their discussion and findings (see **Attachments 1 and 6**). Interestingly, Cirqa based their report on the rates prescribed by Table 1 of the Transport, Access and Parking module, and not on the designated

area rates; the reasons for which are unclear. Notwithstanding, Cirqa demonstrated that the realistic demand of the Tavern is far less than the existing car parking supply provided on-site, and will continue to be the case following the proposed development. Cirqa, in their assessment, concluded that peak demands for the Tavern will not require the proposed 113 spaces to be retained.

Overall, the site maintains a provision of car parking spaces in excess of the designated area rate prescribed by the P&D Code, and the applicant's traffic engineer, Cirqa, has demonstrated that the 113 spaces to remain will be sufficient to cater to the demands of the hotel. Accordingly, the proposed development is considered to sufficiently accord with Performance Outcome 5.1 of the Transport, Access and Parking module.

Performance Outcome 9.1 of the Transport, Access and Parking module of the general development policies states:

"The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode."

In addition to the above, the application also proposes to install bicycling parking facilities on site for the parking of ten (10) bicycles. This is considered sufficient when considering the peak parking demands for vehicles stated by Cirqa in their traffic impact assessment.

Environmental Factors

Regulated and Significant Trees

Performance Outcome 2.1 of the Regulated and Significant Tree Overlay states:

"Regulated and significant trees, including their root systems, are not unduly compromised by excavation and/or filling of land, or the sealing of surfaces within the vicinity of the tree to support their retention and health."

This application is supplemented by a professional arborist report prepared by Arborman Tree Solutions (see **Attachment 1**). Arborman Tree Solutions was engaged by the Applicant to undertake an arboricultural impact assessment for the proposed development, specifically considering the proximity of the proposed beer garden additions to three (3) regulated trees and one (1) significant tree within the site.

This report concluded that the proposed development is unlikely to have any negative effect on these four trees due to existing site characteristics. Specifically, and with reference to *AS4970-2009: Protection of trees on development sites*:

- the level of encroachment into trees 2, 8 and 9 (as identified on the Site Plan prepared by Red.) is nil or less than 10%, which is considered to be minor and not affecting the structural root zone of the tree, resulting in no or low impact;
- the level of encroachment into tree 1 is 13% of the total 'tree protection zone', which is considered as major encroachment. However, this is acceptable because:
 - the tree is a mature tree that displays good health and vitality, indicating it can tolerate the proposed development without noticeable impacts; and
 - the existing encroachment from the solid, compacted bitumen car park has been in place for more than 30 years, which isn't changing, evidencing the tree has already shown an ability to survive in restricted growth conditions.

Notwithstanding this, Arborman Tree Solutions have recommended specific tree protection measures to be implemented during construction. These recommendations are reflected in recommended Condition 2, should the Panel determine to grant planning consent to this application, along with some additional measures that are considered appropriate in the circumstances.

This application was internally referred to the Council's City Arborist for advice on the proposed development and to undertake a peer review of the report provided by Arborman Tree Solutions. The Council's City Arborist supports the assessment undertaken by Arborman Tree Solutions and agrees with the suggested tree protection measures.

Performance Outcome 7.4 of the Design in Urban Areas module of the general development policies states:

“Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.”

While the application does not propose any new car parking areas, it is important to note the retention of these trees will ensure the car parking areas continue to receive appropriate shade, shelter and heat reduction.

Light Spill

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

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

In terms of external lighting, the plans show small light bollards being installed around both proposed beer garden additions and nominal wall lightings affixed thereto as well. These lights are all located less than 800mm above ground level and are not considered to produce lighting of an intensity that will adversely affect the amenity of the neighbouring dwellings. Notwithstanding, should the Panel determine that the application warrants planning consent, Condition 3 has been recommended to ensure that any external lighting does not cause a nuisance to any person external to the site.

Waste Management

Performance Outcome 1.5 of the Design in Urban Areas module of the general development policies states:

“The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view...”

The Tavern has an existing loading dock area adjacent the northern elevation of the building, which is where waste bins are currently stored and collected from. This area is well-screened from public view. The proposed development does not seek to alter this arrangement.

Some representors raised concerns regarding the potential for waste generation to increase and collection frequencies increase as a result of the increased patronage, thus creating the potential for nuisance-generation as a result. The applicant’s response (see **Attachment 6**) to these concerns highlights that waste can continue to be stored and collected on site without detriment being caused to neighbouring dwellings. In any case, Condition 4 has been recommended to ensure that waste collection occurs in line with the hours permitted by the *Local Nuisance and Litter Control Act 2016* (SA) as being reasonable hours for waste collection in a residential area; namely 7am – 7pm on Monday to Saturday and 9am to 7pm on Sundays and public holidays.

Hours of Operation

Performance Outcome 2.1 of the Interface Between Land Uses module of the general development policies states:

“Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having to regard to [several factors] ...”

A review of historic development approvals for this site shows no evidence of the hours of operation of the Tavern ever being restricted by way of a planning consent condition. Accordingly, the approved hours of operation for the Tavern default to those imposed on their liquor licence, which are 05:00am to 03:00am (the following day), seven days a week. Despite these approved hours, the Tavern currently operates at a restricted capacity, being 08:00am to 02:00am on Monday to Saturday, and 09:00am to midnight on Sundays.

The proposed development does not seek to extend these hours at all, and so Performance Outcome 2.1 is considered to be satisfied. Further assessment in respect of the proposed hours of operation of the beer garden additions is discussed in more detail in the “Noise Emissions” section below.

Noise Emissions

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

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

Performance Outcome 4.1 of the Interface Between Land Uses module of the general development policies states:

“Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).”

Performance Outcome 4.5 of the Interface Between Land Uses module of the general development policies states:

“Outdoor areas associated with licenses premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing sensitive receivers (or lawfully approved sensitive receivers).”

By way of background to this aspect of the assessment:

1. The applicant engaged Sonus Pty Ltd (acoustic engineers) to undertake an Environmental Noise Assessment (“**Sonus Report**”) on the proposed development, whose report was provided as part of the application documents in **Attachment 1**.
2. During public notification, two representors engaged Resonate (acoustic engineers) to undertake a review of the Sonus Report (“**Resonate Review**”).
3. Shortly after the public notification period ceased, the Assessment Manager engaged Bestec (acoustic engineers) to undertake a review of the Sonus Report, undertaken their own acoustic modelling, and undertake a review of the Resonate Review (“**Bestec Review**”).
4. Sonus was then engaged again by the applicant to assist in providing a response to representations and the Resonate Review (“**Sonus Response**”). Neither the applicant or Sonus were provided with an opportunity to view and respond to the Bestec Review due to timing constraints.

In preparing the Sonus Report, Sonus developed an acoustic model to predict the noise levels that will be experienced by adjacent sensitive receivers during the operation of the proposed beer garden additions at full capacity. This model was developed using:

- continuous background noise measurements that Sonus undertook during 9 January 2020 to 14 January 2020 and 22 July 2022 to 29 July 2022;
- ambient noise level measurements undertaken by Sonus on 14 October 2022;
- only background music being played in these areas, at levels that do not require patrons to raise their voices;
- the northern beer garden closing at 10pm;
- the retractable awning for the northern beer garden not in use.

The assessment criteria proposed by Sonus were derived in accordance with Clause 20(3) of the *Environment Protection (Noise) Policy 2007* which states that noise levels should not exceed the relative indicative noise levels less 5dB(A). How the appropriate indicative noise levels for this assessment have been derived is explained in the first two pages of **Attachment 9**. Based on this methodology, the goal noise levels adopted by Sonus are 49dB(A) between 07:00am and 10:00pm, and 42dB(A) between 10:00pm and 07:00am

("Assessment Criteria") for all sensitive receivers except for Units 1 and 2 of 317 Payneham Road (discussed further below)

Both the Resonate Review and the Bestec Review raised concerns about the derivation of the Assessment Criteria, based on their assumption that the criteria were adopted from Clause 18(2) of the Noise Policy and this assessment should not take into account existing noise from the Tavern. However, this has been sufficiently addressed by Sonus in their response in **Attachment 9** and therefore the Assessment Criteria are considered reasonable and appropriate to apply to this assessment.

Following further comments raised in the Resonate Review, Sonus have also confirmed that their original modelling and assessment also considered:

- the noise from patrons in internal areas of the Tavern that has the potential to propagate externally through the beer garden areas;
- the noise potential from the proposed increased maximum patronage;
- the noise potential from increased traffic circulation through the site;
- noise from the children's play area in the northern beer garden area;
- all adjacent sensitive receivers (although those with lower-predicted noise levels were excluded in the Sonus Report for simplicity);
- no additional noise from new mechanical plant and equipment, because no new plant and equipment is to be installed;
- noise from televisions in these areas, which are expected to be kept at respectable volume levels that are not audible at adjacent sensitive receivers.

The Sonus Report concluded that specific acoustic treatments needed to be applied to both beer garden areas in order to sufficiently achieve the Assessment Criteria and therefore satisfy Performance Outcomes 2.1, 4.1 and 4.5, above. Based on the installation of these acoustic treatments and measures, all neighbouring sensitive receivers (with the exception of Units 1 and 2 of 317 Payneham Road) were predicted to experience noise levels less than or equal to the Assessment Criteria, (see page 5 of the Sonus Response in **Attachment 6**).

With respect to Units 1 and 2 of 317 Payneham Road, Sonus adopted a different (elevated) night time goal noise level of 44dB(A) and 46dB(A) respectively. The Resonate Review and the Bestec Review both raised concerns about the basis upon which Sonus determined this. Sonus have addressed this in their response in **Attachment 9** (page 3), which explains that the night time criteria for these units was based on Clause 18(2)(a) of the Noise Policy, being the background noise levels plus 5dB(A); which is considered to be a satisfactory justification for these elevated levels.

In this respect, Sonus's acoustic modelling predicted noise levels that achieve these elevated goals for both units 1 and 2 (see page 5 of the Sonus Response). Bestec's acoustic modelling, however, predicted noise levels of 55dB(A) during the day and 53dB(A) during the night for unit 1, 317 Payneham Road; which fails to meet both the day time Assessment Criteria and the adjusted night time criteria for these dwellings.

The background noise measurements taken by Sonus determined the lowest background noise levels at Unit 1, 317 Payneham Road to be 46dB(A) at 2:00am on a Tuesday morning (when the Tavern was not operating), and 51dB(A) at 11:00pm on a Friday night (a time representative of peak patronage for the Tavern) (see **Attachment 9**). The attended measurements indicated that road traffic noise was the dominant factor in the background noise levels recorded at unit 1.

Although Sonus have adopted different criteria for the two sensitive receivers closest to Payneham Road than all other sensitive receivers, and have derived those criteria via a different methodology under the Noise Policy, their justification for doing so is sound and seems appropriate to apply in the circumstances.

With this in mind, it is reasonable to expect that, with the recommended acoustic treatments and measures in place, the proposed development will not adversely affect the surrounding residences, with the potential exception of units 1 and 2 of 317 Payneham Road. That being said, existing background noise levels at these locations at 11pm on a Friday night demonstrate that any increase in noise arising as a result of the proposed development should only be slight and likely not too discernible for the occupants of these units. Notwithstanding this, Conditions 7 and 9 have been recommended to ensure that any potential noise nuisance

arising from the southern beer garden is appropriately mitigated and the amenity for the occupants of units 1 and 2, 317 Payneham Road is sufficiently maintained. The Panel should note that the applicant has confirmed that the proponent is happy to accept these conditions.

With respect to the recommended acoustic treatments, the southern beer garden will be fully enclosed overhead by way of an acoustically-insulated corrugated metal roof and partially-enclosed at ground level by acoustic glazed barriers that range in height from 2.2m (partial enclosure) to 3m (full enclosure).

The northern beer garden will be partially enclosed at ground level on the northwest elevation by acoustic glazed barriers that extend to 3m in height. The northeast elevation of the beer garden will be enclosed at ground level by 3.35m high acoustic glazed barriers. The beer garden will not be permanently enclosed above by any roof structure. Instead, a 1m-tall cantilevered acoustic glazed barrier is proposed to be installed above the northeast elevation of the beer garden, with the balance of the beer garden remaining open to the skies except when the proposed retractable awning is in use (which is anticipated during poor weather events).

The plans provided in **Attachment 1** do not demonstrate the full extent of these acoustic measures being applied to the development and so Condition 8 has been recommended to ensure this takes place.

Performance Outcome 4.6 of the Interface Between Land Uses module of the general development policies states:

“Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.”

The application does not propose any live or acoustic music to be played in the proposed beer garden additions; contrarily, the proponent advises that only background music will be played in these areas. More particularly, the noise level of the background music is intended to be such that persons occupying the beer garden areas will not need to raise their voices to communicate above the music. Based on Sonus's assessment of this, the noise from this background music is unlikely to affect the predicted noise levels experienced by adjacent sensitive receivers and thus PO 4.6 is considered to be satisfied. To ensure this remains the case, Condition 6 is recommended to be imposed on any consent granted.

Signage

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

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

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

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

The application proposes a new illuminated sign on the southeast elevation that reads “Payneham Tavern”, to replace existing signage that reads “Eat-Drink-Relax”. This advertising display is of a similar scale to the existing signage, and is considered to be of a scale and size commensurate with the building on which it will be erected and compatible with the existing Payneham Road streetscape.

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

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

The proposed illuminated advertising display will be oriented towards Payneham Road, and away from any neighbouring sensitive receivers. The display will maintain a setback of 6.2m from the Payneham Road boundary of the land, which is commensurate with the setback of the closest sensitive receiver at 1/317 Payneham Road. As a result, it is not anticipated that any peripheral light spill from the advertising display will affect the amenity of this dwelling.

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

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

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

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

The advertising display on the southeast elevation of the Tavern will be set back 6.2m from the Payneham Road boundary. The corresponding DPF to PO 5.5 prescribes a minimum setback distance of 0.6m from the roadside edge of the kerb of a 60kmh road, such as Payneham Road. Accordingly, the advertising display is considered adequately set back from Payneham Road to satisfy PO 5.5.

With respect to PO 5.2 above, the application does not provide any detail on the luminance levels of the sign, nor whether it is proposed to be permanently static or otherwise. The expectation would be that the sign is to be static given the proposed message to be displayed, but no such assumption can be made regarding luminance levels. Accordingly, Condition 5 has been recommended to ensure that the sign does not pose a risk to motorists or pedestrians within the car parking area.

CONCLUSION

The application seeks, among other things, but most notably, the construction of two beer garden areas additional to the existing Tavern. Although not development per se, the application also notes that they proposed to increase their maximum patronage from 650 person to 1025 person.

The proposed additions employ a contextual and well-designed approach to providing a rejuvenated, contemporary look to the Tavern, which will in turn make a more positive contribution to the streetscape. Importantly, the application has demonstrated that the development can be undertaken without negatively affecting several regulated and significant trees around the site.

Although the application seeks the removal of 10 car parking spaces, these are proposed to be replaced with bicycle parks (where none currently exist on-site) and the site will still maintain sufficient car parking spaces in accordance with the Planning & Design Code. Access arrangements to and from the site are not proposed to be changed, which will continue to allow safe and convenient access to, and vehicle circulation within, the site.

The most contentious issue of the application is the potential impact that the proposed development will have on the surrounding residential land uses, by way of noise arising specifically from the use of the beer gardens, the children’s play area, and the increased traffic circulation through the site. The applicant’s acoustic engineer has demonstrated sufficient compliance with the relevant provisions of the Noise Policy in this respect which, together with the recommended conditions, should ensure that no adverse effect to the surrounding residential amenity arises as a result of the proposed development.

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 22042866, by Australian Venue Company (AVC), c/- URPS Pty Ltd is granted Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

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

Condition 2

The Recommendations and Tree Protection measures suggested by Arborman Tree Solutions on page 8 of their report (dated 10 March 2023) included within the stamped plans and documentation shall be strictly implemented and adhered to at all times during construction. Further:

- there shall be no changes to ground levels within the Tree Protection Zones; and
- there shall be no storage or dumping of materials, substances, equipment, machinery or vehicles within the Tree Protection Zones; and
- no persons shall enter the Tree Protection Zone without consent of the Project Arborist; and
- nothing shall be attached to any trees on the subject land.

If, during construction, observations made on site differ to the assumed circumstances on which Arborman Tree Solutions' report was based, and the Project Arborist is of the opinion that further arboricultural assessment is required in respect of the development, the Assessment Manager or its delegate shall be notified immediately and construction should cease until such further assessment has taken place.

Condition 3

All external lighting of the site, including car parking areas and buildings, shall be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site to the reasonable satisfaction of the Assessment Manager.

Condition 4

All waste collection from the site shall be restricted to the following times:

- Monday to Saturday, 07:00am to 07:00pm
- Sunday and Public Holidays, 09:00am to 07:00pm

Condition 5

Lighting associated with the "Payneham Tavern" sign shall be of an intensity not to cause an unreasonable light over spill nuisance to adjacent occupiers, or be an undue distraction to motorists. Further, this sign shall not flash, scroll, fade or otherwise move.

Condition 6

No live music is permitted to be played within the two proposed beer gardens. Any music played in these areas is to be limited to background music only, the volumes of which shall be maintained at a level that does not cause an unreasonable nuisance to adjacent occupiers of land.

Condition 7

The hours of operation of the proposed beer garden additions and children's' play area shall be restricted to the following times:

- Southern beer garden:
 - Sunday to Thursday: 07:00am to 10:00pm
 - Friday and Saturday: 07:00am to 12:00am
- Northern beer garden and children's play area:
 - 07:00am to 10:00pm, 7 days a week

Condition 8

All acoustic treatments recommended by Sonus on pages 8 and 9 of their Environment Noise Assessment (S6318C8, dated November 2022) shall be installed and maintained at all times to the reasonable satisfaction of the Assessment Manager (except where varied by Condition 9). Details of such treatments shall be included in the documentation for building consent.

Condition 9

The south-west facing bi-fold doors for the southern beer garden shall be closed completely after 10pm on Fridays and Saturdays and remain closed until the tavern re-opens for trade the following day.

The south-east facing bi-fold doors for the southern beer garden shall be closed halfway after 10pm on Fridays and Saturdays and remain closed as such until the tavern re-opens for trade the following day.

Condition 10

All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers within the next available planting season after the occupation of the premises to the reasonable satisfaction of the Assessment Manager and such plants, as well as any existing plants which are shown to be retained, shall be nurtured and maintained in good health and condition at all times, with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council or its delegate.

Condition 11

All car parking spaces shall be line marked or delineated in a distinctive fashion, with the marking maintained in a clear and visible condition at all times.

Condition 12

Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.

Condition 13

All stormwater from buildings and paved areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building and in all instances the stormwater drainage system shall be directly connected into either the adjacent street kerb & water table or a Council underground pipe drainage system.

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

Condition 14

All access shall be in accordance with Proposed Site Plan, Project No AVC0011, Revision 4, dated 24/11/2022.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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

Advisory Note 2

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

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

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

Advisory Note 3

No work can commence on this development unless a Development Approval has been obtained. If one or more Consents have been granted on this Decision Notification Form, you must not start any site works or

building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 4

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

Advisory Note 5

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

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

Advisory Note 6

The Applicant is advised that construction noise is not allowed:

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

Advisory Note 7

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

Advisory Note 8

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

Advisory Note 9

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

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

Advisory Note 10

All signage should be accordance with the Department for Infrastructure and Transport's "Advertising Signs - Assessment Guidelines for Road Safety" (August 2014). The document is available via the following link: https://dit.sa.gov.au/_data/assets/pdf_file/0019/145333/DIT-Advertising-Signs-Assessment-Guidelines.pdf.pdf

Advisory Note 11

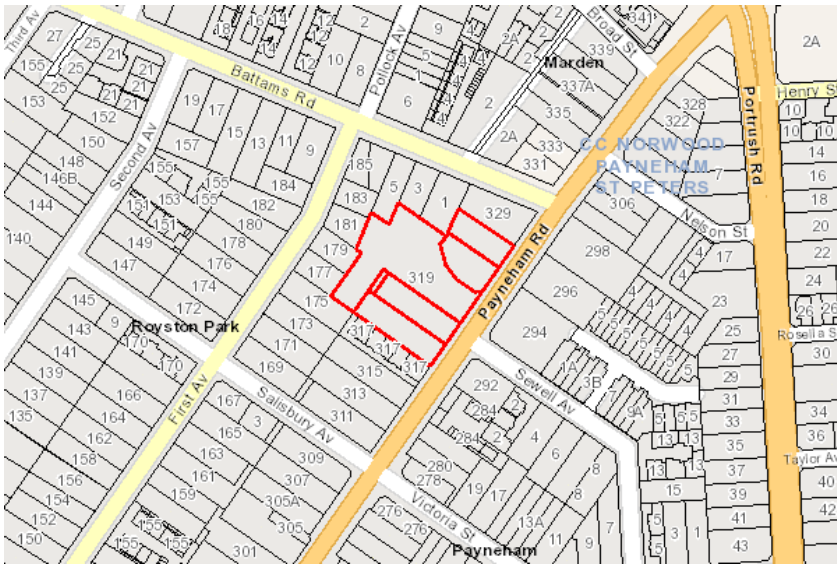
It is recommended that the applicant contact Mr. Wayne Stewart, Senior Project Officer, South Australian Public Transport Authority (SAPTA), on ph. (08) 7109 7240 if bus stop adjacent to the site is impacted during construction.

319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Address:

Click to view a detailed interactive [SAILIS](#) in SAILIS

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



Property Zoning Details

Zone

General Neighbourhood
Suburban Business

Overlay

Airport Building Heights (Regulated) (*All structures over 45 metres*)
Affordable Housing
Heritage Adjacency
Hazards (Flooding - General)
Prescribed Wells Area
Regulated and Significant Tree
Stormwater Management
Traffic Generating Development
Urban Transport Routes
Urban Tree Canopy

Local Variation (TNV)

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

Development Pathways

- General Neighbourhood

1. Accepted Development

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

- Air handling unit, air conditioning system or exhaust fan
- Brush fence
- Building work on railway land
- Carport
- Internal building work
- Outbuilding
- Partial demolition of a building or structure
- Private bushfire shelter
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Swimming pool or spa pool
- Verandah
- Water tank (above ground)
- Water tank (underground)

2. Code Assessed - Deemed to Satisfy

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

- Carport
- Outbuilding
- Replacement building
- Temporary accommodation in an area affected by bushfire
- Verandah

3. Code Assessed - Performance Assessed

Performance Assessed development types listed below are those for which the Code identifies relevant policies. Additional development types that are not listed as Accepted, Deemed to Satisfy or Restricted default to a Performance assessed Pathway. Please contact your local council for more information.

- Ancillary accommodation
- Carport
- Demolition
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
 - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies
 - or
 - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust.
- Fence
- Group dwelling
- Land division
- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Tree-damaging activity
- Verandah

4. Impact Assessed - Restricted

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

- Suburban Business

1. Accepted Development

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

- Brush fence
- Building work on railway land
- Carport
- Internal building work
- Outbuilding
- Partial demolition of a building or structure
- Private bushfire shelter
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Swimming pool or spa pool
- Verandah
- Water tank (above ground)
- Water tank (underground)

2. Code Assessed - Deemed to Satisfy

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

- Carport
- Consulting room
- Office
- Outbuilding
- Replacement building
- Shop
- Temporary accommodation in an area affected by bushfire
- Verandah

3. Code Assessed - Performance Assessed

Performance Assessed development types listed below are those for which the Code identifies relevant policies. Additional development types that are not listed as Accepted, Deemed to Satisfy or Restricted default to a Performance assessed Pathway. Please contact your local council for more information.

- Advertisement
- Ancillary accommodation
- Carport
- Consulting room
- Demolition
- Detached dwelling
- Dwelling addition
- Dwelling or residential flat building undertaken by:
 - (a) the South Australian Housing Trust either individually or jointly with other persons or bodies
 - or
 - (b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust.
- Fence
- Group dwelling
- Land division
- Light industry
- Office
- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Service trade premises
- Shop
- Store
- Tree-damaging activity
- Verandah
- Warehouse

4. Impact Assessed - Restricted

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

Property Policy Information for above selection

Part 2 - Zones and Sub Zones

General Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.	DTS/DPF 1.1 Development comprises one or more of the following: <ul style="list-style-type: none"> (a) Ancillary accommodation (b) Community facility (c) Consulting room (d) Dwelling (e) Educational establishment (f) Office (g) Place of Worship (h) Pre-school (i) Recreation area (j) Residential flat building (k) Retirement facility (l) Shop (m) Student accommodation (n) Supported accommodation
PO 1.2	DTS/DPF 1.2

<p>Non-residential development located and designed to improve community accessibility to services, primarily in the form of:</p> <ul style="list-style-type: none"> (a) small scale commercial uses such as offices, shops and consulting rooms (b) community services such as educational establishments, community centres, places of worship, pre-schools, and other health and welfare services (c) services and facilities ancillary to the function or operation of supported accommodation or retirement facilities (d) open space and recreation facilities. 	<p>None are applicable.</p>
<p>PO 1.3 Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.</p>	<p>DTS/DPF 1.3 None are applicable.</p>
<p>PO 1.4 Commercial activities improve community access to services are of a scale and type to maintain residential amenity.</p>	<p>DTS/DPF 1.4 A shop, consulting room or office (or any combination thereof) satisfies any one of the following:</p> <ul style="list-style-type: none"> (a) it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied: <ul style="list-style-type: none"> (i) does not exceed 50m² gross leasable floor area (ii) does not involve the display of goods in a window or about the dwelling or its curtilage (b) it reinstates a former shop, consulting room or office in an existing building (or portion of a building) and satisfies one of the following: <ul style="list-style-type: none"> (i) the building is a State or Local Heritage Place (ii) is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes (c) is located more than 500m from an Activity Centre and satisfies one of the following: <ul style="list-style-type: none"> (i) does not exceed 100m² gross leasable floor area (individually or combined, in a single building) where the site does not have a frontage to a State Maintained Road (ii) does not exceed 200m² gross leasable floor area (individually or combined, in a single building) where the site has a frontage to a State Maintained Road (d) the development site abuts an Activity Centre and all the following are satisfied: <ul style="list-style-type: none"> (i) it does not exceed 200m² gross leasable floor area (individually or combined, in a single building) (ii) the proposed development will not result in a combined gross leasable floor area (existing and proposed) of all shops, consulting rooms and offices that abut the Activity Centre in this zone exceeding the lesser of the following: <ul style="list-style-type: none"> A. 50% of the existing gross leasable floor area within the Activity Centre

	B. 1000m ² .
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<p>PO 1.5</p> <p>Expansion of existing community services such as educational establishments, community facilities and pre-schools in a manner which complements the scale of development envisaged by the desired outcome for the neighbourhood.</p>	<p>DTS/DPF 1.5</p> <p>Alteration of or addition to existing educational establishments, community facilities or pre-schools where all the following are satisfied:</p> <ul style="list-style-type: none"> (a) set back at least 3m from any boundary shared with a residential land use (b) building height not exceeding 1 building level (c) the total floor area of the building not exceeding 150% of the total floor area prior to the addition/alteration (d) off-street vehicular parking exists or will be provided in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number.
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Site Dimensions and Land Division

<p>PO 2.1</p> <p>Allotments/sites created for residential purposes are of suitable size and dimension to accommodate the anticipated dwelling form and remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood, with higher densities closer to public open space, public transport stations and activity centres.</p>	<p>DTS/DPF 2.1</p> <p>Development will not result in more than 1 dwelling on an existing allotment</p> <p>or</p> <p>Allotments/sites for residential purposes accord with the following:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="text-align: left;">Dwelling Type</th> <th style="text-align: left;">Minimum site/allotment area per dwelling</th> <th style="text-align: left;">Minimum site/allotment frontage</th> </tr> </thead> <tbody> <tr> <td>Detached dwelling (not in a terrace arrangement)</td> <td>300m² (exclusive of any battle-axe allotment 'handle')</td> <td>9m where not on a battle-axe site 5m where on a battle-axe site</td> </tr> <tr> <td>Semi-detached dwelling</td> <td>300m²</td> <td>9m</td> </tr> <tr> <td>Row dwelling (or detached dwelling in a terrace arrangement)</td> <td>250m²</td> <td>7m (averaged)</td> </tr> <tr> <td>Group dwelling</td> <td>300m² (average, including common areas)</td> <td>15m (total)</td> </tr> <tr> <td>Dwelling within a residential flat building</td> <td>300m² (average, including common areas)</td> <td>15m (total)</td> </tr> </tbody> </table>	Dwelling Type	Minimum site/allotment area per dwelling	Minimum site/allotment frontage	Detached dwelling (not in a terrace arrangement)	300m ² (exclusive of any battle-axe allotment 'handle')	9m where not on a battle-axe site 5m where on a battle-axe site	Semi-detached dwelling	300m ²	9m	Row dwelling (or detached dwelling in a terrace arrangement)	250m ²	7m (averaged)	Group dwelling	300m ² (average, including common areas)	15m (total)	Dwelling within a residential flat building	300m ² (average, including common areas)	15m (total)
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<p>PO 2.2</p> <p>Development creating new allotments/sites in conjunction with retention of an existing dwelling ensures the site of the existing dwelling remains fit for purpose.</p>	<p>DTS/DPF 2.2</p> <p>Where the site of a dwelling does not comprise an entire allotment:</p> <ul style="list-style-type: none"> (a) the balance of the allotment accords with site area and frontage requirements specified in General Neighbourhood Zone DTS/DPF 2.1
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	<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> <ul style="list-style-type: none"> (i) Private open space requirements specified in Design in Urban Areas Table 1 - Private Open Space (ii) off-street vehicular parking exists in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number.
<p>PO 2.3</p> <p>Land division results in sites that are accessible and suitable for their intended purpose.</p>	<p>DTS/DPF 2.3</p> <p>Division of land satisfies (a), (b) or (c):</p> <ul style="list-style-type: none"> (a) reflects the site boundaries illustrated and approved in an existing development authorisation under the Development Act 1993 or Planning, Development and Infrastructure Act 2016 where the allotments are used or are proposed to be used solely for residential purposes (b) is proposed as part of a combined land division application with deemed-to-satisfy dwellings on the proposed allotments (c) satisfies all of the following: <ul style="list-style-type: none"> (i) No more than 5 additional allotments are created (ii) Each proposed allotment has a minimum site area of 300m² and frontage of 9m (iii) Each proposed allotment has a slope less than 12.5% (1-in-8) (iv) There are no regulated trees on or within 20m of the subject land, with the distance measured from the base of the trunk of the tree (or the nearest trunk of the tree) to the subject land (v) The division does not involve creation of a public road (vi) Vehicle access from a public road can be provided to all proposed allotments which satisfies Design in Urban Areas DTS/DPF 23.3, 23.4 and 23.6, and would be located wholly on one side of the allotment, or located no more than 1m from the side boundary alignment (vii) No allotments are in a battle-axe configuration and (viii) Each proposed allotment is of a size and dimension capable of containing a rectangle 9m in width and 15m in depth.
Site Coverage	
<p>PO 3.1</p> <p>Building footprints allow sufficient space around buildings to limit visual impact, provide an 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%.</p>

Building Height	
<p>PO 4.1</p> <p>Buildings contribute to a low-rise suburban character.</p>	<p>DTS/DPF 4.1</p> <p>Building height (excluding garages, carports and outbuildings) no greater than:</p> <ul style="list-style-type: none"> (a) 2 building levels and 9m and (b) wall height that is no greater than 7m except in the case of a gable end.
Primary Street Setback	
<p>PO 5.1</p> <p>Buildings are setback from primary street boundaries to contribute to the existing/emerging pattern of street setbacks in the 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) no more than 1m in front of the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment) (b) where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), no more than 1m in front of the setback to the building line of that building or (c) not less than 5m where no building exists on an adjoining site with the same primary street frontage.
Secondary Street Setback	
<p>PO 6.1</p> <p>Buildings are set back from secondary street boundaries to achieve separation between building walls and public streets and contribute to a suburban streetscape character.</p>	<p>DTS/DPF 6.1</p> <p>Building walls are set back from the boundary of the allotment with a secondary street frontage:</p> <ul style="list-style-type: none"> (a) at least 900mm or (b) if a dwelling on any adjoining allotment is closer to the secondary street than 900mm, at least the distance of that dwelling from the boundary with the secondary street.
Boundary Walls	
<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 one 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 3m in height from the top of footings (ii) exceed 11.5m in length

	<ul style="list-style-type: none"> (iii) when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary (iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.
<p>PO 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a suburban streetscape character.</p>	<p>DTS/DPF 7.2</p> <p>Dwelling walls in a semi-detached, row or terrace arrangement are setback at least 900mm from side boundaries shared with allotments outside the development site.</p>
Side boundary setback	
<p>PO 8.1</p> <p>Building walls are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that contributes to a suburban character and (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 8.1</p> <p>Other than walls located on a side boundary, building walls are set back from side boundaries:</p> <ul style="list-style-type: none"> (a) at least 900mm where the wall height is up to 3m (b) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m and (c) at least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern side boundary.
Rear boundary setback	
<p>PO 9.1</p> <p>Dwelling walls are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between dwellings in a way that contributes to a suburban character (b) access to natural light and ventilation for neighbours (c) private open space (d) space for landscaping and vegetation. 	<p>DTS/DPF 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 other building level of the dwelling (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 other building level of the dwelling.
Concept Plans	
<p>PO 10.1</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 10.1</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 10.1, 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 10.1 is met.
Ancillary Buildings and Structures	
<p>PO 11.1</p> <p>Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 11.1</p> <p>Ancillary buildings:</p> <ul style="list-style-type: none"> (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m² (c) are not constructed, added to or altered so that any part is situated: <ul style="list-style-type: none"> (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> (i) is set back at least 5.5m from the boundary of the primary street (ii) have a door / opening not exceeding: <ul style="list-style-type: none"> A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width (e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless: <ul style="list-style-type: none"> (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent (f) if situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary (g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure (h) have a wall height or post height not exceeding 3m (and not including a gable end) (i) have a roof height where no part of the roof is more than 5m above the natural ground level (j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour

	<p>(k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less:</p> <p>(i) a total area as determined by the following table:</p> <table border="1" data-bbox="922 215 1522 703"> <thead> <tr> <th data-bbox="922 215 1318 412">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th data-bbox="1318 215 1522 412">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td data-bbox="922 412 1318 448"><150</td> <td data-bbox="1318 412 1522 448">10%</td> </tr> <tr> <td data-bbox="922 448 1318 528">150-200</td> <td data-bbox="1318 448 1522 528">15%</td> </tr> <tr> <td data-bbox="922 528 1318 609">201-450</td> <td data-bbox="1318 528 1522 609">20%</td> </tr> <tr> <td data-bbox="922 609 1318 703">>450</td> <td data-bbox="1318 609 1522 703">25%</td> </tr> </tbody> </table> <p>(ii) the amount of existing soft landscaping prior to the development occurring.</p>	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	201-450	20%	>450	25%
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site										
<150	10%										
150-200	15%										
201-450	20%										
>450	25%										
<p>PO 11.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements or result in over-development of the site.</p>	<p>DTS/DPF 11.2</p> <p>Ancillary buildings and structures do not result in:</p> <p>(a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space</p> <p>(b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.</p>										
Advertisements											
<p>PO 12.1</p> <p>Advertisements identify the associated business activity, and do not detract from the residential character of the locality.</p>	<p>DTS/DPF 12.1</p> <p>Advertisements relating to a lawful business activity associated with a residential use do not exceed 0.3m² and mounted flush with a wall or fence.</p>										

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

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

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

Class of Development (Column A)	Exceptions (Column B)
<p>1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	<p>None specified.</p>
<p>2. All development undertaken by:</p> <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. 	<p>Except development involving any of the following:</p> <ul style="list-style-type: none"> 1. residential flat building(s) of 3 or more building levels 2. the demolition of a State or Local Heritage Place 3. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
<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) outbuilding (j) pergola (k) private bushfire shelter (l) residential flat building (m) retaining wall (n) retirement facility (o) shade sail (p) solar photovoltaic panels (roof mounted) (q) student accommodation (r) supported accommodation (s) swimming pool or spa pool (t) verandah (u) water tank. 	<p>Except development that:</p> <ul style="list-style-type: none"> 1. does not satisfy General Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).
<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	<p>Except development that:</p> <ul style="list-style-type: none"> 1. does not satisfy any of the following: <ul style="list-style-type: none"> (a) General Neighbourhood Zone DTS/DPF 1.4 (b) General Neighbourhood Zone DTS/DPF 4.1 <p>or</p>

	<p>2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and:</p> <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or (b) the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).
<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) internal building works (b) land division (c) recreation area (d) replacement building (e) temporary accommodation in an area affected by bushfire (f) tree damaging activity. 	None specified.
<p>6. Alteration of or addition to any development involving the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) community facility (b) educational establishment (c) pre-school. 	Except development that does not satisfy General Neighbourhood Zone DTS/DPF 1.5.
<p>7. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.

Placement of Notices - Exemptions for Performance Assessed Development

None specified.

Placement of Notices - Exemptions for Restricted Development

None specified.

Suburban Business Zone

Assessment Provisions (AP)

Desired Outcome

DO 1	A business and innovation precinct that includes a range of emerging businesses which have low level off-site impacts. Residential development within the area is subordinate to employment uses and generally includes medium-density housing designed to complement and not prejudice the operation of existing businesses.
DO 2	A zone characterised by low-rise buildings with additional height in well serviced and accessible locations.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Shops, office, consulting room, low-impact industry and other non-residential uses are supported by a variety of compact, medium density housing and accommodation types.	DTS/DPF 1.1 Development comprises one or more of the following: <ul style="list-style-type: none"> (a) Consulting room (b) Dwelling (c) Institutional facility (d) Light industry (e) Motor repair station (f) Office (g) Residential flat building (h) Retail fuel outlet (i) Service trade premises (j) Shop (k) Store (l) Warehouse
PO 1.2 Retail, business and commercial development is of a scale that provides a local convenience service without undermining the vibrancy and function of zones primarily intended to accommodate such development.	DTS/DPF 1.2 Shops, offices and consulting rooms do not exceed 500m ² in gross leasable floor area.
PO 1.3 Compact, medium density residential development does not prejudice the operation of non-residential activity within the zone.	DTS/DPF 1.3 None are applicable.
PO 1.4 Changes in the use of land between similar businesses encourages the efficient reuse of commercial premises and	DTS/DPF 1.4 A change of use to a shop, office or consulting room or any combination of these uses where all of the following are

<p>supports continued local access to a range of services compatible to the locality.</p>	<p>achieved:</p> <ul style="list-style-type: none"> (a) the area to be occupied by the proposed development is in an existing building and is currently used as a shop, office, consulting room or any combination of these uses (b) if the proposed the change in use is for a shop: <ul style="list-style-type: none"> (i) the total gross leasable floor area of the shop will not exceed 500m² (ii) if primarily involving the handling and sale of foodstuffs, areas used for the storage and collection of refuse are sited at least 10m from the site of a dwelling (other than a dwelling directly associated with the proposed shop) (iii) if primarily involving heating and cooking of foodstuffs in a commercial kitchen and is within 30m of any residential allotment within a neighbourhood-type zone boundary or a dwelling (other than a dwelling directly associated with the proposed shop), an exhaust duct and stack (chimney) exists or is capable of being installed for discharging exhaust emissions (c) off-street vehicular parking exists in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number, except where: <ul style="list-style-type: none"> (i) the required contribution will be made into a relevant car parking offset scheme (other than where a relevant contribution has previously been made) or (ii) the building is a local heritage place.
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Built Form and Character

<p>PO 2.1 Building scale and design complement surrounding built form, streetscapes and local character.</p>	<p>DTS/DPF 2.1 None are applicable.</p>
<p>PO 2.2 Development with high visual and environmental amenity, particularly along arterial roads and the boundaries of adjoining zones is primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 2.2 None are applicable.</p>

Building height and setbacks

<p>PO 3.1 Buildings are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of a locality.</p>	<p>DTS/DPF 3.1 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="829 2056 1528 2092"> <tr> <td style="text-align: center;">Maximum Building Height (Levels)</td> </tr> </table>	Maximum Building Height (Levels)
Maximum Building Height (Levels)		

Maximum Building Height (Levels)	
	<p>Maximum building height is 2 levels</p> <p>(b) in all other cases (ie there is a blank field for both values):</p> <ul style="list-style-type: none"> (i) 2 building levels or 9m where the development is located adjoining a different zone that primarily envisages residential development (ii) 3 building levels or 12m in all other cases. <p>In relation to DTS/DPF 3.1, in instances where:</p> <p>(c) more than one value is returned in the same field:</p> <ul style="list-style-type: none"> (i) for the purpose of DTS/DPF 3.1(a), refer to the Maximum Building Height (Metres) Technical and Numeric Variation layer or Maximum Building Height (Levels) Technical and Numeric Variation layer in the SA planning database to determine the applicable value relevant to the site of the proposed development (ii) only one value is returned for DTS/DPF 3.1(a), (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.
<p>PO 3.2</p> <p>Buildings mitigate visual impacts of building massing on residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.2</p> <p>Buildings constructed within a building envelope provided by a 45 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram (except where this boundary is a southern boundary, or where this boundary is the primary street boundary)</p> <p>LEGEND</p> <ul style="list-style-type: none"> □ BUILDING ENVELOPE <p>ALLOTMENT BOUNDARY OF A RESIDENTIAL ALLOTMENT WITHIN A NEIGHBOURHOOD-TYPE ZONE</p> <p>45° PLANE MEASURED FROM THE BOUNDARY</p> <p>3.0m</p> <p>NATURAL GROUND LEVEL</p> <p>PRIMARY ROAD FRONTAGE</p>
<p>PO 3.3</p> <p>Buildings mitigate overshadowing of residential development within a neighbourhood-type zone.</p>	<p>DTS/DPF 3.3</p> <p>Buildings on sites with a southern boundary adjoining an allotment used for residential purposes within a neighbourhood-type zone are constructed within a building envelope provided by a 30 degree plane grading north measured from a height of 3m above natural ground level at the southern boundary, as shown in the following diagram</p>

<p>PO 3.4</p> <p>Buildings are set back from primary street boundaries to contribute to a consistent streetscape.</p>	<p>DTS/DPF 3.4</p> <p>The building line of a building is set back from the primary street frontage:</p> <ul style="list-style-type: none"> (a) the average of any existing buildings on either of the adjoining sites having frontage to the same street or (b) not less than 6m where no building exists on an adjoining site.
<p>PO 3.5</p> <p>Buildings are set back from secondary street boundaries (other than rear laneways) to contribute to a consistent streetscape.</p>	<p>DTS/DPF 3.5</p> <p>Building walls are set back from the secondary street frontage:</p> <ul style="list-style-type: none"> (a) the average of any existing buildings on adjoining sites having frontage to the same street or (b) not less than 900mm where no building exists on an adjoining site.
<p>PO 3.6</p> <p>Buildings are set back from side boundaries to maintain adequate separation and ventilation.</p>	<p>DTS/DPF 3.6</p> <p>Other than walls located on a side boundary, building walls are set back at least 900mm from side boundaries.</p>
<p>PO 3.7</p> <p>Buildings are set back from rear boundaries to minimise adverse impacts on adjoining land uses.</p>	<p>DTS/DPF 3.7</p> <p>Building walls are set back from the rear boundary at least 3m.</p>
<p>PO 3.8</p> <p>Buildings on an allotment fronting a road that is not a State maintained road, and where land on the opposite side of the road is within a neighbourhood-type zone, provides an orderly transition to the built form scale envisaged in the adjacent zone to complement the streetscape character.</p>	<p>DTS/DPF 3.8</p> <p>None are applicable.</p>
Land Division	
<p>PO 4.1</p> <p>Land division and / or site amalgamation create allotments that vary in size and are suitable for a variety of residential and commercial activities and improve the level of development integration.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
Advertisements	
<p>PO 5.1</p>	<p>DTS/DPF 5.1</p>

<p>Freestanding advertisements identify the associated business without creating a visually dominant element within the streetscape.</p>	<p>Freestanding advertisements:</p> <ul style="list-style-type: none"> (a) do not exceed 6m in height (b) do not have a sign face that exceeds 4m² per side
<p>Concept Plans</p>	
<p>PO 6.1 Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 6.1 The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant: In relation to DTS/DPF 6.1, 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 6.1 is met.
<p>Ancillary Buildings and Structures</p>	
<p>PO 7.1 Residential ancillary buildings are sited and designed to not detract from the streetscape or appearance of primary residential buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 7.1 Ancillary buildings and structures:</p> <ul style="list-style-type: none"> (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m² (c) are not constructed, added to or altered so that any part is situated <ul style="list-style-type: none"> (i) in front of any part of the building line of the dwelling to which it is ancillary or (ii) within 900mm of a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> (i) is set back at least 5.5m from the boundary of the primary street (ii) when facing a primary street or secondary street, has a total door / opening not exceeding: <ul style="list-style-type: none"> A. for dwellings of single building level - 7m in width or 50% of the site frontage, whichever is the lesser B. for dwellings comprising two or more building levels at the building line fronting the same public street - 7m in width (e) if situated on a boundary (not being a boundary with a primary street or secondary street), do not exceed a length of 11.5m unless: <ul style="list-style-type: none"> (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and

	<ul style="list-style-type: none"> (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) f situated on a boundary of the allotment (not being a boundary with a primary street or secondary street), all walls or structures on the boundary will not exceed 45% of the length of that boundary (g) will not be located within 3m of any other wall along the same boundary unless on an adjacent site on that boundary there is an existing wall of a building that would be adjacent to or about the proposed wall or structure (h) have a wall height or post height not exceeding 3m above natural ground level (and not including a gable end) (i) have a roof height where no part of the roof is more than 5m above the natural ground level (j) if clad in sheet metal, is pre-colour treated or painted in a non-reflective colour (k) retains a total area of soft landscaping in accordance with (i) or (ii), whichever is less: (i) a total area as determined by the following table: <table border="1" data-bbox="919 896 1520 1386"> <thead> <tr> <th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th>Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td><150</td> <td>10%</td> </tr> <tr> <td>150-200</td> <td>15%</td> </tr> <tr> <td>201-450</td> <td>20%</td> </tr> <tr> <td>>450</td> <td>25%</td> </tr> </tbody> </table> (ii) the amount of existing soft landscaping prior to the development occurring. 	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%
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%										
<p>PO 7.2 Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements or result in over-development of the site.</p>	<p>DTS/DPF 7.2 Ancillary buildings and structures do not result in:</p> <ul style="list-style-type: none"> (a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space (b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas. 										

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

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

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

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any kind of development where the site of the development is not adjacent land to a site (or land) used for residential purposes in a neighbourhood-type zone.	Except any of the following: <ol style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
3. Any development involving any of the following (or of any combination of any of the following): <ol style="list-style-type: none"> (a) advertisement (b) air handling unit, air conditioning system or exhaust fan (c) ancillary accommodation (d) building work on railway land (e) carport (f) community facility (g) dwelling (h) fence (i) outbuilding (j) private bushfire shelter (k) residential flat building (l) shade sail (m) solar photovoltaic panels (roof mounted) (n) student accommodation (o) swimming pool or spa pool (p) verandah (q) water tank. 	Except development that exceeds the maximum building height specified in Suburban Business Zone DTS/DPF 3.1 or does not satisfy any of the following: <ol style="list-style-type: none"> 1. Suburban Business Zone DTS/DPF 3.2 2. Suburban Business Zone DTS/DPF 3.3.
4. Any development involving any of the following (or of any combination of any of the following): <ol style="list-style-type: none"> (a) consulting room (b) office (c) shop. 	Except development that exceeds the maximum building height specified in Suburban Business Zone DTS/DPF 3.1 or does not satisfy any of the following: <ol style="list-style-type: none"> 1. Suburban Business Zone DTS/DPF 1.2 2. Suburban Business Zone DTS/DPF 3.2

	3. Suburban Business Zone DTS/DPF 3.3.
<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) replacement building (d) temporary accommodation in an area affected by bushfire. (e) tree damaging activity. 	None specified.
6. Demolition.	<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 – General) Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Impacts on people, property, infrastructure and the environment from general flood risk are minimised through the appropriate siting and design of development.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use	
PO 1.1 Buildings housing vulnerable people, community services facilities, key infrastructure and emergency services are sited away from flood areas enable uninterrupted operation of services and reduce likelihood of entrapment.	DTS/DPF 1.1 Pre-schools, educational establishments, retirement and supported accommodation, emergency services facilities, hospitals and prisons located outside the 1% AEP flood event.
Flood Resilience	
PO 2.1 Development is sited, designed and constructed to prevent the entry of floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 2.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished ground and floor level not less than: In instances where no finished floor level value is specified, a building incorporates a finished floor level at least 300mm above the height of a 1% AEP flood event.
Environmental Protection	
PO 3.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building during a 1% AEP flood event to avoid potential environmental harm.	DTS/DPF 3.1 Development involving the storage or disposal of hazardous materials is wholly located outside of the 1% AEP flood plain or flow path.

Procedural Matters (PM) - Referrals

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

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

Heritage Adjacency Overlay

Assessment Provisions (AP)

Desired Outcome

DO 1	Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.	DTS/DPF 1.1 None are applicable.
Land Division	
PO 2.1 Land division adjacent to a State or Local Heritage Place creates allotments that are of a size and dimension that enables the siting and setbacks of new buildings from allotment boundaries so that they do not dominate, encroach or unduly impact on the setting of the Place.	DTS/DPF 2.1 None are applicable.

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that may materially affect the context of a State Heritage Place.	Minister responsible for the administration of the <i>Heritage Places Act 1993</i> .	To provide expert assessment and direction to the relevant authority on the potential impacts of development adjacent State Heritage Places.	Development of a class to which Schedule 9 clause 3 item 17 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Regulated and Significant Tree Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Tree Retention and Health	
PO 1.1 Regulated trees are retained where they: <ul style="list-style-type: none"> (a) make an important visual contribution to local character and amenity (b) are indigenous to the local area and listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species and / or (c) provide an important habitat for native fauna. 	DTS/DPF 1.1 None are applicable.
PO 1.2 Significant trees are retained where they: <ul style="list-style-type: none"> (a) make an important contribution to the character or amenity of the local area (b) are indigenous to the local area and are listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species (c) represent an important habitat for native fauna 	DTS/DPF 1.2 None are applicable.

<ul style="list-style-type: none"> (d) are part of a wildlife corridor of a remnant area of native vegetation (e) are important to the maintenance of biodiversity in the local environment and / or (f) form a notable visual element to the landscape of the local area. 	
<p>PO 1.3</p> <p>A tree damaging activity not in connection with other development satisfies (a) and (b):</p> <ul style="list-style-type: none"> (a) tree damaging activity is only undertaken to: <ul style="list-style-type: none"> (i) remove a diseased tree where its life expectancy is short (ii) mitigate an unacceptable risk to public or private safety due to limb drop or the like (iii) rectify or prevent extensive damage to a building of value as comprising any of the following: <ul style="list-style-type: none"> A. a Local Heritage Place B. a State Heritage Place C. a substantial building of value <p>and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity</p> <ul style="list-style-type: none"> (iv) reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire (v) treat disease or otherwise in the general interests of the health of the tree and / or (vi) maintain the aesthetic appearance and structural integrity of the tree (b) in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective. 	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>A tree-damaging activity in connection with other development satisfies all the following:</p> <ul style="list-style-type: none"> (a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible (b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring. 	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
<p>Ground work affecting trees</p>	
<p>PO 2.1</p> <p>Regulated and significant trees, including their root systems, are not unduly compromised by excavation and / or filling of</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>

land, or the sealing of surfaces within the vicinity of the tree to support their retention and health.	
Land Division	
<p>PO 3.1</p> <p>Land division results in an allotment configuration that enables its subsequent development and the retention of regulated and significant trees as far as is reasonably practicable.</p>	<p>DTS/DPF 3.1</p> <p>Land division where:</p> <ul style="list-style-type: none"> (a) there are no regulated or significant trees located within or adjacent to the plan of division or (b) the application demonstrates that an area exists to accommodate subsequent development of proposed allotments after an allowance has been made for a tree protection zone around any regulated tree within and adjacent to the plan of division.

Procedural Matters (PM) - Referrals

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

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

Urban Transport Routes Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Safe and efficient operation of Urban Transport Routes for all road users.
DO 2	Provision of safe and efficient access to and from Urban Transport Routes.

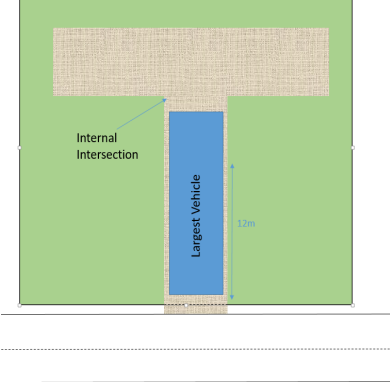
Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Access - Safe Entry and Exit (Traffic Flow)	
<p>PO 1.1</p> <p>Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State maintained roads.</p>	<p>DTS/DPF 1.1</p> <p>An access point satisfies (a), (b) or (c):</p> <p>(a) where servicing a single (1) dwelling / residential allotment:</p> <ul style="list-style-type: none"> (i) it will not result in more than one access point (ii) vehicles can enter and exit the site in a forward direction (iii) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees (iv) passenger vehicles (with a length up to 5.2m) can enter and exit the site wholly within the kerbside lane of the road (v) it will have a width of between 3m and 4m (measured at the site boundary) <p>(b) where the development will result in 2 and up to 6 dwellings:</p> <ul style="list-style-type: none"> (i) (i) it will not result in more than one access point servicing the development site (ii) vehicles can enter and exit the site in a forward direction (iii) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees (iv) passenger vehicles (with a length up to 5.2m) can enter and exit the site wholly within the kerbside lane of the road (v) it will have a width of between 5.8m to 6m (measured at the site boundary) and an access depth of 6m (measured from the site boundary into the site) <p>(c) where the development will result in 7 or more dwellings, or is a non-residential land use:</p> <ul style="list-style-type: none"> (i) it will not result in more than one access point servicing the development site (ii) vehicles can enter and exit the site using left turn only movements (iii) vehicles can enter and exit the site in a forward direction (iv) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees

	<ul style="list-style-type: none"> (v) it will have a width of between 6m and 7m (measured at the site boundary), where the development is expected to accommodate vehicles with a length of 6.4m or less (vi) it will have a width of between 6m and 9m (measured at the site boundary), where the development is expected to accommodate vehicles with a length from 6.4m to 8.8m (vii) it will have a width of between 9m and 12m (measured at the site boundary), where the development is expected to accommodate vehicles with a length from 8.8m to 12.5m (viii) provides for simultaneous two-way vehicle movements at the access: <ul style="list-style-type: none"> A. with entry and exit movements for vehicles with a length up to 5.2m vehicles being fully within the kerbside lane of the road and B. with entry movements of 8.8m vehicles (where relevant) being fully within the kerbside lane of the road and the exit movements of 8.8m vehicles do not cross the centreline of the road.
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Access - On-Site Queuing

<p>PO 2.1</p> <p>Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and maintain safe vehicle movements.</p>	<p>DTS/DPF 2.1</p> <p>An access point in accordance with one of the following:</p> <ul style="list-style-type: none"> (a) will not service, or is not intended to service, more than 6 dwellings and there are no internal driveways, intersections, car parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site) as shown in the following diagram: <div data-bbox="694 1164 1069 1523" data-label="Diagram"> <p>The diagram illustrates a site boundary on the left, shaded in green. A road or access point is shown on the right, shaded in brown. A gate is located at the intersection of the site boundary and the road. A dashed horizontal line extends from the site boundary to the gate, with a vertical dimension line below it labeled '6m', indicating the 6.0m distance specified in the text.</p> </div> (b) will service, or is intended to service, development that will generate less than 60 vehicle movements per day, and: <ul style="list-style-type: none"> (i) is expected to be serviced by vehicles with a length no greater than 6.4m (ii) there are no internal driveways, intersections, parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site) (c) will service, or is intended to service, development that will generate less than 60 vehicle movements per day, and: <ul style="list-style-type: none"> (i) is expected to be serviced by vehicles with a length greater than a 6.4m small rigid vehicle (ii) there are no internal driveways, intersections, parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site)
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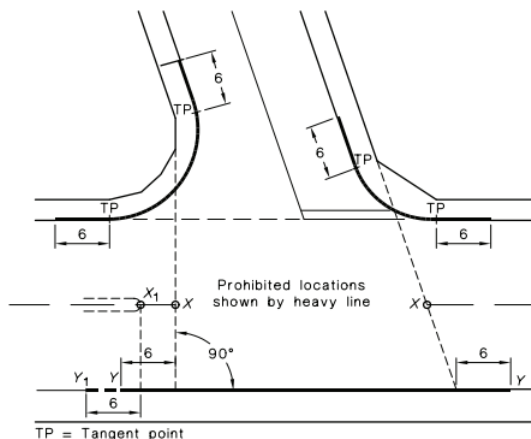
	<ul style="list-style-type: none"> (iii) any termination of or change in priority of movement within the main car park aisle is located far enough into the site so that the largest vehicle expected on-site can store fully within the site before being required to stop (iv) all parking or manoeuvring areas for commercial vehicles are located a minimum of 12m or the length of the longest vehicle expected on site from the access (measured from the site boundary into the site) as shown in the following diagram: 
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Access - (Location Spacing) - Existing Access Point

<p>PO 3.1</p> <p>Existing access points are designed to accommodate the type and volume of traffic likely to be generated by the development.</p>	<p>DTS/DPF 3.1</p> <p>An existing access point satisfies (a), (b) or (c):</p> <ul style="list-style-type: none"> (a) it will not service, or is not intended to service, more than 6 dwellings (b) it is not located on a Controlled Access Road and will not service development that will result in (b) a larger class of vehicle expected to access the site using the existing access (c) is not located on a Controlled Access Road and development constitutes: <ul style="list-style-type: none"> (i) a change of use between an office <500m² gross leasable floor area and a consulting room <500m² gross leasable floor area or vice versa (ii) a change in use from a shop to an office, consulting room or personal or domestic services establishment (iii) a change of use from a consulting room or office <250m² gross leasable floor area to shop <250m² gross leasable floor area (iv) a change of use from a shop <500m² gross leasable floor area to a warehouse <500m² gross leasable floor area (v) an office or consulting room with a <500m² gross leasable floor area.
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Access - Location (Spacing) - New Access Points

<p>PO 4.1</p> <p>New access points are spaced apart from any existing access point or public road junction to manage impediments to traffic flow and maintain safe and efficient operating conditions on the road.</p>	<p>DTS/DPF 4.1</p> <p>A new access point satisfies (a), (b) or (c):</p> <ul style="list-style-type: none"> (a) where a development site is intended to serve between 1 and 6 dwellings and has frontage to a local road (not being a Controlled Access Road) with a speed environment of 60km/h or less, the new access point is provided on the local road and located a minimum of 6.0m from the tangent point as shown in the following diagram:
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NOTE:

The points marked X_1 and X are respectively at the median end on a divided road and at the intersection of the main road centre-line and the extensions of the side road property lines shown as dotted lines, on an undivided road. On a divided road, dimension $Y-Y$ extends to Point Y_1 .

- (b) where the development site is intended to serve between 1 and 6 dwellings and access from a local road (being a road that is not a State Maintained Road) is not available, the new access:
 - (i) is not located on a Controlled Access Road
 - (ii) is not located on a section of road affected by double barrier lines
 - (iii) will be on a road with a speed environment of 70km/h or less
 - (iv) is located outside of the bold lines on the diagram shown in the diagram following part (a)
 - (v) located minimum of 6m from a median opening or pedestrian crossing
- (c) where DTS/DPF 4.1 part (a) and (b) do not apply and access from an alternative local road at least 25m from the State Maintained Road is not available, and the access is not located on a Controlled Access Road, the new access is separated in accordance with the following:

Speed Limit	Separation between access points	Separation from public road junctions and merging/terminating lanes
50 km/h or less	No spacing requirement	20m
60 km/h	30m	73m
70 km/h	40m	92m
80 km/h	50m	114m
90 km/h	65m	139m
100 km/h	80m	165m
110 km/h	100m	193m

Access - Location (Sight Lines)

PO 5.1

Access points are located and designed to

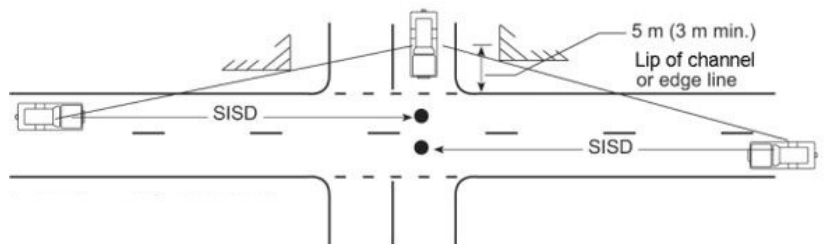
DTS/DPF 5.1

An access point satisfies (a) or (b):

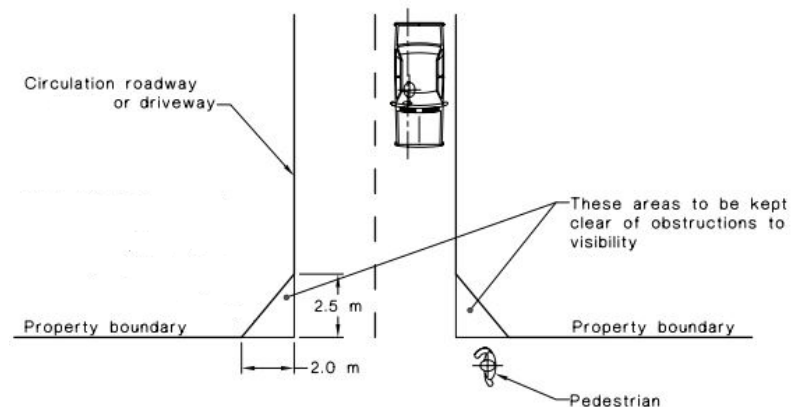
accommodate sight lines that enable drivers and pedestrians to navigate potential conflict points with roads in a controlled and safe manner.

- (a) drivers approaching or exiting an access point have an unobstructed line of sight in accordance with the following (measured at a height of 1.1m above the surface of the road):

Speed Limit	Access point serving 1-6 dwellings	Access point serving all other development
40 km/h or less	40m	73m
50 km/h	55m	97m
60 km/h	73m	123m
70 km/h	92m	151m
80 km/h	114m	181m
90 km/h	139m	214m
100 km/h	165m	248m
110km/h	193m	285m



- (b) pedestrian sightlines in accordance with the following diagram:



Access – Mud and Debris

PO 6.1

Access points constructed to minimise mud or other debris being carried or transferred onto the road to ensure safe road operating conditions.

DTS/DPF 6.1

Where the road has an unsealed shoulder and the road is not kerbed, the access way is sealed from the edge of seal on the road for a minimum of 10m or to the property boundary (whichever is closer).

Access - Stormwater

PO 7.1

Access points are designed to minimise negative impact on roadside drainage of water.

DTS/DPF 7.1

Development does not:

- (a) decrease the capacity of an existing drainage point
- (b) restrict or prevent the flow of stormwater through an existing drainage point and system.

Building on Road Reserve	
<p>PO 8.1</p> <p>Buildings or structures that encroach onto, above or below road reserves are designed and sited to minimise impact on safe movements by all road users.</p>	<p>DTS/DPF 8.1</p> <p>Buildings or structures are not located on, above or below the road reserve.</p>
Public Road Junctions	
<p>PO 9.1</p> <p>New junctions with a public road (including the opening of unmade public road junctions) or modifications to existing road junctions are located and designed to ensure safe operating conditions are maintained on the State Maintained Road.</p>	<p>DTS/DPF 9.1</p> <p>Development does not comprise any of the following:</p> <ul style="list-style-type: none"> (a) creating a new junction with a public road (b) opening an unmade public road junction (c) modifying an existing public road junction.
Corner Cut-Offs	
<p>PO 10.1</p> <p>Development is located and designed to maintain sightlines for drivers turning into and out of public road junctions to contribute to driver safety.</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> <div style="text-align: center;"> </div>

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except where all of the relevant deemed-to-satisfy criteria are met, development (including the division of land) that involves any of the following to/on a State Maintained Road or within 25 metres of an intersection with any such road:</p> <ul style="list-style-type: none"> (a) creation of a new access or junction 	<p>Commissioner of Highways.</p>	<p>To provide expert technical assessment and direction to the Relevant Authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in</p>	<p>Development of a class to which Schedule 9 clause 3 item 7 of the Planning,</p>

<p>(b) alterations to an existing access or public road junction (except where deemed to be minor in the opinion of the relevant authority)</p> <p>(c) development that changes the nature of vehicular movements or increase the number or frequency of movements through an existing access (except where deemed to be minor in the opinion of the relevant authority).</p>		<p>the Planning and Design Code.</p>	<p>Development and Infrastructure (General) Regulations 2017 applies.</p>
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Part 4 - General Development Policies

Advertisements

Assessment Provisions (AP)

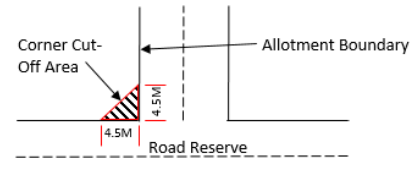
Desired Outcome	
DO 1	Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Appearance	
<p>PO 1.1</p> <p>Advertisements are compatible and integrated with the design of the building and/or land they are located on.</p>	<p>DTS/DPF 1.1</p> <p>Advertisements attached to a building satisfy all of the following:</p> <ul style="list-style-type: none"> (a) are not located in a Neighbourhood-type zone (b) where they are flush with a wall: <ul style="list-style-type: none"> (i) if located at canopy level, are in the form of a fascia sign (ii) if located above canopy level: <ul style="list-style-type: none"> A. do not have any part rising above parapet height

	<ul style="list-style-type: none"> B. are not attached to the roof of the building (c) where they are not flush with a wall: <ul style="list-style-type: none"> (i) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (ii) if attached to a two-storey building: <ul style="list-style-type: none"> A. has no part located above the finished floor level of the second storey of the building B. does not protrude beyond the outer limits of any verandah structure below C. does not have a sign face that exceeds 1m² per side. (d) if located below canopy level, are flush with a wall (e) if located at canopy level, are in the form of a fascia sign (f) if located above a canopy: <ul style="list-style-type: none"> (i) are flush with a wall (ii) do not have any part rising above parapet height (iii) are not attached to the roof of the building. (g) if attached to a verandah, no part of the advertisement protrudes beyond the outer limits of the verandah structure (h) if attached to a two-storey building, have no part located above the finished floor level of the second storey of the building (i) where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building facade to which they are attached.
<p>PO 1.2</p> <p>Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.</p>	<p>DTS/DPF 1.2</p> <p>Where development comprises an advertising hoarding, the supporting structure is:</p> <ul style="list-style-type: none"> (a) concealed by the associated advertisement and decorative detailing or (b) not visible from an adjacent public street or thoroughfare, other than a support structure in the form of a single or dual post design.
<p>PO 1.3</p> <p>Advertising does not encroach on public land or the land of an adjacent allotment.</p>	<p>DTS/DPF 1.3</p> <p>Advertisements and/or advertising hoardings are contained within the boundaries of the site.</p>
<p>PO 1.4</p> <p>Where possible, advertisements on public land are integrated with existing structures and infrastructure.</p>	<p>DTS/DPF 1.4</p> <p>Advertisements on public land that meet at least one of the following:</p> <ul style="list-style-type: none"> (a) achieves Advertisements DTS/DPF 1.1

	(b) are integrated with a bus shelter.
PO 1.5 Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.	DTS/DPF 1.5 None are applicable.
Proliferation of Advertisements	
PO 2.1 Proliferation of advertisements is minimised to avoid visual clutter and untidiness.	DTS/DPF 2.1 No more than one freestanding advertisement is displayed per occupancy.
PO 2.2 Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.	DTS/DPF 2.2 Advertising of a multiple business or activity complex is located on a single advertisement fixture or structure.
PO 2.3 Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.	DTS/DPF 2.3 Advertisements satisfy all of the following: (a) are attached to a building (b) other than in a Neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building facade to which they are attached (c) do not result in more than one sign per occupancy that is not flush with a wall.
Advertising Content	
PO 3.1 Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.	DTS/DPF 3.1 Advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement.
Amenity Impacts	
PO 4.1 Light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers.	DTS/DPF 4.1 Advertisements do not incorporate any illumination.
Safety	
PO 5.1 Advertisements and/or advertising hoardings erected on a verandah or projecting from a building wall are designed and located to allow for safe and convenient pedestrian access.	DTS/DPF 5.1 Advertisements have a minimum clearance of 2.5m between the top of the footpath and base of the underside of the sign.
PO 5.2 Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination.	DTS/DPF 5.2 No advertisement illumination is proposed.
PO 5.3 Advertisements and/or advertising hoardings do not create a	DTS/DPF 5.3 Advertisements satisfy all of the following:

<p>hazard to drivers by:</p> <ul style="list-style-type: none"> (a) being liable to interpretation by drivers as an official traffic sign or signal (b) obscuring or impairing drivers' view of official traffic signs or signals (c) obscuring or impairing drivers' view of features of a road that are potentially hazardous (such as junctions, bends, changes in width and traffic control devices) or other road or rail vehicles at/or approaching level crossings. 	<ul style="list-style-type: none"> (a) are not located in a public road or rail reserve (b) are located wholly outside the land shown as 'Corner Cut-Off Area' in the following diagram 
<p>PO 5.4</p> <p>Advertisements and/or advertising hoardings do not create a hazard by distracting drivers from the primary driving task at a location where the demands on driver concentration are high.</p>	<p>DTS/DPF 5.4</p> <p>Advertisements and/or advertising hoardings are not located along or adjacent to a road having a speed limit of 80km/h or more.</p>
<p>PO 5.5</p> <p>Advertisements and/or advertising hoardings provide sufficient clearance from the road carriageway to allow for safe and convenient movement by all road users.</p>	<p>DTS/DPF 5.5</p> <p>Where the advertisement or advertising hoarding is:</p> <ul style="list-style-type: none"> (a) on a kerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 0.6m from the roadside edge of the kerb (b) on an unkerbed road with a speed zone of 60km/h or less, the advertisement or advertising hoarding is located at least 5.5m from the edge of the seal (c) on any other kerbed or unkerbed road, the advertisement or advertising hoarding is located a minimum of the following distance from the roadside edge of the kerb or the seal: <ul style="list-style-type: none"> (a) 110 km/h road - 14m (b) 100 km/h road - 13m (c) 90 km/h road - 10m (d) 70 or 80 km/h road - 8.5m.
<p>PO 5.6</p> <p>Advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages.</p>	<p>DTS/DPF 5.6</p> <p>Advertising:</p> <ul style="list-style-type: none"> (a) is not illuminated (b) does not incorporate a moving or changing display or message (c) does not incorporate a flashing light(s).

Design in Urban Areas

Assessment Provisions (AP)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
External Appearance	
PO 1.1 Buildings reinforce corners through changes in setback, articulation, materials, colour and massing (including height, width, bulk, roof form and slope).	DTS/DPF 1.1 None are applicable.
PO 1.2	DTS/DPF 1.2

Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.	None are applicable.
PO 1.3 Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.	DTS/DPF 1.3 None are applicable.
PO 1.4 Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by: (a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.	DTS/DPF 1.4 Development does not incorporate any structures that protrude beyond the roofline.
PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.	DTS/DPF 1.5 None are applicable.
Safety	
PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is designed to differentiate public, communal and private areas.	DTS/DPF 2.2 None are applicable.
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.

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

	(c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
Car parking appearance	
PO 7.1 Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on streetscapes through techniques such as: (a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure.	DTS/DPF 7.1 None are applicable.
PO 7.2 Vehicle parking areas appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	DTS/DPF 7.2 None are applicable.
PO 7.3 Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	DTS/DPF 7.3 None are applicable.
PO 7.4 Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.	DTS/DPF 7.4 Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.
PO 7.5 Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	DTS/DPF 7.5 Vehicle parking areas comprising 10 or more car parking spaces include soft landscaping with a minimum dimension of: (a) 1m along all public road frontages and allotment boundaries (b) 1m between double rows of car parking spaces.
PO 7.6 Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	DTS/DPF 7.6 None are applicable.
PO 7.7 Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	DTS/DPF 7.7 None are applicable.
Earthworks and sloping land	
PO 8.1	DTS/DPF 8.1

<p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</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 Driveways and access tracks designed and constructed to allow safe and convenient access on sloping land.</p>	<p>DTS/DPF 8.2 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 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 None are applicable.</p>
<p>PO 8.4 Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4 None are applicable.</p>
<p>PO 8.5 Development does not occur on land at risk of landslip or increase the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5 None are applicable.</p>
<p>Fences and walls</p>	
<p>PO 9.1 Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.</p>	<p>DTS/DPF 9.1 None are applicable.</p>
<p>PO 9.2 Landscaping is incorporated on the low side of retaining walls that are visible from public roads and public open space to minimise visual impacts.</p>	<p>DTS/DPF 9.2 A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.</p>
<p>Overlooking / Visual Privacy (low rise buildings)</p>	
<p>PO 10.1 Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.</p>	<p>DTS/DPF 10.1 Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone:</p> <ul style="list-style-type: none"> (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm

	<ul style="list-style-type: none"> (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 to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.</p>	<p>DTS/DPF 10.2</p> <p>One of the following is satisfied:</p> <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>Site Facilities / Waste Storage (excluding low rise residential development)</p>	
<p>PO 11.1</p> <p>Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.</p>	<p>DTS/DPF 11.1</p> <p>None are applicable.</p>
<p>PO 11.2</p> <p>Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.</p>	<p>DTS/DPF 11.2</p> <p>None are applicable.</p>
<p>PO 11.3</p> <p>Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.</p>	<p>DTS/DPF 11.3</p> <p>None are applicable.</p>
<p>PO 11.4</p> <p>Communal waste storage and collection areas are designed to allow waste and recycling collection vehicles to enter and leave the site without reversing.</p>	<p>DTS/DPF 11.4</p> <p>None are applicable.</p>
<p>PO 11.5</p> <p>For mixed use developments, non-residential waste and recycling storage areas and access provide opportunities for on-site management of food waste through composting or other waste recovery as appropriate.</p>	<p>DTS/DPF 11.5</p> <p>None are applicable.</p>

All non-residential development	
Water Sensitive Design	
<p>PO 42.1</p> <p>Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.</p>	<p>DTS/DPF 42.1</p> <p>None are applicable.</p>
<p>PO 42.2</p> <p>Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.</p>	<p>DTS/DPF 42.2</p> <p>None are applicable.</p>
<p>PO 42.3</p> <p>Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.</p>	<p>DTS/DPF 42.3</p> <p>None are applicable.</p>
Wash-down and Waste Loading and Unloading	
<p>PO 43.1</p> <p>Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or</p>	<p>DTS/DPF 43.1</p> <p>None are applicable.</p>

<p>wash-down areas used for the cleaning of vehicles, plant or equipment are:</p> <ul style="list-style-type: none"> (a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off (b) paved with an impervious material to facilitate wastewater collection (c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area (d) are designed to drain wastewater to either: <ul style="list-style-type: none"> (i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or (ii) a holding tank and its subsequent removal off-site on a regular basis. 	
Laneway Development	
Infrastructure and Access	
<p>PO 44.1</p> <p>Development with a primary street comprising a laneway, alley, lane, right of way or similar minor thoroughfare only occurs where:</p> <ul style="list-style-type: none"> (a) existing utility infrastructure and services are capable of accommodating the development (b) the primary street can support access by emergency and regular service vehicles (such as waste collection) (c) it does not require the provision or upgrading of infrastructure on public land (such as footpaths and stormwater management systems) (d) safety of pedestrians or vehicle movement is maintained (e) any necessary grade transition is accommodated within the site of the development to support an appropriate development intensity and orderly development of land fronting minor thoroughfares. 	<p>DTS/DPF 44.1</p> <p>Development with a primary street frontage that is not an alley, lane, right of way or similar public thoroughfare.</p>

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								
General Land Use Compatibility									
<p>PO 1.1</p> <p>Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>								
<p>PO 1.2</p> <p>Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>								
Hours of Operation									
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land. 	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Class of Development</th> <th style="text-align: center;">Hours of operation</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">Consulting room</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="text-align: center;">Office</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td style="text-align: center;">Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday								
Overshadowing									

<p>PO 3.1</p> <p>Overshadowing of habitable room windows of adjacent residential land uses in:</p> <p>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 or</p> <p>ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)</p> <p>b. for ground level communal open space, at least half of the existing ground level open space.</p>
<p>PO 3.3</p> <p>Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:</p> <p>(a) the form of development contemplated in the zone</p> <p>(b) the orientation of the solar energy facilities</p> <p>(c) the extent to which the solar energy facilities are already overshadowed.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.4</p> <p>Development that incorporates moving parts, including windmills and wind farms, are located and operated to not cause unreasonable nuisance to nearby dwellings and tourist accommodation caused by shadow flicker.</p>	<p>DTS/DPF 3.4</p> <p>None are applicable.</p>
<p>Activities Generating Noise or Vibration</p>	
<p>PO 4.1</p> <p>Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.1</p> <p>Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.</p>
<p>PO 4.2</p> <p>Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:</p>	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>

<p>(a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers</p> <p>(c) housing plant and equipment within an enclosed structure or acoustic enclosure</p> <p>(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.</p>					
<p>PO 4.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.3</p> <p>The pump and/or filtration system ancillary to a dwelling erected on the same site is:</p> <p>(a) enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment or</p> <p>(b) located at least 12m from the nearest habitable room located on an adjoining allotment.</p>				
<p>PO 4.4</p> <p>External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.</p>	<p>DTS/DPF 4.4</p> <p>Adjacent land is used for residential purposes.</p>				
<p>PO 4.5</p> <p>Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5</p> <p>None are applicable.</p>				
<p>PO 4.6</p> <p>Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6</p> <p>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 50%; padding: 5px;">Assessment location</th> <th style="width: 50%; padding: 5px;">Music noise level</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Externally at the nearest existing or envisaged noise sensitive location</td> <td style="padding: 5px;">Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)
Assessment location	Music noise level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)				
Air Quality					
<p>PO 5.1</p> <p>Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>				

intended to accommodate sensitive receivers.	
<p>PO 5.2</p> <p>Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:</p> <p>(a) incorporating appropriate treatment technology before exhaust emissions are released</p> <p>(b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.</p>	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>
Light Spill	
<p>PO 6.1</p> <p>External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>
<p>PO 6.2</p> <p>External lighting is not hazardous to motorists and cyclists.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
Solar Reflectivity / Glare	
<p>PO 7.1</p> <p>Development is designed and comprised of materials and finishes that do not unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
Electrical Interference	
<p>PO 8.1</p> <p>Development in rural and remote areas does not unreasonably diminish or result in the loss of existing communication services due to electrical interference.</p>	<p>DTS/DPF 8.1</p> <p>The building or structure:</p> <p>(a) is no greater than 10m in height, measured from existing ground level</p> <p>or</p> <p>(b) is not within a line of sight between a fixed transmitter and fixed receiver (antenna) other than where an alternative service is available via a different fixed transmitter or cable.</p>

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
Movement Systems	
PO 1.1 Development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.3 Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.	DTS/DPF 1.3 None are applicable.

PO 1.4	DTS/DPF 1.4
Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.	All vehicle manoeuvring occurs onsite.
Sightlines	
PO 2.1	DTS/DPF 2.1
Sightlines at intersections, pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.	None are applicable.
PO 2.2	DTS/DPF 2.2
Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.	None are applicable.
Vehicle Access	
PO 3.1	DTS/DPF 3.1
Safe and convenient access minimises impact or interruption on the operation of public roads.	The access is: <ul style="list-style-type: none"> (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
PO 3.2	DTS/DPF 3.2
Development incorporating vehicular access ramps ensures vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.	None are applicable.
PO 3.3	DTS/DPF 3.3
Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.	None are applicable.
PO 3.4	DTS/DPF 3.4
Access points are sited and designed to minimise any adverse impacts on neighbouring properties.	None are applicable.
PO 3.5	DTS/DPF 3.5
Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.	Vehicle access to designated car parking spaces satisfy (a) or (b): <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner

	<ul style="list-style-type: none"> (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 3.6</p> <p>Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).</p>	<p>DTS/DPF 3.6</p> <p>Driveways and access points:</p> <ul style="list-style-type: none"> (a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided (b) for sites with a frontage to a public road greater than 20m: <ul style="list-style-type: none"> (i) a single access point no greater than 6m in width is provided or (ii) not more than two access points with a width of 3.5m each are provided.
<p>PO 3.7</p> <p>Access points are appropriately separated from level crossings to avoid interference and ensure their safe ongoing operation.</p>	<p>DTS/DPF 3.7</p> <p>Development does not involve a new or modified access or cause an increase in traffic through an existing access that is located within the following distance from a railway crossing:</p> <ul style="list-style-type: none"> (a) 80 km/h road - 110m (b) 70 km/h road - 90m (c) 60 km/h road - 70m (d) 50km/h or less road - 50m.
<p>PO 3.8</p> <p>Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.</p>	<p>DTS/DPF 3.8</p> <p>None are applicable.</p>
<p>PO 3.9</p> <p>Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.</p>	<p>DTS/DPF 3.9</p> <p>None are applicable.</p>
Access for People with Disabilities	
<p>PO 4.1</p> <p>Development is sited and designed to provide safe, dignified and convenient access for people with a disability.</p>	<p>DTS/DPF 4.1</p> <p>None are applicable.</p>
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</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>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. 	<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.
Vehicle Parking Areas	
<p>PO 6.1</p> <p>Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.</p>	<p>DTS/DPF 6.1</p> <p>Movement between vehicle parking areas within the site can occur without the need to use a public road.</p>
<p>PO 6.2</p> <p>Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>
<p>PO 6.3</p> <p>Vehicle parking areas are designed to provide opportunity for integration and shared-use of adjacent car parking areas to reduce the total extent of vehicle parking areas and access points.</p>	<p>DTS/DPF 6.3</p> <p>None are applicable.</p>
<p>PO 6.4</p> <p>Pedestrian linkages between parking areas and the development are provided and are safe and convenient.</p>	<p>DTS/DPF 6.4</p> <p>None are applicable.</p>
<p>PO 6.5</p> <p>Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.</p>	<p>DTS/DPF 6.5</p> <p>None are applicable.</p>
<p>PO 6.6</p> <p>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</p>	<p>DTS/DPF 6.6</p> <p>Loading areas and designated parking spaces are wholly located within the site.</p>
<p>PO 6.7</p> <p>On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.</p>	<p>DTS/DPF 6.7</p> <p>None are applicable.</p>
Undercroft and Below Ground Garaging and Parking of Vehicles	
<p>PO 7.1</p> <p>Undercroft and below ground garaging of vehicles is designed to enable safe entry and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles.</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>

Internal Roads and Parking Areas in Residential Parks and Caravan and Tourist Parks	
<p>PO 8.1</p> <p>Internal road and vehicle parking areas are surfaced to prevent dust becoming a nuisance to park residents and occupants.</p>	<p>DTS/DPF 8.1</p> <p>None are applicable.</p>
<p>PO 8.2</p> <p>Traffic circulation and movement within the park is pedestrian friendly and promotes low speed vehicle movement.</p>	<p>DTS/DPF 8.2</p> <p>None are applicable.</p>
Bicycle Parking in Designated Areas	
<p>PO 9.1</p> <p>The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.</p>	<p>DTS/DPF 9.1</p> <p>Areas and / or fixtures are provided for the parking and storage of bicycles at a rate not less than the amount calculated using Transport, Access and Parking Table 3 - Off Street Bicycle Parking Requirements.</p>
<p>PO 9.2</p> <p>Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>
<p>PO 9.3</p> <p>Non-residential development incorporates end-of-journey facilities for employees such as showers, changing facilities and secure lockers, and signage indicating the location of the facilities to encourage cycling as a mode of journey-to-work transport.</p>	<p>DTS/DPF 9.3</p> <p>None are applicable.</p>
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> <div style="text-align: center;"> </div>

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,

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	
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.	<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>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:</p> <p style="margin-left: 20px;">(i) City of Burnside</p> <p style="margin-left: 20px;">(ii) City of Marion</p> <p style="margin-left: 20px;">(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>
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[NOTE(S): (1) Measured from an area that contains any platform(s), shelter(s) or stop(s) where people congregate for the purpose waiting to board a bus, tram or train, but does not include areas used for the parking of vehicles. (2) A high frequency public transit service is a route serviced every 15 minutes between 7.30am and 6.30pm Monday to Friday and every 30 minutes at night, Saturday, Sunday and public holidays until 10pm.]

Table 3 - Off-Street Bicycle Parking Requirements

The bicycle parking rates apply within designated areas located within parts of the State identified in the Schedule to Table 3.

Class of Development	Bicycle Parking Rate
Consulting Room	Where a development comprises more than one development type, then the overall bicycle parking rate will be taken to be the sum of the bicycle parking rates for each development type.
Consulting Room	1 space per 20 employees plus 1 space per 20 consulting rooms for customers.
Educational establishment	For a secondary school - 1 space per 20 full-time time employees plus 10 percent of the total number of employee spaces for visitors. For tertiary education - 1 space per 20 employees plus 1 space per 10 full time students.
Hospital	1 space per 15 beds plus 1 space per 30 beds for visitors.
Indoor recreation facility	1 space per 4 employees plus 1 space per 200m ² of gross leasable floor area for visitors.
Licensed Premises	1 per 20 employees, plus 1 per 60 square metres total floor area, plus 1 per 40 square metres of bar floor area, plus 1 per 120 square metres lounge and beer garden floor area, plus 1 per 60 square metres dining floor area, plus 1 per 40 square metres gaming room floor area.

Office	1 space for every 200m ² of gross leasable floor area plus 2 spaces plus 1 space per 1000m ² of gross leasable floor area for visitors.
Pre-school	1 space per 20 full time employees plus 1 space per 40 full time children.
Recreation area	1 per 1500 spectator seats for employees plus 1 per 250 visitor and customers.
Residential flat building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 for every 10 dwellings for visitors.
Residential component of a multi-storey building	Within the City of Adelaide 1 for every dwelling for residents with a total floor area less than 150 square metres, 2 for every dwelling for residents with a total floor area greater than 150 square metres, plus 1 for every 10 dwellings for visitors, and in all other cases 1 space for every 4 dwellings for residents plus 1 space for every 10 dwellings for visitors.
Shop	1 space for every 300m ² of gross leasable floor area plus 1 space for every 600m ² of gross leasable floor area for customers.
Tourist accommodation	1 space for every 20 employees plus 2 for the first 40 rooms and 1 for every additional 40 rooms for visitors.
Schedule to Table 3	
Designated Area	Relevant part of the State
	The bicycle parking rate applies to a designated area located in a relevant part of the State described below.
All zones	City of Adelaide
Business Neighbourhood Zone	Metropolitan Adelaide
Strategic Innovation Zone	
Suburban Activity Centre Zone	
Suburban Business Zone	
Suburban Main Street Zone	
Urban Activity Centre Zone	
Urban Corridor (Boulevard) Zone	
Urban Corridor (Business) Zone	
Urban Corridor (Living) Zone	
Urban Corridor (Main Street) Zone	
Urban Neighbourhood Zone	

Australian Venue Co.
22ADL-0845
20 December 2022

Payneham Tavern

Redevelopment of the Payneham Tavern at
319-327 Payneham Road, Royston Park

Payneham Tavern

20 December 2022

Lead consultant	URPS Suite 12/154 Fullarton Road (cnr Alexandra Ave) Rose Park, SA 5067 (08) 8333 7999 urps.com.au
In association with	Red. Architects CIRQA Sonus
Prepared for	Australian Venue Co.
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URPS Ref	22ADL-0845

Document history and status

Revision	Date	Author	Reviewed	Details
V1	07/12/22	S. Twine	M.King	Draft
V2	08/12/22	S. Twine		Final

We acknowledge the Kaurna People as the Traditional Custodians of the land on which we work and pay respect to their Elders past, present and emerging.

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Executive Summary

Applicant and Owner:	Australian Venue Company (AVC)
Property Location:	319-327 Payneham Road, Royston Park
Site Area:	7,900 square metres (approximately)
Relevant Authority:	City of Norwood Payneham & St Peters Assessment Panel
Assessment Pathway	Code Assessed - Performance Assessed
Public Notification	Yes
Planning and Design Code Version:	2022.23 – 8 December 2022
Zone and Subzone:	<ul style="list-style-type: none"> • Suburban Business • General Neighbourhood
Overlays:	<ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 45 metres) • Affordable Housing • Heritage Adjacency • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Transport Routes • Urban Tree Canopy
Technical Numerical Variations (TNVs):	<ul style="list-style-type: none"> • Maximum Building Height (Levels) – 2 Levels
Current Land Use:	Licensed Premise (Hotel)
Description of Development:	Additions and Alterations to existing Licence Premise (Hotel) comprising the construction of two beer gardens, removal of 10 car parking spaces and signage.

1. Introduction

URPS acts for Australian Venue Company (AVC) in relation to the proposed re-development of the Payneham Tavern located at 319-327 Payneham Road, Royston Park.

This report provides a description of the subject land and locality, details of the proposed development and an assessment against the relevant provisions in the Planning & Design Code (the Code).

This report has been prepared following our review of:

- The subject land and locality by site inspection.
- The proposed plans prepared by Red. Architects (**Appendix A**).
- Noise Impact Assessment prepared by Sonus (**Appendix B**).
- Car Parking Assessment prepared by Cirqa (**Appendix C**).
- Planning and Design Code (Version 2022.23 – 8 December 2022)

2. Proposed Development

The proposal seeks for the redevelopment of the existing Payneham Tavern and comprises:

- Internal alterations.
- Partial demolition of the existing building.
- Two (2) beer garden additions to the front and rear of the building.
- Provision of children's play equipment within rear addition.
- Removal of 10 car parking spaces.
- Replacement advertisement signage.
- Landscaping.

The development involves the internal reconfiguration of spaces within the existing hotel to enable the relocation of the existing bistro and sports bar areas with associated additions. Partial demolition is proposed to the southern and northern facing elements of the building to accommodate the proposed additions. These additions will comprise a total area of 377m², which includes:

- Southern beer garden associated with Sports Bar - 167m².
- Northern beer garden associated with Bistro - 210m² (including children's play area).

The proposed additions have been architecturally designed to provide a pavilion extension to the existing single storey building. The additions will provide enhanced articulation and visual interest to the Payneham Road frontage of the site and are of a scale and form which complements the existing building.

The proposed works will be supplemented with landscaping plantings to the perimeter of the two (2) beer garden additions. Replacement illuminated signage of a modest scale is proposed to the southeast elevation of the building and will be associated with the proposed addition.

The proposal does not seek to alter any existing regulated/significant trees located on the land.

An increase in patron numbers to 1300 persons is sought in conjunction with the proposal. A separate application to alter the liquor licence will be sought.

Figure 1: Southeast Addition



3. Procedural Matters

3.1 Zoning

The subject site is situated within the Suburban Business and General Neighbourhood Zone. The following Overlays and Technical and Numerical Variations (TNV) apply to the site:

- Airport Building Heights (Regulated) (All structures over 45 metres)
- Affordable Housing
- Heritage Adjacency
- Hazards (Flooding - General)
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Traffic Generating Development
- Urban Transport Routes
- Urban Tree Canopy
- Maximum Building Height (Levels) – 2 Levels

3.2 Assessment Pathway

The *Planning, Development and Infrastructure Act, 2016* (the Act) prescribes three categories of development:

- Accepted development.
- Code assessed development.
- Impact assessed development.

The Planning and Design Code (the Code) classifies development into the above categories. These categories are found within the relevant Zone. The subject land is within both the General Neighbourhood and Suburban Business Zone of the Code.

As a result of the various elements proposed, the application represents a 'Performance Assessed' form of code assessed development.

3.3 Public Notification

Table 5 of the Suburban Business and General Neighbourhood Zone lists classes of development that are excluded from public notification.

The proposed development is not a class of development excluded from notification by Table 5 of the respective Zones. Accordingly, public notification is required.

3.4 Statutory Referrals

The land is located within the Urban Transport Route and Traffic Generating Development Overlay due to the sites interface with a State Government maintained Road, being Payneham Road.

The proposal will not result in a floor area exceeding 10,000m² or provide for the creation/alteration of a vehicle access points associated with the land. Similarly, the proposal will not change the nature of vehicular movements or increase the number/frequency of movement through an existing access point.

A referral to the Commissioner of Highways is not required.

4. Subject Land and Locality

4.1 Subject Land

The subject land is known as 319-327 Payneham Road, Royston Park and is contained within Certificate of Title Volumes and Folios 6127/585, 6127/586, 6127/587, 6127/589 and 6192/816. There are no easements or agreements registered against the respective titles.

The subject land contains an existing hotel, drive through bottle shop and associated car park. The site traverses two Zones, being:

- The Suburban Business Zone.
- The General Neighbourhood Zone.

The hotel use is contained within an existing single storey building which presents to Payneham Road. The drive through bottle shop is located between the hotel building and the Payneham Road frontage.

Car parking is provided to the side and rear of the hotel building. All car parking areas are bitumen sealed and line marked. Access to the car park is achieved via Payneham Road by two (2), two-way access points located at the south-eastern and north-eastern ends of the site.

Existing landscaping largely comprises a mix of shrub species along the Payneham Road frontage with native mature trees around the boundary perimeter of the car park. Twelve of the mature trees present on site form regulated trees. Only four trees are located within proximity to the proposed works.

The site is relatively flat in topography.

Figure 2: Southern Frontage of Building



Figure 3: Rear Elevation of Building



Figure 4: Rear Loading Dock and Service Area



Figure 5: View of North-East Corner of Land



Figure 6: Eastern Boundary Interface



Figure 7: Northern Corner of Land



Figure 8: Two Regulated Trees and Residential Flat Building to South



Figure 9: Western Corner of Land



4.2 Locality

The locality comprises of a mix of commercial, consulting (medical services) and residential uses. This is evident by the variety of Zones in which the locality comprises.

The commercial uses in the locality are typically contained to Payneham Road, with sporadic residential uses evident to the south (group dwellings) and east (residential flat building) of the land. West of the site, the locality is typically characterised by detached dwellings at a low density.

Built form in the locality ranges from single and to two storey and consists of various forms of construction.

Payneham Road, as an arterial road, is a notable feature of the locality.

Figure 10: Locality



5. Planning Assessment

The key planning considerations with the proposed development relate primarily to:

- Building design and appearance.
- Traffic and car parking.
- Interface between land uses (noise, hours of operation, traffic).

The planning assessment below focuses on these matters.

5.1 Land Use

The Suburban Business and General Neighbourhood Zone seek to accommodate the following:

Suburban Business Zone

- DO 1** *A business and innovation precinct that includes a range of emerging businesses which have low level off-site impacts. Residential development within the area is subordinate to employment uses and generally includes medium-density housing designed to complement and not prejudice the operation of existing businesses.*
- PO 1.1** *Shops, office, consulting room, low-impact industry and other non-residential uses are supported by a variety of compact, medium density housing and accommodation types.*
- PO 1.2** *Retail, business and commercial development is of a scale that provides a local convenience service without undermining the vibrancy and function of zones primarily intended to accommodate such development.*

General Neighbourhood Zone

- DO 1** *Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.*
- PO 1.1** *Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.*

The proposal seeks to undertake alterations to an existing hotel building. It will not change the existing use of the land.

The existing use will retain its convenient location within walkable proximity to nearby residential uses. The additions are of a modest scale (377m²) and will be associated with a lawfully existing commercial use. The location of the south-eastern addition within the General Neighbourhood Zone will not prejudice the balance of the zone from achieving its desired purpose.

The proposed alterations will not offend the relevant policies relating to land use in the respective zones.

5.2 Building Design and Appearance

5.2.1 External Appearance

Both applicable zone provisions seek to accommodate development which is complementary to the existing built form and streetscape which form the local character.

The design of the proposed additions and alterations to the existing hotel will satisfy this intent because:

- The proposed additions are of a consistent architectural form and expression.
- The proposal includes a range of materials and decorative elements that complement the existing building and buildings in the locality including:
 - Brickwork.
 - Timber-look aluminium cladding.
 - Metal corrugated roof sheeting.
 - Translucent glazing.
- The appearance of the building will be complemented with landscape plantings.
- The proposal does not result in the removal of any established or regulated trees.

5.2.2 Building Height

The proposed additions are of a scale and form which complements the existing building situated on the land. The additions are proposed with a maximum height of 5.33 metres, which will not exceed the existing building's highest point (6.08 metres) nor the height of adjoining development within the locality.

The proposed height satisfies Airport Building Heights (Regulated) (All structures over 45 metres) Overlay PO 1.1 and will not exceed the TNV (2 levels) which applies to the land.

Suburban Business Zone PO 3.1 to 3.3 is satisfied due to the limited height and substantive boundary setbacks of the additions. The height of the additions fulfills General Neighbourhood Zone PO 4.1 as it does not exceed a height of 2 building levels or 9 metres.

5.2.3 Setbacks

Alterations to the south-eastern elevation of the building will occur forward of the existing building line however will not protrude forward of the building's closest wall to Payneham Road, being the exterior walls of the existing drive through.

The provided setback will retain its location behind the building line of the buildings located on the adjoining allotments and as such, will satisfy General Neighbourhood Zone PO 5.1 or Suburban Business Zone PO 3.4.

A side boundary setback of 14.19 metres and 8.14 metres is maintained by the proposed additions. The side boundary setbacks achieved satisfy General Neighbourhood Zone PO 8.1 and Suburban Business Zone PO 3.6.

While not comprising a dwelling, General Neighbourhood Zone PO 9.1 is satisfied by the proposed 24.95 metre rear boundary setback. Similarly, the rear boundary setback satisfies Suburban Business Zone PO 3.7.

The proposed additions will provide for boundary setbacks and spacings that are consistent with the existing pattern of development within the area.

5.2.4 Advertisement Signage

Replacement signage is proposed in association with the additions in lieu of the existing signage. The replacement signage comprises:

- Installation of “Payneham Tavern” illuminated lettering in lieu of existing “Eat-Drink-Relax” to southeast elevation.
- Replacement “Sports Bar” and “Gaming” signage to the northwest elevation.

The replacement signage satisfies the provisions of the Code, in that it:

- Will not result in a net increase in advertisements associated with the building.
- Advertises goods associated with the existing use of the land.
- The signage is of a consistent architectural theme which relates to the existing building and proposed additions.
- Whilst located on the roof of the proposed addition, will not be if a height which exceeds the highest point of the existing building.
- Illuminated signage is sufficiently separated from the closest sensitive receiver and is buffered by existing established vegetation.
- Is not within close proximity to any signalised intersections.

5.2.5 Landscaping

A small, landscaped area is sought to be removed by the proposal which consists of two perennial shrubs (Yucca plants). Additional landscaping plantings are proposed internally and to the external perimeter of the proposed beer garden additions.

The proposed landscaping and retention of the existing plantings satisfies PO 3.1 of Design in Urban Areas.

5.3 Interface with Adjoining Uses

5.3.1 Noise

An Environmental Noise Assessment has been undertaken by Sonus. This assessment noted:

- The closest noise sensitive receivers in the vicinity of the subject site are the single storey residences located immediately north, west and south-west of the subject site.

- Existing ambient noise levels in the locality were logged at two locations representative of nearby noise sensitive receivers, being at the rear and front of the site.
- The noise levels resulting from the proposed development at nearby residences from the proposed activity at the site have been predicted based on a range of previous noise measurements of patrons within other similar licensed venues.
- The noise modelling has been based on;
 - The outdoor areas operating at full capacity, being 160 patrons within the beer garden at the front of the premises, and 151 patrons within the outdoor dining terrace at the rear of the premises;
 - The outdoor dining area (and associated children's play area) at the rear of the premises closing at 10:00pm;
- The following acoustic treatments are recommended in order to achieve the goal noise levels provided by the *Environment Protection (Noise) Policy 2007*:
 - Ensure that two thirds of the south-west facing bi-fold doors and half the south-east facing bi-fold doors into the southern beer garden (indicated in Figure 1 below) remain closed after 10:00pm.
 - Construct barriers surrounding the southern outdoor beer garden and northern dining terrace areas.
 - The barrier to the north-east side of the northern dining terrace area should incorporate a section which cantilevers over the dining terrace area by at least 1 metre.
 - The barriers (including the cantilevered section) may be constructed from a combination of minimum 6.38mm laminated glass and solid materials such as brick, concrete or fibre cement sheeting, provided the screen achieves an overall surface density of at least 14kg/m².
 - Incorporate acoustic absorption with a Noise Reduction Coefficient (NRC) of at least 0.8 to the full extent of the underside of the roof canopy proposed over the front beer garden area, and all available non-glazed portions of walls and screens within the front beer garden and rear dining terrace areas.

The above treatments are shown within the extracts below.

Figure 11: Southern Treatments

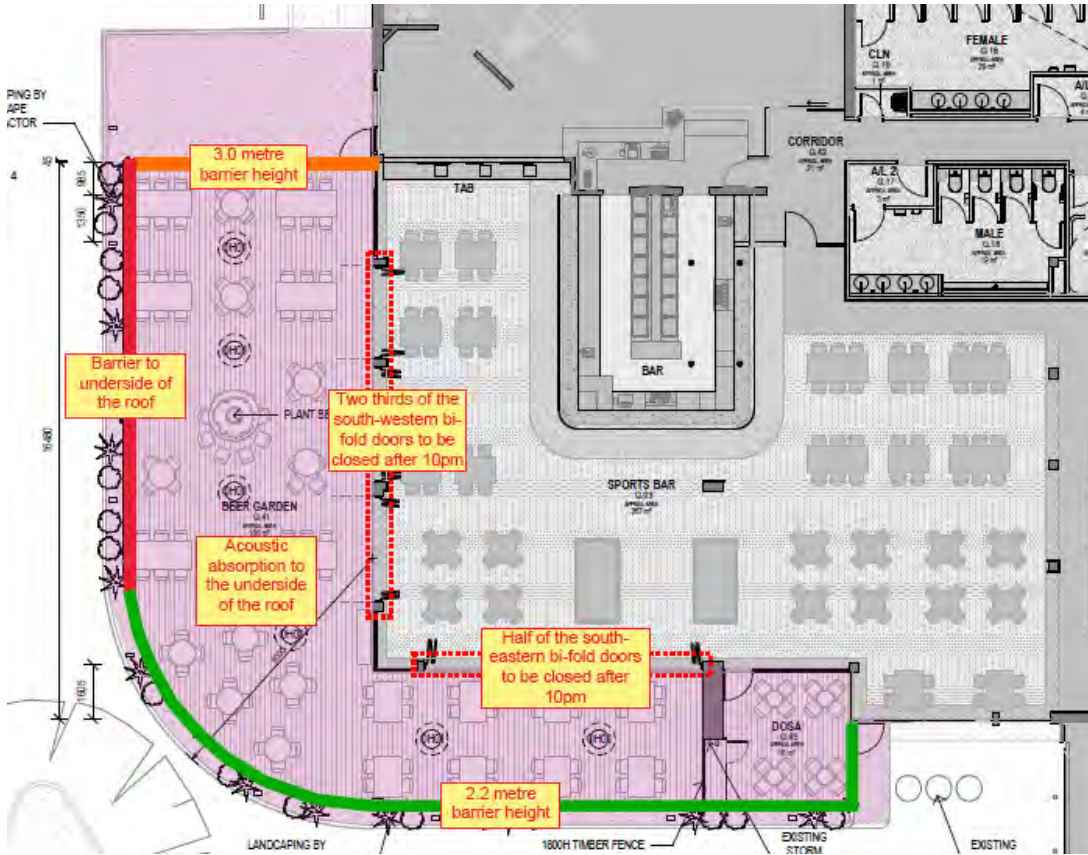
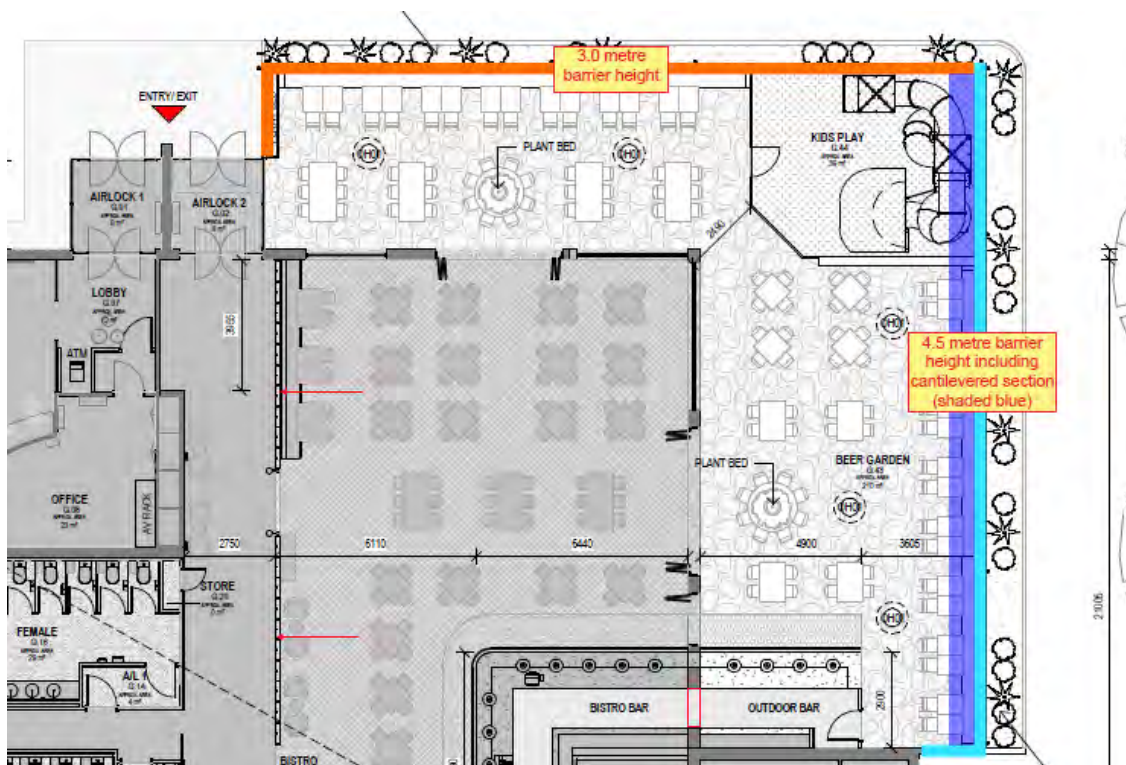


Figure 12: Northern Treatments



With the inclusion of the noise attenuation measures, the average noise level will be no greater than the criteria determined in accordance with the Policy at any nearby residence. The highest maximum noise level from patrons is predicted to be less than 50 dB(A), achieving the criterion of 60 dB(A) with a significant margin.

Based on the above, the Environmental Noise Assessment determined that the existing ambient noise environment the requirements of the Policy will be achieved at all dwellings in the vicinity of the site.

It is therefore considered that the facility has been designed to not unreasonably impact the amenity of adjacent sensitive receivers, thereby achieving the relevant provisions of the Code outlined below:

Interface between Land Uses

- DO 1** **Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.**
- PO 1.1** **Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.**
- PO 1.2** **Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.**
- PO 2.1** **Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:**
- (a) the nature of the development**
 - (b) measures to mitigate off-site impacts**
 - (c) the extent to which the development is desired in the zone**
 - (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.**
- PO 4.1** **Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).**
- PO 4.2** **Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:**
- (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers**
 - (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers**
 - (c) housing plant and equipment within an enclosed structure or acoustic enclosure**
 - (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.**

5.4 Car Parking, Access, and Vehicle Movements

5.4.1 Car Parking

10 car parking spaces are sought to be removed to accommodate the rear addition to the building. As a result of the removal, the proposal will retain a total of 113 car parking spaces.

Cirqa traffic consultants has been engaged to consider the appropriateness of the proposed car parking provision. The assessment notes the following:

- The site is occupied by a tavern (hotel) with a total floor area of approximately 1,570 m². The tavern includes a drive-through bottle-shop facility.
- The site is accessed by two access points on Payneham Road. These function as separate ingress (southern access) and egress (northern access) points. The site is serviced by a total of 123 parking spaces.
- Bus stops are located on Payneham Road within close (walking) distance of the site. The stops are high frequency ('Go Zone') stops.
- The proposed development comprises alterations to the existing tavern which will result in the addition of two beer garden areas totalling 379 m², a 39 m² children's play area and a 16 m² designated outdoor smoking area (which is ancillary to the existing sports bar).
- The Planning and Design Code identifies a car parking provision rate of one parking space for every 6 m² of total beer garden floor area. No rate is identified relevant to the children's play area. However, this area will be ancillary to the other uses and not generate additional parking demand.
- The additional beer garden areas would require an additional 64 spaces (or 66 spaces if the designated smoking area is included in the assessment). With the loss of ten spaces within the site, the proposal results in a car parking shortfall.
- An assessment of the proposed car parking provision and demand has been undertaken against Performance Outcome 5.1 of Transport, Access and Parking.
- Based on recent parking assessments for hotels inclusive of surveys at the subject site, peak parking demands were noted to include:
 - Payneham Tavern – approximately 3.7 spaces per 100 m² total floor area
 - Brighton Metro Hotel – approximately 2.0 spaces per 100 m² total floor area
 - Hope Inn Hotel - approximately 4.7 spaces per 100 m² total floor area
 - Republic Hotel - approximately 5.4 spaces per 100 m² total floor area
- Following completion of the proposed alterations, the Payneham Tavern would comprise approximately 2,004 m² of total floor area with 113 parking spaces. This equates to a parking provision rate of 5.6 spaces per 100 m². The resulting provision rate is higher than peak demands observed at any of the above sites.
- Of particular note, the surveys previously undertaken at the subject site (in December 2019) identified that, even during a peak demand period, there were 69 vacant parking spaces on the subject site.

On the basis of the above, the proposal will provide for a suitable amount of carparking to satisfy Performance Outcome 5.1 of Transport, Access and Parking, which seeks:

PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- (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.**

5.4.2 Access and Vehicle Movements

Access to the land is obtained from two separate access points to Payneham Road. These function as separate ingress (southern access) and egress (northern access) points.

The proposal seeks to undertake additions and alterations to the existing Tavern. Except for the 10 car parking spaces to be removed, no alterations to the existing car park are sought to occur. The access/egress points, and movement of vehicles (including deliveries) throughout the site will remain the same.

The proposed additions and alterations do not conflict with the relevant provisions of Transport, Access and Parking, in that:

- No alteration to the proposed access or egress arrangements are proposed.
- Loading areas associated with the use are unchanged.
- Loading areas and designated parking areas are contained to within the subject land.
- Sufficient on-site parking has been retained.
- Traffic circulation throughout the land occurs within a low-speed environment.

5.5 Regulated Trees

Twelve regulated trees are situated of the land. Of these, only four regulated trees are located within proximity to the proposed additions and alterations. These trees are indicated as Tree 1, 2, 8 and 9 on the proposed Site Plan.

Encroachment within the Tree Protection Zones (TPZ) of the regulated trees presently exists in the form of bitumen car parking. All four trees are sought to be retained by the proposal.

The location of the existing trees and their respective TPZ are shown below:

5.6 Stormwater Management

The proposal seeks for a reduction in bitumen hardstand surfaces in lieu of the additional roof area proposed. The additional area results in a negligible increase in impervious surfaces, equating to approximately 15 square metres. As stormwater associated with the proposal is limited to the collection of roof water, the proposal will not result in a reduced discharge of water quality.

Stormwater from the proposal is sought to be managed through the existing stormwater management system and discharged to Payneham Road.

The method of stormwater management is consistent with Design in Urban Areas PO 42.2 and 42.3.

6. Conclusion

The proposal seeks to undertake additions and alterations to an existing licenced premise. Having regard to the relevant provisions of the Planning and Design Code, I consider that the development is appropriate, noting:

- The land retains an existing and lawful use. The on-going use of the land is consistent with the Suburban Business Zone and does not prejudice the balance of the General Neighbourhood Zone from achieving its desired purpose.
- The additions and alterations are of an appropriate scale and form which complement the existing architectural style of the building.
- The proposed signage is of a consistent architectural theme that relates to goods and services offered on-site.
- Landscaping is provided to the external perimeter of the proposed additions.
- Noise attenuation measures are incorporated into the design to maintain the existing residential amenity and manage the interface between land uses.
- Sufficient on-site parking to service the use of the land is retained.
- No alteration to the nature of vehicle access, egress, or movements throughout the site results from the proposal.
- Existing regulated trees situated on the land are to be retained.

Planning Consent is therefore warranted.

Please contact me on 8333 7999 if you have any questions.

Yours sincerely



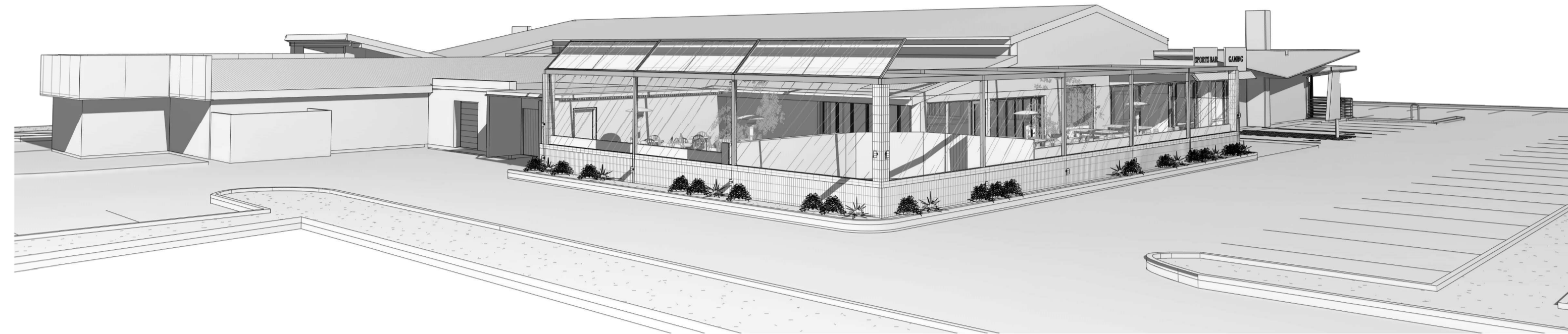
Scott Twine
Senior Consultant

PAYNEHAM TAVERN SA

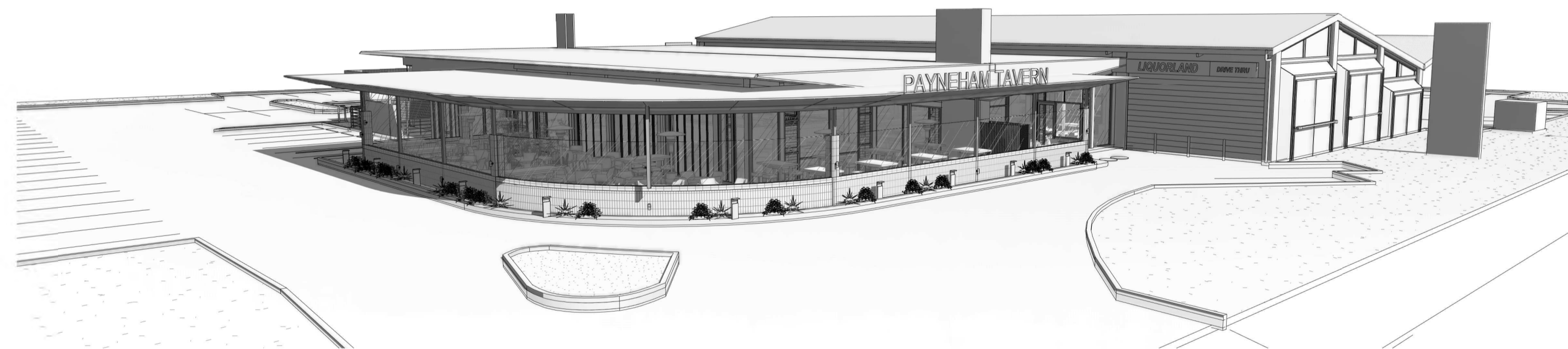
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1	PRELIMINARY DA ISSUE	QT	25.02.2022
2	FOR APPROVAL	JC	03.08.2022
3	FOR APPROVAL	DD	09.11.2022
4	FOR APPROVAL	DD	24.11.2022
5	FOR APPROVAL	DD	29.03.2023
6	FOR APPROVAL	DD	19.04.2023

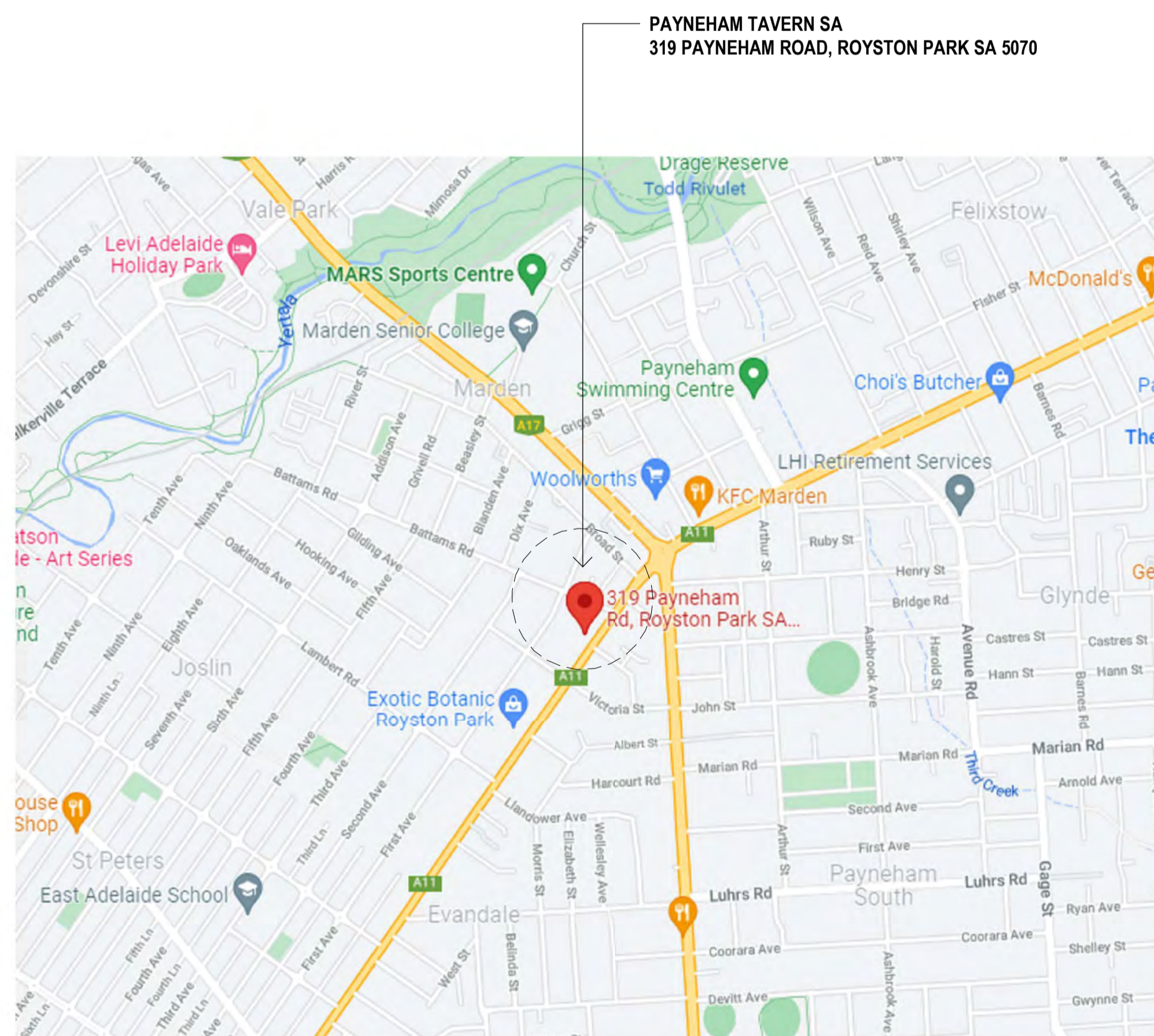
DA DOCUMENTATION SET	
DWG. NO.	SHEET DESCRIPTION
TP00	SUBMISSION COVER SHEET & LOCATION SITE PLAN
TP01	EXISTING SITE PHOTOS
TP02	EXISTING SITE PLAN
TP03	EXIST. CONDITIONS & DEMOLITION PLAN
TP04	EXISTING CONDITIONS & DEMOLITION ELEVATIONS
TP05	PROPOSED SITE PLAN
TP06	PROPOSED FLOOR PLAN
TP07	PROPOSED ROOF PLAN
TP08	REFLECTED CEILING PLAN
TP09	PROPOSED EXTERIOR ELEVATIONS
TP10	EXISTING VIEWS
TP11	PROPOSED VIEWS



PERSPECTIVE - BISTRO



PERSPECTIVE - BEER GARDEN



LOCATION PLAN



3D VIEW

Key Plan

Client

Australian Venue Co.

Red.

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North

Project Name
PAYNEHAM TAVERN SA

Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

Drawing Title
SUBMISSION COVER SHEET & LOCATION SITE PLAN

Project number
AVC0011

Date
08/10/11

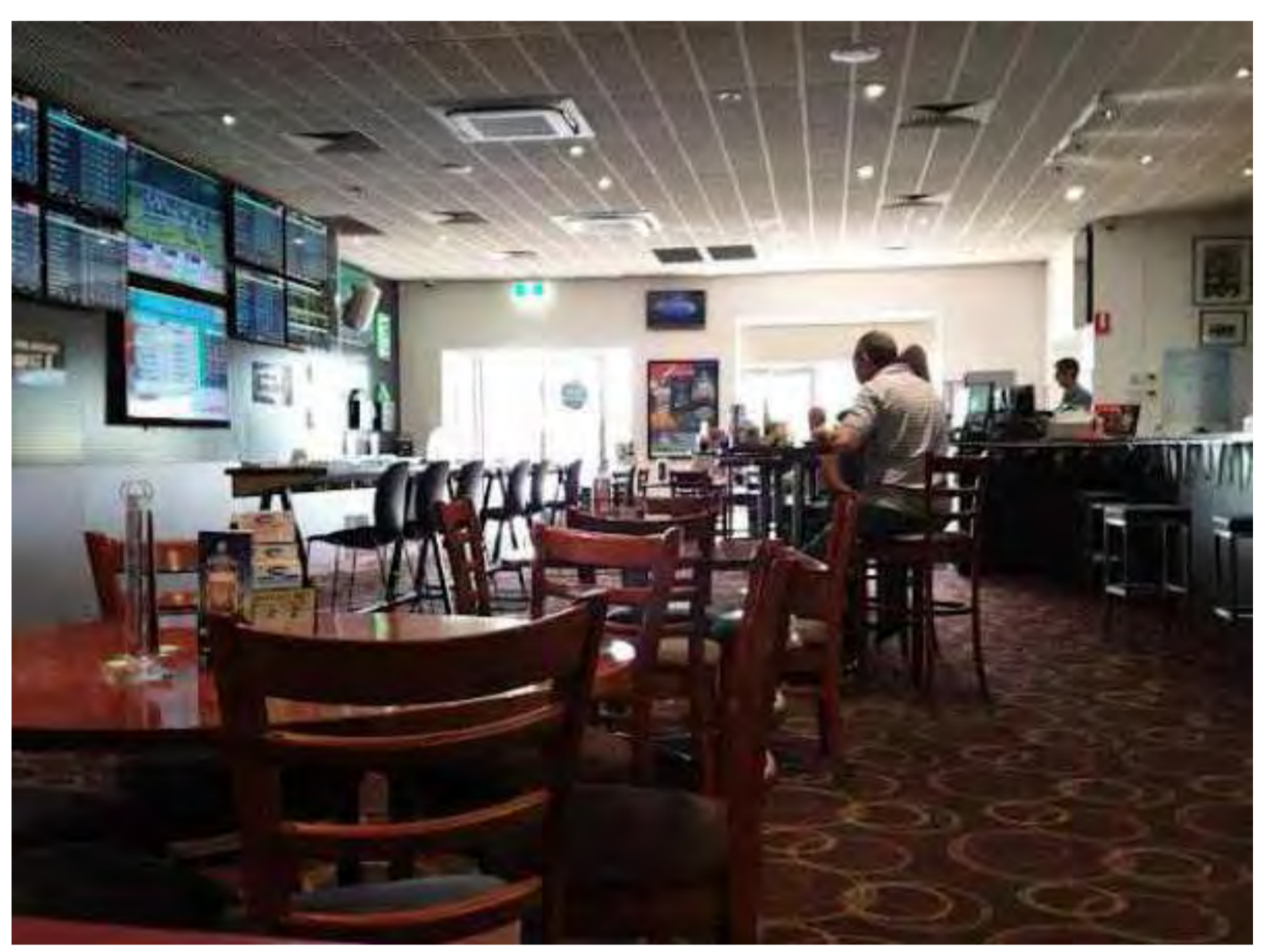
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TP00

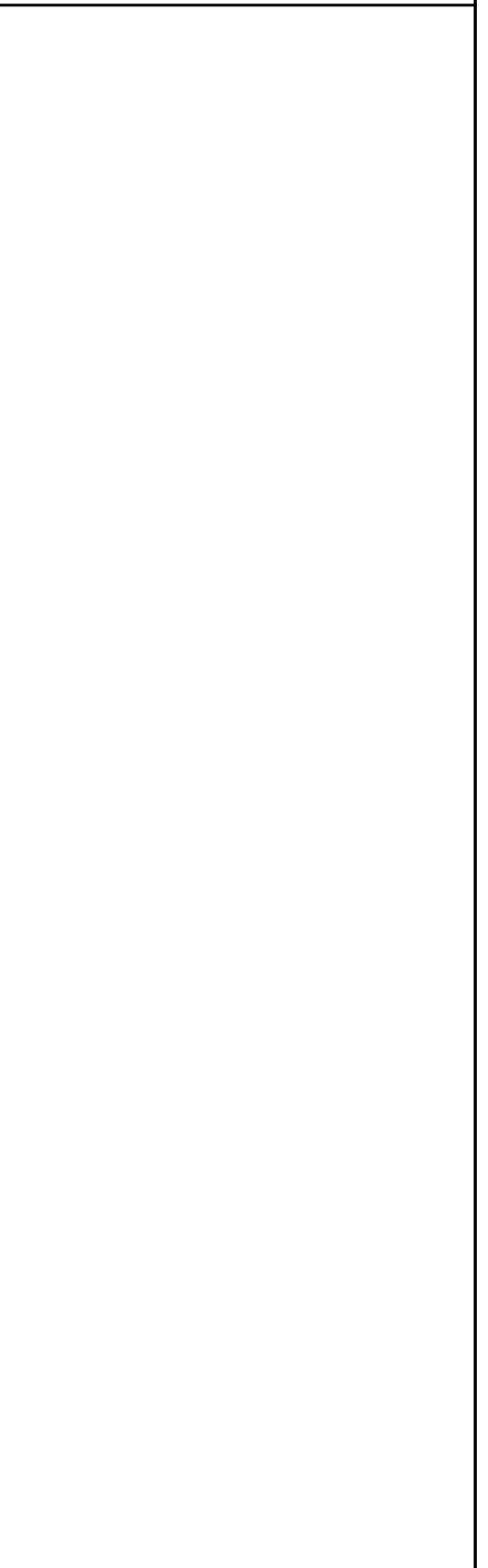
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Revision		
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Rev	Description	By	Date
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5	FOR APPROVAL	DD	19.04.2023



Key Plan



Client

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Red.

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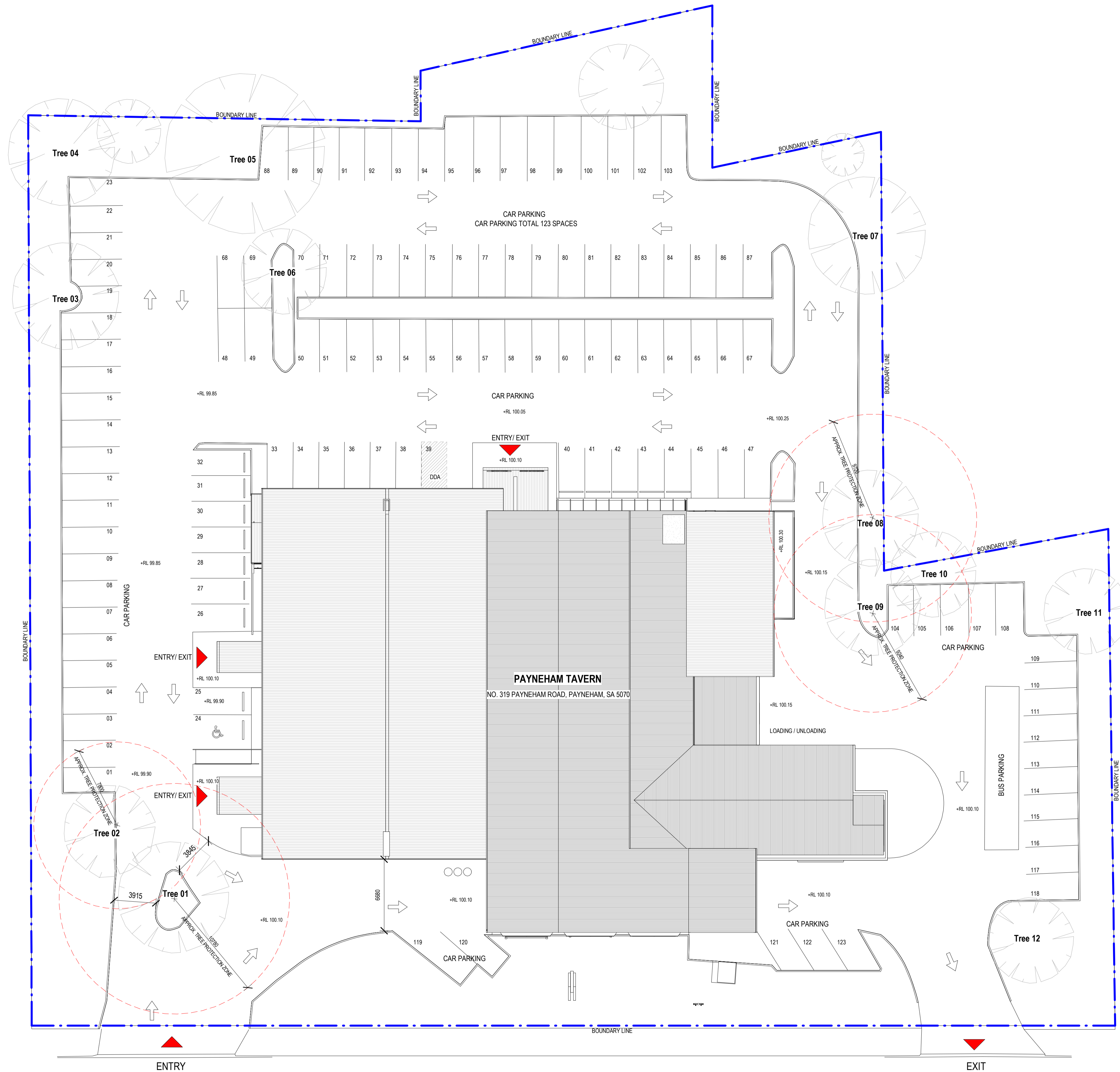
Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

Drawing Title
EXISTING SITE PHOTOS

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Date	04/01/21	Checked	AC/ DD
Scale	@ A1	Certified	Approver
Drawing Number	TP01	Revision	5

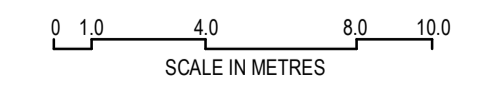
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5	FOR APPROVAL	DD	19.04.2023



1 EXISTING SITE PLAN
A104 1:200

PAYNEHAM ROAD



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Drawing Title
EXISTING SITE PLAN

Project number	AVC0011	Drawn	QT
Date	08/10/11	Checked	AC/DD
Scale	1:200 @ A1	Certified	Approver
Drawing Number	TP02	Revision	5

NAME	AREA
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AIRLOCK 2	1 m ²
AIRLOCK 3	1 m ²
AIRLOCK 4	8 m ²
AIRLOCK 1	8 m ²
AIRLOCK 2	8 m ²
AIRLOCK 3	12 m ²
AIRLOCK 4	9 m ²
AV/ COMMS	3 m ²
BISTRO	300 m ²
BOTTLE SHOP	85 m ²
COLDROOM 1	5 m ²
COLDROOM 2	38 m ²
DOSA 1	18 m ²
DOSA 2	16 m ²
DOSA 3	12 m ²
DRIVE THROUGH	127 m ²
FEMALE	11 m ²
FREEZER	4 m ²
GAMING ROOM	238 m ²
KEG ROOM	13 m ²
KITCHEN	49 m ²
LOBBY	12 m ²
MALE	14 m ²
OFFICE	23 m ²
PWD ROOM	4 m ²
SPORTS BAR	230 m ²
STAFF ROOM	41 m ²
STO.	3 m ²
STORE 1	6 m ²
STORE 2	6 m ²
STORE 3	52 m ²
STORE 4	13 m ²
STORE 5	30 m ²
STORE 6	12 m ²
TAB	15 m ²
UTILITY AREA	69 m ²
WC 1	3 m ²
WC 2	4 m ²
YARD	121 m ²
Grand total: 39	1620 m ²

Rev	Description	By	Date
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5	FOR APPROVAL	DD	29.03.2023
6	FOR APPROVAL	DD	19.04.2023



LEGEND

— DENOTES NOT PART DA OF SCOPE OF WORK

- - - DENOTES EXISTING STRUCTURE, WALLS, COLUMNS ETC. TO BE DEMOLISHED

0 0.5 2.0 4.0 5.0
SCALE IN METRES

PRELIMINARY
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Key Plan

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PAYNEHAM TAVERN SA

Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

Drawing Title
EXIST. CONDITIONS & DEMOLITION PLAN

Project number
AVC0011

Date
08/10/11

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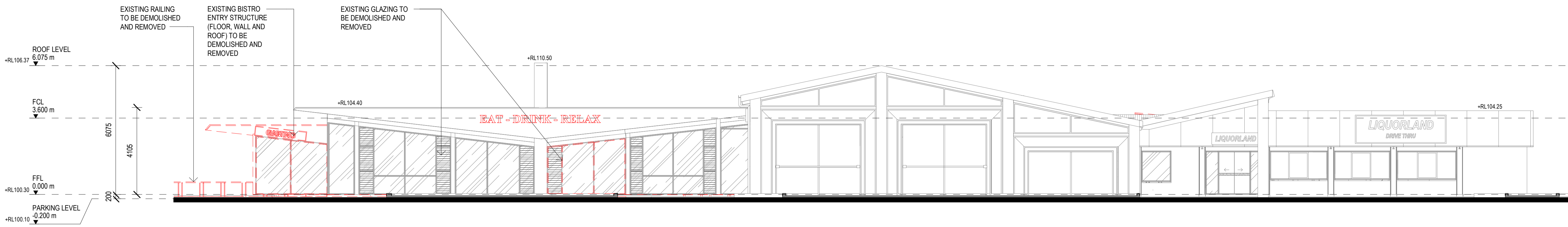
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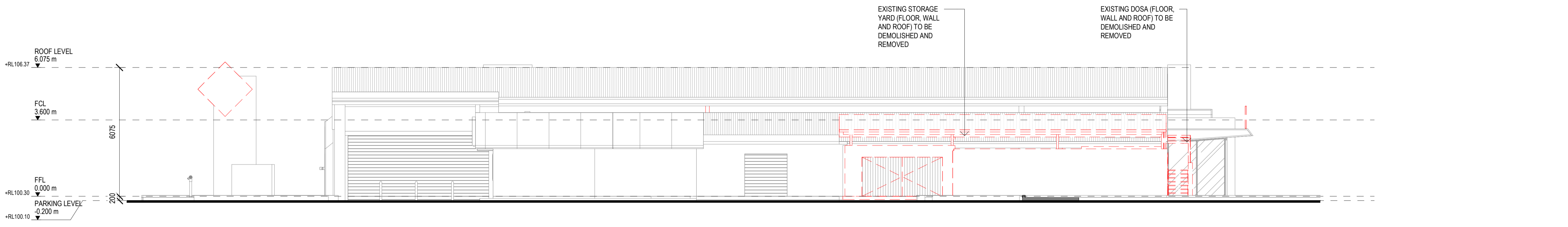
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3	FOR APPROVAL	DD	09.11.2022
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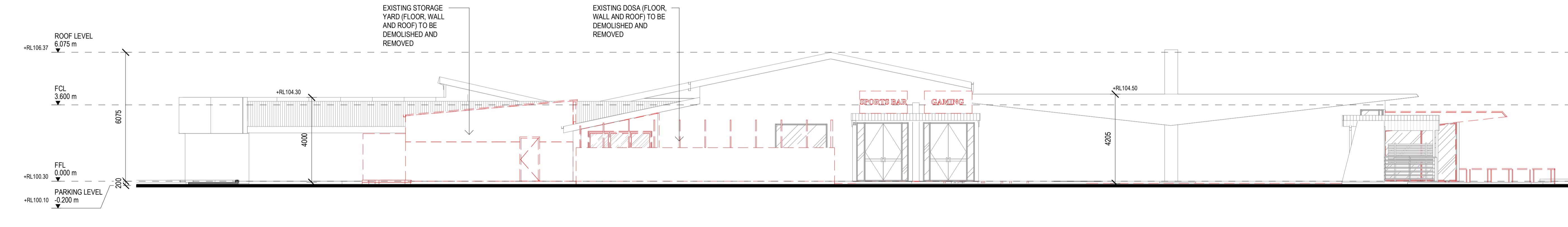
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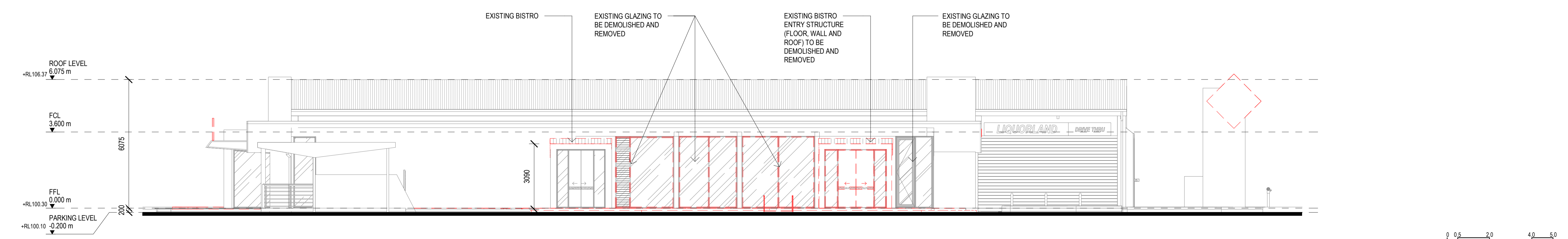
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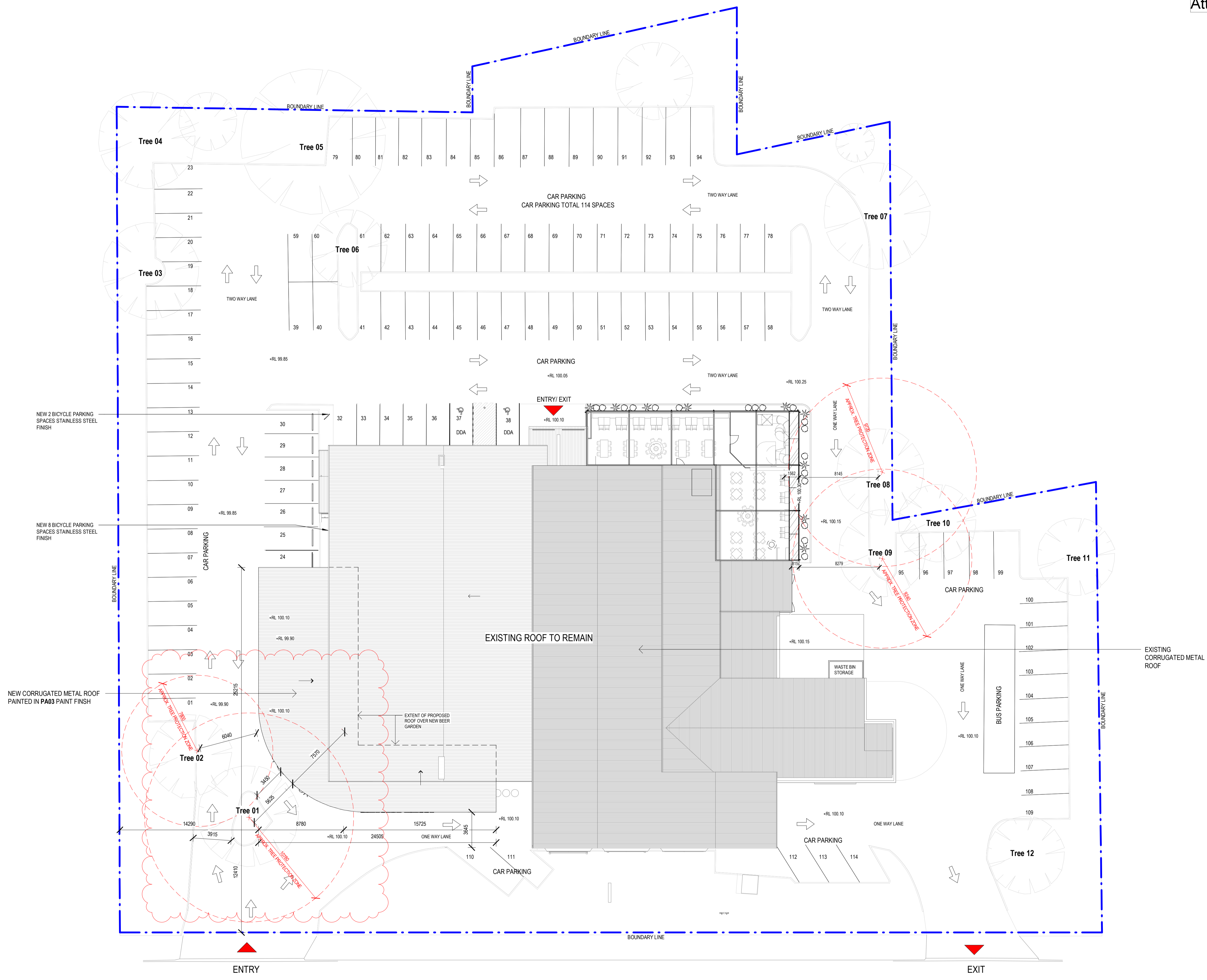
Red.
Australia Level 12, 100 Queen St
Melbourne VIC 3000
Phone: 1300 799 999
Fax: 130 860 844
EC014700047

Project Name
PAYNEHAM TAVERN SA
Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070
Drawing Title
EXISTING CONDITIONS & DEMOLITION ELEVATIONS

Project number	AVC0011	Drawn	QT
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3	FOR APPROVAL	DD	09.11.2022
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5	FOR APPROVAL	DD	15.03.2023
6	FOR APPROVAL	DD	29.03.2023
7	FOR APPROVAL	DD	19.04.2023

Key Plan



1 PROPOSED SITE PLAN
A104 1:200

PAYNEHAM ROAD

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Project Name
PAYNEHAM TAVERN SA

Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

Drawing Title
PROPOSED SITE PLAN

Project number
AVC0011

Date
12/27/21

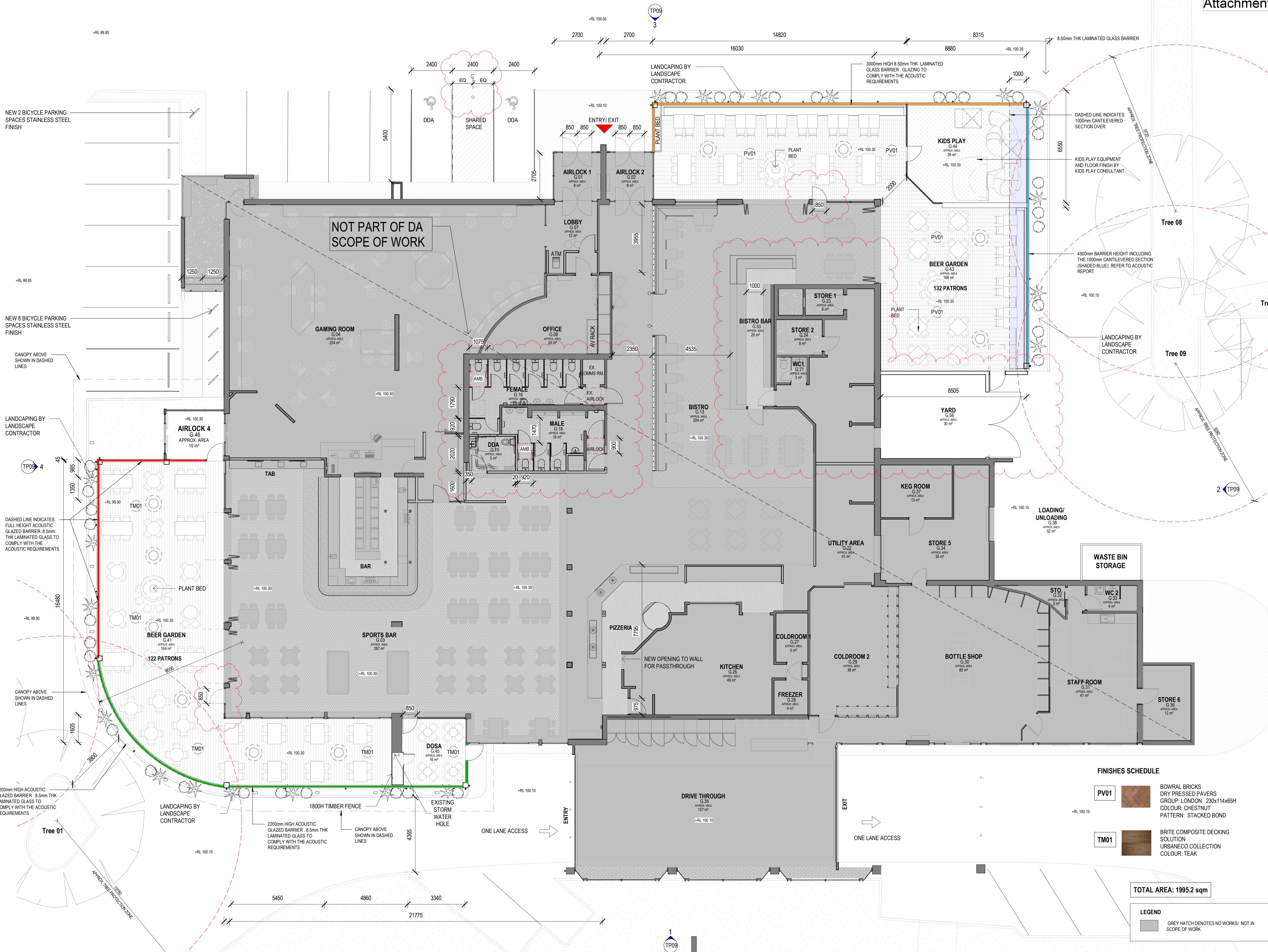
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7	VE CHANGES FOR APPROVAL	DO	24.03.2023
8	FOR APPROVAL	DO	29.03.2023
9	FOR APPROVAL	DO	19.04.2023



FINISHES SCHEDULE

PV01	BOWRAL BRICKS DRY PRESSED PAVERS GROUP: LONDON 230x114x65H COLOUR: CHESTNUT PATTERN: STACKED BOND
TM01	BRITE COMPOSITE DECKING SOLUTION URBANECO COLLECTION COLOUR: TEAK

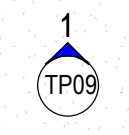
TOTAL AREA: 1995.2 sqm

LEGEND

[Grey Hatch]	GREY HATCH DENOTES NO WORKS/ NOT IN SCOPE OF WORK
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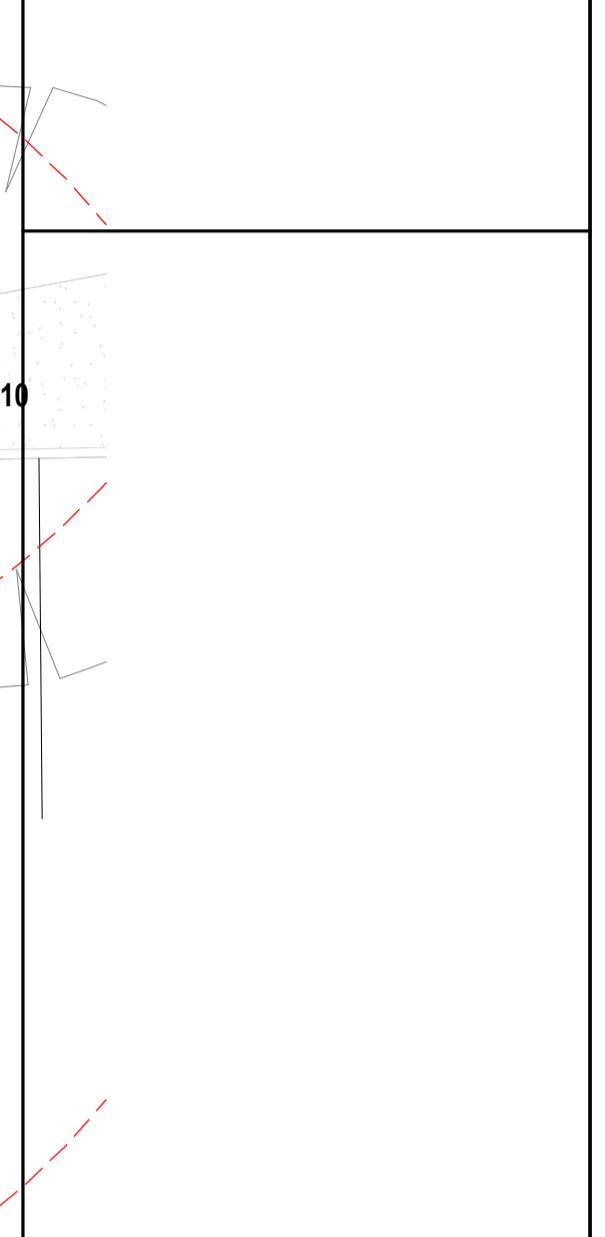
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1 PROPOSED FLOOR PLAN
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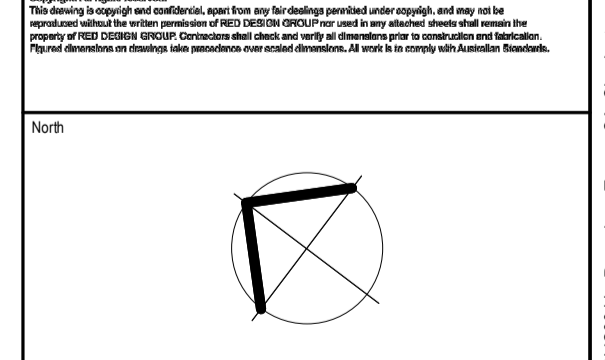
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Key Plan



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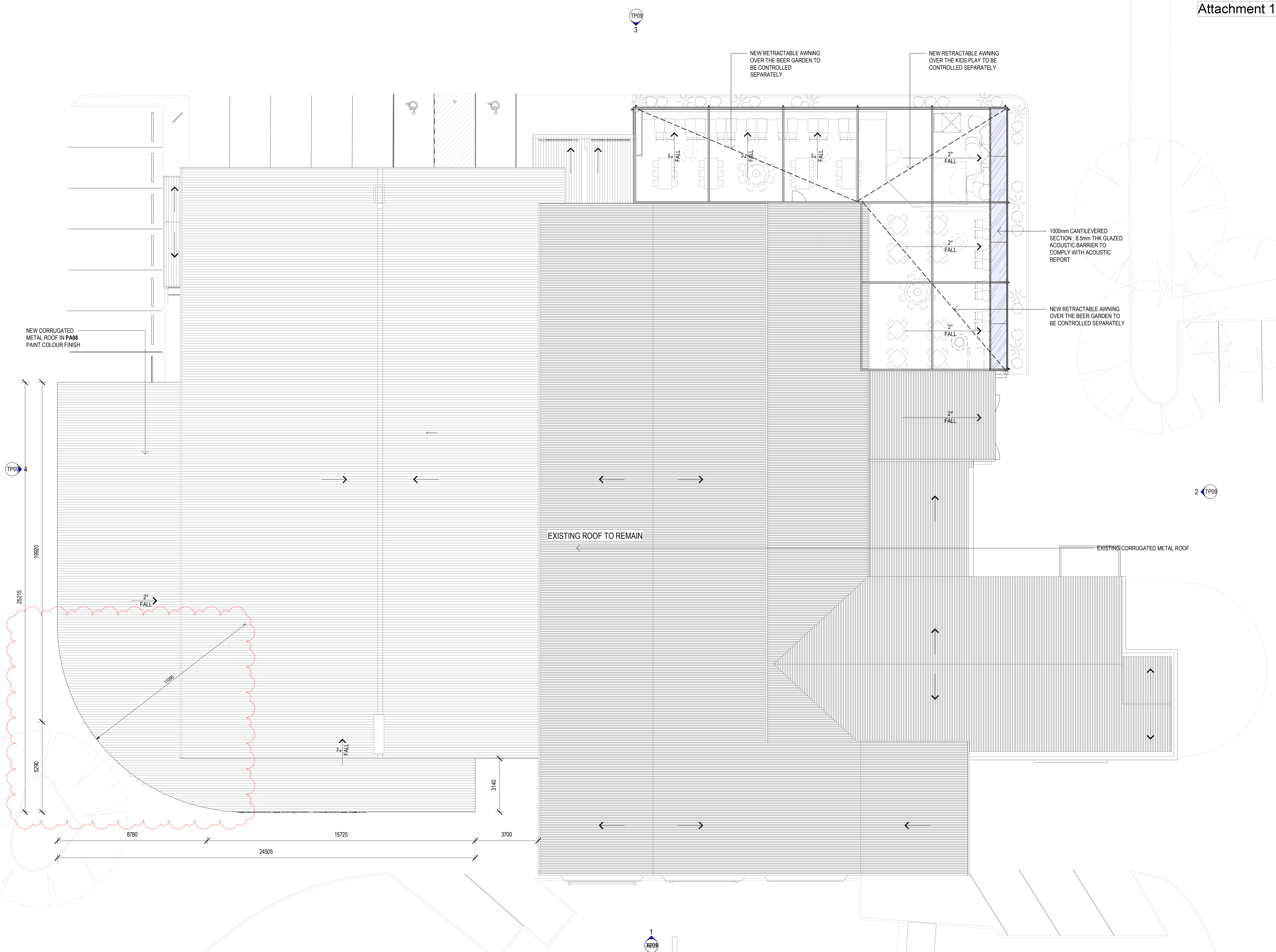


Project Name: PAYNEHAM TAVERN SA
Site Address: 319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

PROPOSED FLOOR PLAN

Project number: AVC0011	Drawn: QT
Date: 08/10/11	Checked: ACJ/DD
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Drawing Number: TP06	Approval: [Signature]

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6	FOR APPROVAL	DD	19.04.2023



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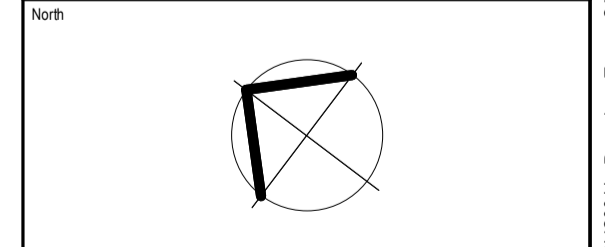
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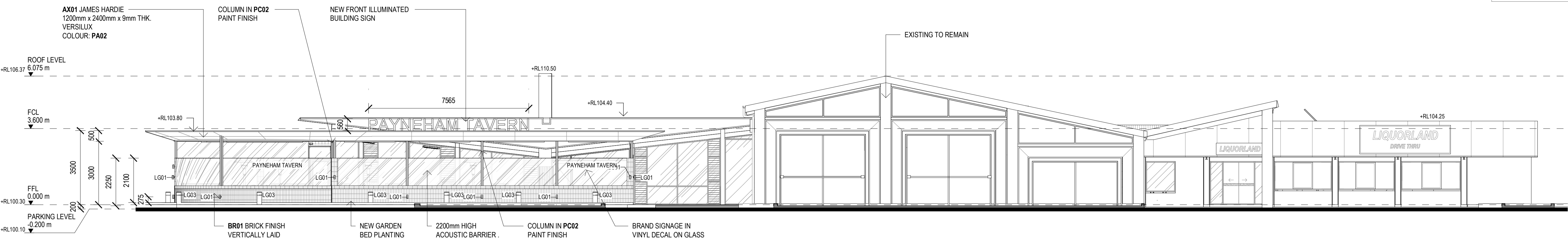
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Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

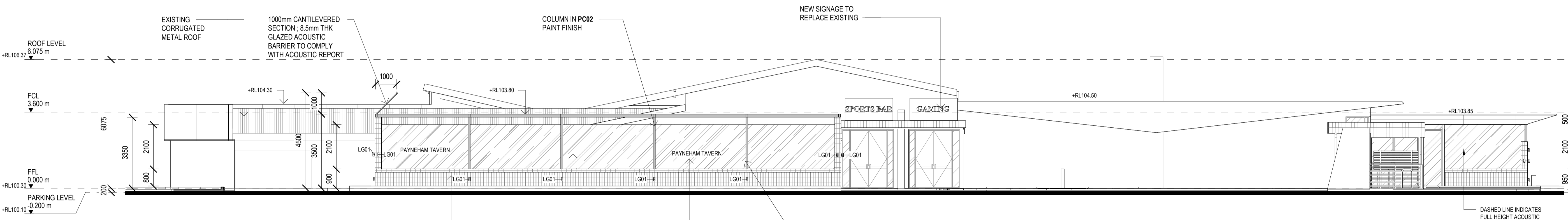
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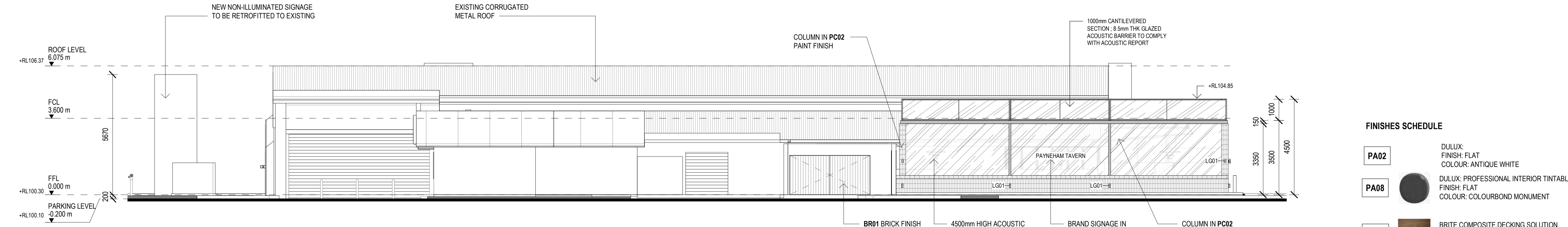
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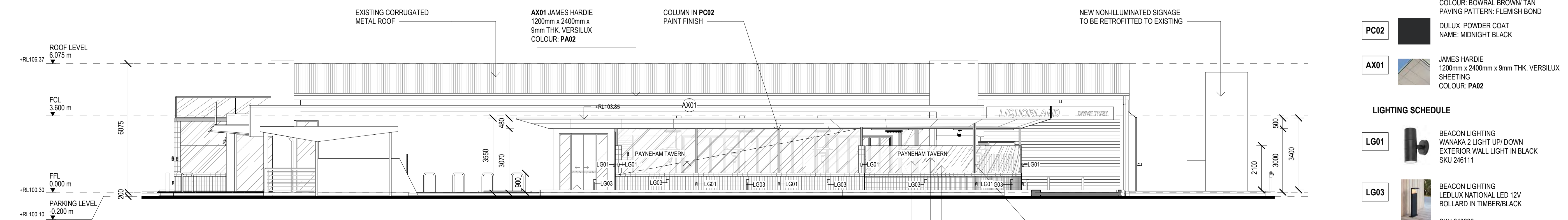
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3 PROPOSED NORTHWEST ELEVATION
TP06 1:100



2 PROPOSED NORTHEAST ELEVATION
TP06 1:100



4 PROPOSED SOUTHWEST ELEVATION
TP06 1:100

FINISHES SCHEDULE

- PA02** DULUX: FINISH: FLAT
COLOUR: ANTIQUE WHITE
- PA08** DULUX: PROFESSIONAL INTERIOR TINTABLE
FINISH: FLAT
COLOUR: COLOURBOND MONUMENT
- TM01** BRITE COMPOSITE DECKING SOLUTION
DIMENSIONS: 5.4m X 138mm X 24mm
SLIP RATING: p4/R10
COLOUR: TEAK
- BR01** BOWRAL BRICKS
DRY PRESSED BRICKS
GROUP: BOWRAL
COLOUR: BOWRAL BROWN/ TAN
PAYING PATTERN: FLEMISH BOND
- PC02** DULUX: POWDER COAT
NAME: MIDNIGHT BLACK
- AX01** JAMES HARDIE
1200mm x 2400mm x 9mm THK. VERSILUX
SHEETING
COLOUR: PA02

LIGHTING SCHEDULE

- LG01** BEACON LIGHTING
WANAKA 2 LIGHT UP/ DOWN
EXTERIOR WALL LIGHT IN BLACK
SKU 246111
- LG03** BEACON LIGHTING
LEDLUX NATIONAL LED 12V
BOLLARD IN TIMBER/BLACK
SKU 240822

PRELIMINARY
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Key Plan

Client

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North

Project Name
PAYNEHAM TAVERN SA

Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

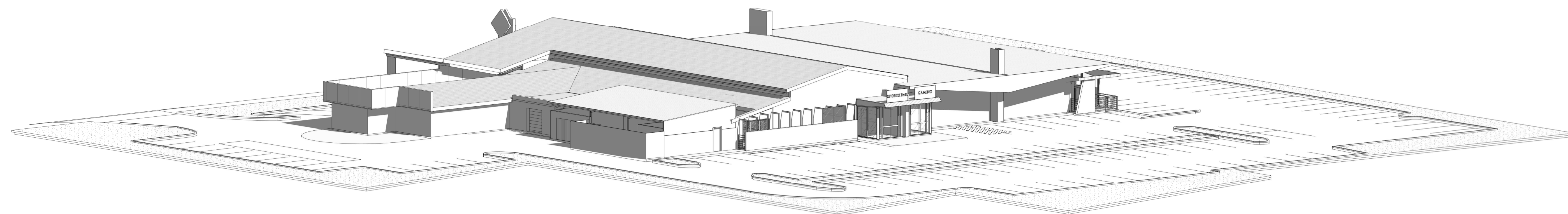
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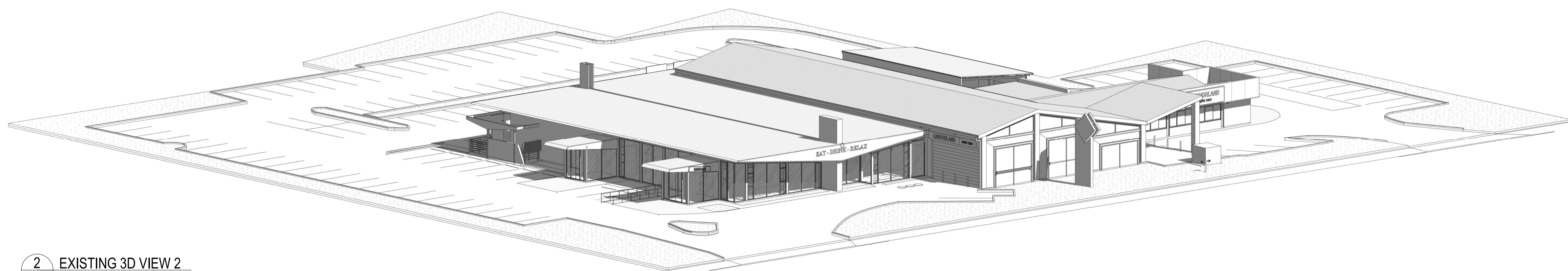
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Rev	Description	By	Date
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4	FOR APPROVAL	DD	24.11.2022
5	FOR APPROVAL	DD	29.03.2023
6	FOR APPROVAL	DD	19.04.2023



1 EXISTING 3D VIEW 1



2 EXISTING 3D VIEW 2



3 EXISTING 3D VIEW 3



4 EXISTING 3D VIEW 4

Key Plan

Client

Australian Venue Co.

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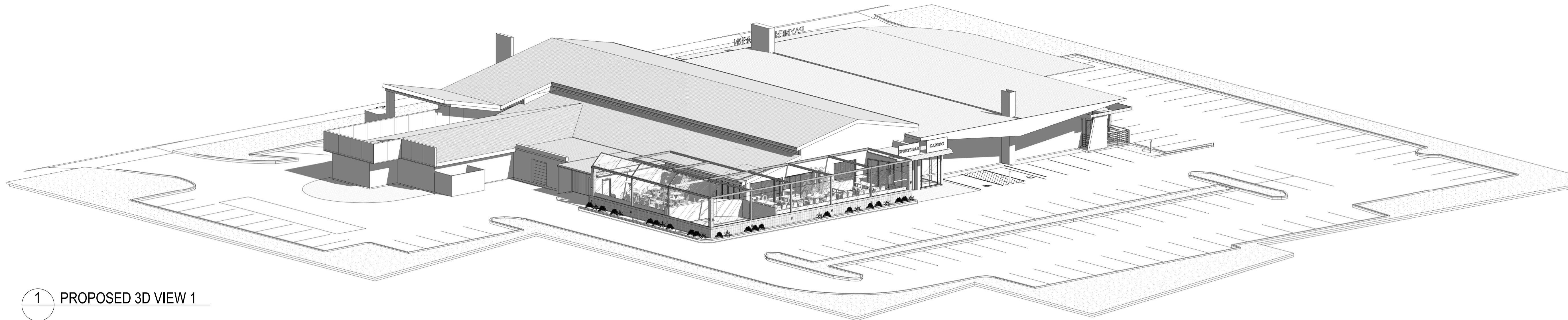
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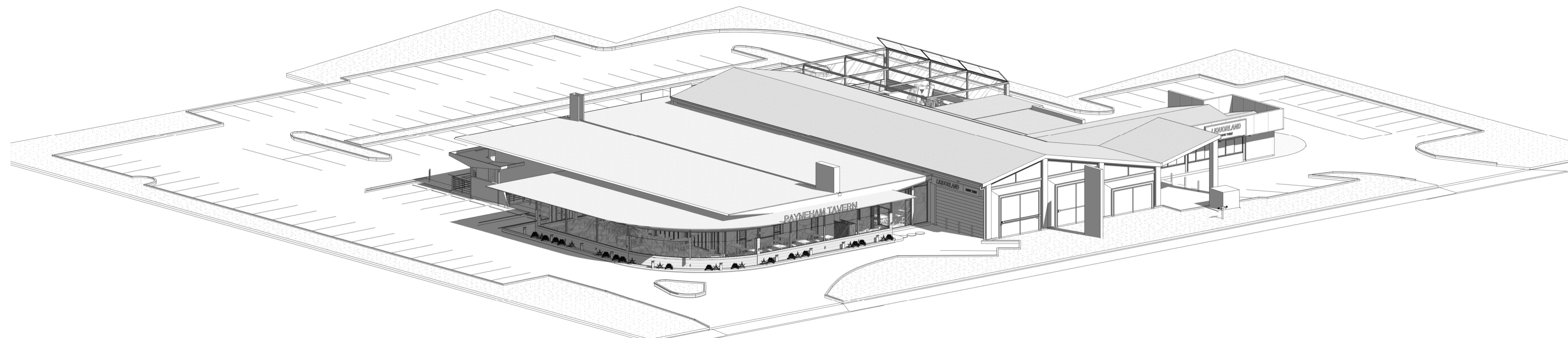
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Date 04/01/21	Checked ACJ/DD
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Drawing Number TP10	Revision 6

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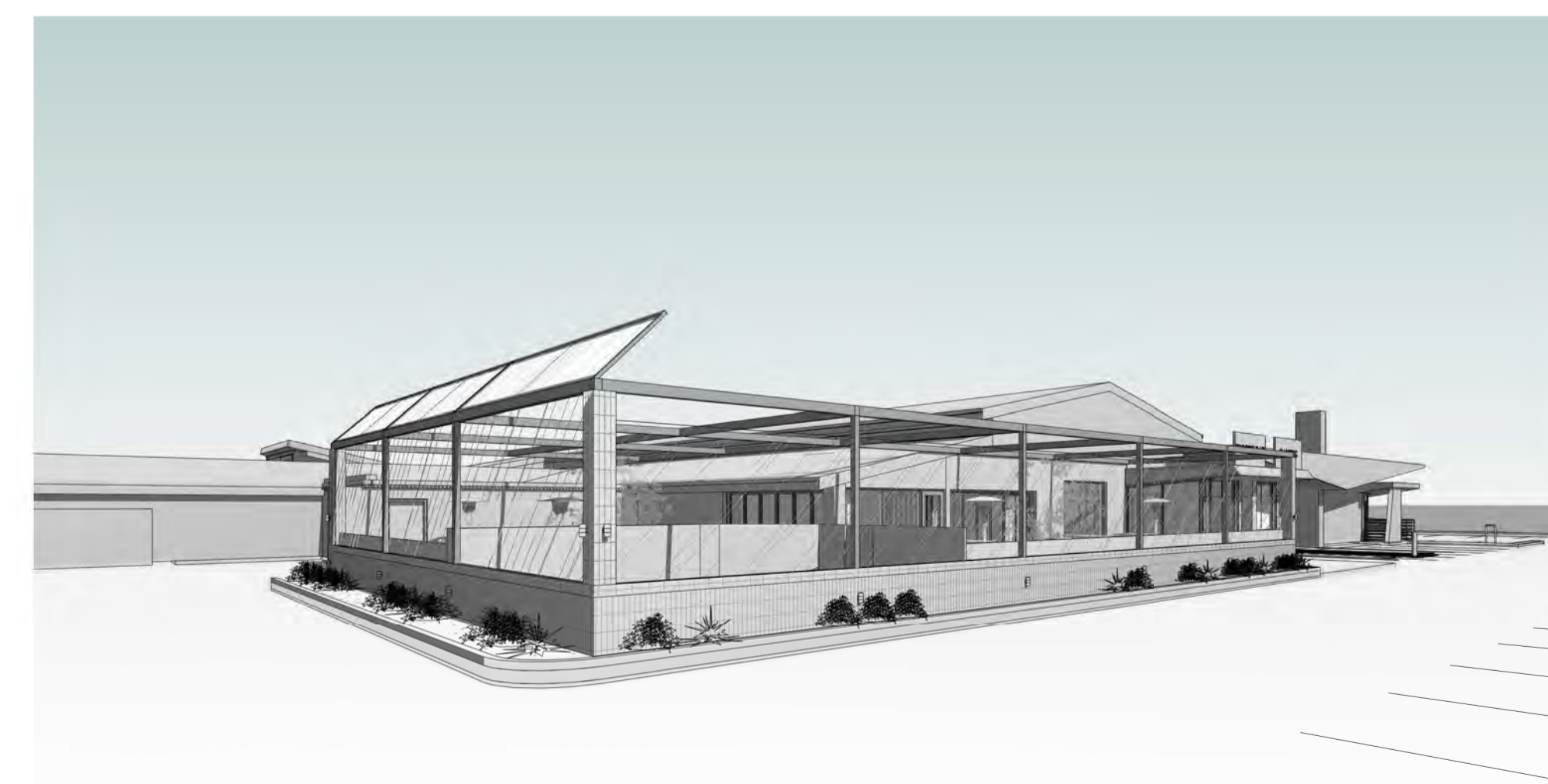
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2 PROPOSED 3D VIEW 2



3 PROPOSED 3D VIEW 3



4 PROPOSED 3D VIEW 4

Key Plan

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Project Name
PAYNEHAM TAVERN SA

Site Address
319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

Drawing Title
PROPOSED VIEWS

Project number	AVC0011	Drawn	QT
Date	04/01/21	Checked	AC/ DD
Scale	@ A1	Certified	Approver
Drawing Number	TP11	Revision	6

PRELIMINARY
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Arboricultural Impact Assessment and Development Impact Report

Site: Payneham Tavern, 319 Payneham Road,
Payneham

Date: Friday, 10 March 2023

ATS7137-319PayRdDIR



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Appendix A - Tree Assessment Methodology

Appendix B - Tree Assessment Findings

Appendix C - Mapping

Appendix D - Tree Assessment Summary

Appendix E - Tree Protection Zone Guidelines

Report Reference Number: ATS7137-319PayRdDIR

Report prepared for
Australian Venue Co.

Author

Marcus Lodge, Senior Consulting Arborist, Arborman Tree Solutions Pty Ltd
Tom Richardson, Consulting Arborist, Arborman Tree Solutions Pty Ltd

Executive Summary

Arborman Tree Solutions was engaged by Australian Venue Co. to undertake an Arboricultural Impact Assessment and provide a Development Impact Report for the four identified Regulated and Significant Trees in the existing grounds of Payneham Tavern, 319 Payneham Road, Payneham. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the trees and provide mitigation strategies to minimise impact where appropriate. The proposal involves the construction of a new beer garden to the existing building, car park upgrade and associated infrastructure. This assessment provides recommendations in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites (AS4970-2009)*.

The assessment considered four trees which are identified as *Eucalyptus sideroxylon* (Mugga or Red Ironbark), Trees 1 and 2, and *Corymbia maculata* (Spotted Gum), Trees 3 and 4. These trees are introduced native species that have been planted as part of the landscaping of the area. Trees 2 and 4 are in good overall condition and have adapted to their environment. Trees 1 and 3 are both in good health but fair overall condition due to Tree 1 having a currently stable included bark union and Tree 3 having a reduced overall form due to the central stem dog legging.

The assessment has identified Tree 1 as a Significant Tree and Trees 2-4 as Regulated Trees as defined in the *PDI Act 2016* and the *Planning and Design Code (Regulated and Significant Tree Overlay)*. When assessed against the relevant 'Desired Outcomes', 'Performance Outcomes' and 'Designated Performance Features' Trees 1, 2 and 4 are considered to provide 'important' aesthetic and/or environmental benefit which would warrant their protection; the remaining tree, Tree 3 whilst providing benefit in this regard does not do so to a level that would be considered 'important'. None of the trees display factors that indicate their removal is warranted.

The Arboricultural Impact Assessment has identified that the three Regulated and one Significant Tree in the area of the proposed development are unlikely to be negatively impacted by the planned works. The encroachment is more than 10% of the TPZ area but is within existing encroachment and does not impact the SRZ, therefore it is unlikely that the proposed works will impact on the viability of these trees. Additionally, construction methodologies have been recommended to further protect these trees.

Whilst the viability of the subject trees is unlikely to be impacted by the proposed works there is potential for incidental damage and as such Tree Protection is recommended as part of this construction.



Brief

Arborman Tree Solutions was engaged by Australian Venue Co. to undertake an Arboricultural Impact Assessment and provide a Development Impact Report for four Regulated/Significant trees at Payneham Tavern, 319 Payneham Road, Payneham. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the trees and provide mitigation strategies to minimise the impact where appropriate.

The proposed development includes the extension of a new beer garden and car parking upgrade. This assessment will determine the potential impacts the proposal may have on the trees within the site and recommend impact mitigation strategies in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009) for trees to be retained.

In accordance with section 2.2 of the AS4970-2009 the following information is provided:

- Assessment of the general condition and structure of the subject trees.
- Identification of the legislative status of trees on site as defined in the *Planning, Development and Infrastructure Act 2016 (PDI Act 2016)*.
- Identify and define the Tree Protection Zone and Structural Root Zone for each tree.
- Identify potential impacts the development may have on tree health and/or stability.
- Recommend impact mitigation strategies in accordance with AS4970-2009 for trees to be retained.
- Provide information in relation to the management of trees.

Documents and Information Provided

The following information was provided for the preparation of this assessment

- Email instruction on Scope of Works
- Design Drawings

Site Location

The trees are located within the existing grounds of Payneham Tavern, 319 Payneham Road, Payneham.



Figure 1: Site location – Payneham Tavern, 319 Payneham Road, Payneham

Methodology

The proposed design was reviewed in association with the information in the Design Drawings and CAD files as provided by Australian Venue Co..

The potential impact of the proposed works on tree condition is considered in accordance with the guidelines in AS4970-2009 *Protection of trees on development sites* (AS4970-2009). When determining potential impacts of an encroachment into a Tree Protection Zone (TPZ), the following should be considered as outlined in AS4970-2009 section 3.3.4 *TPZ encroachment considerations*:-

- a) Location of roots and root development.
- b) The potential loss of root mass from the encroachment.
- c) Tree species and tolerance to root disturbance.
- d) Age, vigour and size of the tree.
- e) Lean and stability of the tree.
- f) Soil characteristics and volume, topography, and drainage.
- g) The presence of existing or past structures or obstacles affecting root growth.
- h) Design factors.

The impacts on a tree can be varied and are not necessarily consistent with or directly correlated to a particular level of encroachment, to assist in providing consistency the levels of impact have been classified into the following categories:-

- No Impact - no encroachment into the TPZ has been identified.
- Low <10% - the identified encroachment is less than 10% of the TPZ area and not expected to impact tree viability.
- Low >10% - the identified encroachment is greater than 10% of the TPZ area however there are factors that indicate the proposed development will not negatively impact tree viability.
- High >10% - the identified encroachment is greater than 10% of the TPZ area and factors are present that indicate the proposed development will negatively impact tree viability. The impact is likely to lead to the long-term decline of the tree however it is unlikely to impact on its short-term stability.
- Conflicted - the identified encroachment is greater than 10% of the TPZ area and in most cases will also impact the SRZ and/or the trunk. There are factors present that indicate the proposed development will negatively impact tree viability to the point where its removal is required as part of the development.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'Low' have features or considerations identified in clauses in AS4970-2009 3.3.4 *TPZ encroachment considerations* which indicate these trees will be sustainable.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'High' do not have any features or considerations identified in clauses in AS4970-2009 3.3.4 and therefore alternative design solutions, additional root investigations and/or tree sensitive construction measures are required if the tree is to be retained. Where alternative protection methodologies are not available tree removal may be required to accommodate the development.

Trees with an Impact identified as 'Conflicted' are impacted over the majority of their root zone and/or over the SRZ or on the trunk, additional root investigations or tree sensitive construction measures are not available, and the only option is alternative designs or tree removal.

Regulatory Status, Tree Protection Zones and Development Impacts are shown in Appendix B.

Assessment

Arborman Tree Solutions was engaged by Australian Venue Co. to undertake an Arboricultural Impact Assessment and provide a Development Impact Report for the four identified Regulated and Significant Trees in the existing grounds of Payneham Tavern, 319 Payneham Road, Payneham. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the trees and provide mitigation strategies to minimise impact where appropriate. The proposal involves the construction of a new beer garden to the existing building, car park upgrade and associated infrastructure. This assessment provides recommendations in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009).

Tree Assessment

The assessment considered four trees which are identified as *Eucalyptus sideroxylon* (Mugga or Red Ironbark), Trees 1 and 2, and *Corymbia maculata* (Spotted Gum), Trees 3 and 4. These trees are introduced native species that have been planted as part of the landscaping of the area. Trees 2 and 4 are in good overall condition and have adapted to their environment. Trees 1 and 3 are both in good health but fair overall condition due to Tree 1 having a currently stable included bark union and Tree 3 having a reduced overall form due to the central stem dog legging.

The trees have been planted adjacent to the carpark and there is bitumen and kerbing within the TPZ and SRZ of these trees, there is obvious lifting of the kerb within the SRZ of Tree 4.

Table 1 – Tree Identification

Botanic Name	Common Name	Number of Trees	Origin	Tree Numbers
<i>Corymbia maculata</i>	Spotted Gum	2	Native	3 and 4
<i>Eucalyptus sideroxylon</i>	Mugga or Red Ironbark	2	Native	1 and 2

Findings on individual tree health and condition are presented in Appendix B - Tree Assessment Findings.

Corymbia maculata (Spotted Gum) is a native of New South Wales and southern Queensland where it is generally found on the shaly- and sandy-loams of the coastal plains. This species is a large smooth barked tree, reaching heights of 45 metres tall with a broad open leafy crown, supported on a massive trunk up to one metre in diameter. A fast growing tree of aesthetic value for its fine bark and thick foliage it is well suited to roadside plantings or shade/screen trees on parks or on large properties. Spotted Gum has to a great extent replaced Lemon Scent Gum as the preferred species for avenue and specimen plantings due to its more consistent form.

Eucalyptus sideroxylon (Red Ironbark) is a tree of medium size found in undulating woodland extending from New South Wales in the Great Dividing Range, North to Southern Queensland and South through central Victoria. It is usually found in poor shallow soils with a 350-650mm rainfall and temperate climate except in the Northern extremities where it is subtropical. There are also scattered occurrences in the higher rainfall areas of its range, Northern Victoria and Southern New South Wales. This tree has an erect form of 25 metres or more in height; the timber is valued for its strength and durability, being hard and dense with an interlocking grain. A pink flowered form is often planted for ornamental purposes; the combination of grey-blue foliage, black trunk and showy small pink flowers is extremely attractive. This species is commonly used on large road plantings but is not generally thought suitable for use as a street tree or in smaller urban gardens. When grown in the Adelaide area this species has often performed poorly due to a genetic fault that causes included bark unions.

Legislative Assessment

The assessment has identified Tree 1 as a Significant Tree and Trees 2-4 as Regulated Trees as defined in the *PDI Act 2016* and the *Planning and Design Code (Regulated and Significant Tree Overlay)*. Significant and Regulated Trees should be preserved if they meet aesthetic and/or environmental criteria as described in the *Planning and Design Code (Regulated and Significant Tree Overlay)*. When assessed against the relevant 'Desired Outcomes', 'Performance Outcomes' and 'Designated Performance Features' Trees 1, 2 and 4 are considered to provide 'important' aesthetic and/or environmental benefit which would warrant their protection; the remaining tree, Tree 3 whilst providing benefit in this regard does not do so to a level that would be considered 'important'. None of the trees display factors that indicate their removal is warranted.

Table 2 - Legislative Status

Legislative Status	Number of Trees	Tree Numbers
Significant	1	1
Regulated	3	2-4

Retention Assessment

Trees that provide important environmental and/or aesthetic contribution to the area, are in good condition scored a High Retention Rating and conservation of these trees is encouraged. Trees that score a Moderate Retention Rating provide a level of environmental and/or aesthetic benefit however not to an important level; these trees should be retained if they can be adequately protected. Trees identified as not suitable for retention or attained a Low Tree Retention Rating, displayed one or a number of the following attributes:

- a) provide limited environmental/aesthetic benefit,
- b) short lived species,
- c) represent a material risk to persons or property,
- d) identified as causing or threatening to cause substantial damage to a structure of value,
- e) limited Useful Life Expectancy.
- f) young and easily replaced.

All four trees are considered to be suitable for retention as they achieved a High or Moderate Retention Rating. The three Regulated and/or Significant Trees that scored a High rating, Trees 1, 2 and 4, meet one or more criteria within the *PDI Act 2016* that warrant their retention as important trees. However, the Regulated tree that scored a Moderate rating, Tree 3, whilst partially meeting these criteria does not do so to a level that identifies it as an important tree; it is however worthy of consideration for retention if it can be adequately protected in an otherwise reasonable and expected development.

Table 3 Retention Rating

Retention Rating	Number of Trees	Tree Numbers
High	3	1, 2 and 4
Moderate	1	3

Encroachment and Impact Assessment

Within AS4970-2009 relevant information is provided to assist with determining the impact on trees when developing in close proximity to them. Any tree that requires protection should be retained whilst remaining viable during and post development. Further guidance on how to suitably manage any proposed or encountered encroachments is identified in AS4970-2009. When assessing potential impacts, a Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) are the principle means of protecting a tree and are provided in accordance with AS4970-2009 section 1.4.5 and 3.2. This standard has been applied to ensure trees identified for retention remain viable and the redevelopment is achievable.

There is no new encroachment into the TPZ of Tree 2 and therefore there is not expected to be any impact on the long-term viability of this tree as a result of the proposed development.

The encroachment for Trees 3 and 4 is less than 10% of the TPZ area and does not impact the SRZ, this type of encroachment is recognised as 'Minor' as defined in AS4970-2009 (See Appendix C - Mapping). This level of encroachment results in No or Low Impact and additional root investigations are not required, warranted and have not been recommended in this instance.

The encroachment for Tree 1 is 13% of the total TPZ area and is therefore classified as a 'Major Encroachment' as defined in AS4970-2009. AS4970-2009 also identifies relevant factors that should be considered when determining the 'impact' of encroachments such as this; these considerations are listed under section 3.3.4 *TPZ encroachment considerations*. When considering these factors, the proposed encroachment is unlikely to result in tree damaging activity that will result in the decline, death or failure of the tree and is therefore considered to be a Low Impact.

The following has been considered for this tree; -

- 3.3.4 (d), *'Age, vigour and size of the tree'*.
The tree is a mature that displays good health and vitality, indicating it can tolerate the proposed level of encroachment without noticeable impacts. Healthy and vigorous trees can manage various levels of pruning, demolition of existing structures, changes in soil grade and moisture, soil compaction and other root zone encroachments and are better able to adapt to the new site conditions once the development phase has been completed.
- 3.3.4 (g), *The presence of existing or past structures or obstacles affecting root growth*.
The existing encroachment from the sealed and compacted ground has been in place or used for more than 30 years and was in place before the subject trees achieved maturity or potentially were planted. This would therefore restrict root development in this area due to the poor growing environment created by the encroachment.
- 3.3.4 (h), *Design factors*.
Although it is unlikely that any roots will be encountered during the redevelopment phase, low impact methodologies and materials have been recommended to ensure all of the trees on site are not impacted in the proposal.

Conclusion

The Arboricultural Impact Assessment has identified that the three Regulated and one Significant Tree in the area of the proposed development are unlikely to be negatively impacted by the planned works. The encroachment is more than 10% of the TPZ area but is within existing encroachment and does not impact the SRZ, therefore it is unlikely that the proposed works will impact on the viability of these trees. Additionally, construction methodologies have recommended to further protect these trees.

Recommendation

Construction

1. If resurfacing is required for the existing carpark, then it shall be omitted from the TPZ of all the trees. Alternatively, the bitumen can be removed and replaced with a compliant cellular confinement system built above the existing grade. This would effectively improve the TPZ area.
2. Discovered roots which require pruning to facilitate the development for Trees 2, 3 and 4 shall be pruned in accordance with section 4.5.4 AS4970-2009 *Protection of trees on development sites* – Pruning shall be made with a sharp tool and the final cut made to undamaged wood.

Tree Protection

Whilst the viability of the subject trees is unlikely to be impacted by the proposed works there is potential for incidental damage and as such Tree Protection is recommended as part of this construction.

The following is recommended as a minimum: -

1. Ensure all work requirements/activities in the vicinity of these trees are discussed and designed in consultation with the Project Arborist. i.e.: no machinery operation in the vicinity of the trees without a Tree Protection Plan.
2. A Tree Protection Zone fence is to be erected to ensure access to the main structure is restricted, to prevent accidental damage. The fence is to be installed prior to the commencement of all other site works.
3. If machinery access is required within the TPZ to any newly exposed ground, then ground protection is to be installed in consultation with the Project Arborist to ensure tree roots are not damaged.

These recommendations have been provided to ensure the balance between development and arboricultural management have been addressed and considered. If the recommendations are followed and adhered to the subject trees will not be negatively impacted by this proposal.

Thank you for the opportunity to provide this report. Should you have any questions or require further information, please contact me and I will be happy to be of assistance.

Yours sincerely,



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Definitions

Circumference:	trunk circumference measured at one metre above ground level. This measurement is used to determine the status of the tree in relation to the <i>Planning, Development and Infrastructure Act 2016 (PDI Act 2016)</i> .
Diameter at Breast Height:	trunk diameter measured at 1.4 metres above ground level used to determine the Tree Protection Zone as described in Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> .
Diameter at Root Buttress:	trunk diameter measured just above the root buttress as described in Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> and is used to determine the Structural Root Zone.
Tree Damaging Activity	Tree damaging activity includes those activities described within the <i>Planning, Development and Infrastructure Act 2016 (PDI Act 2016)</i> , such as removal, killing, lopping, ringbarking or topping or any other substantial damage such as mechanical or chemical damage, filling or cutting of soil within the TPZ. Can also include forms of pruning above and below the ground.
Tree Protection Zone:	area of root zone that should be protected to prevent substantial damage to the tree's health.
Structural Root Zone:	calculated area within the tree's root zone that is considered essential to maintain tree stability.
Project Arborist	a person with the responsibility for conducting a tree assessment, report preparation, consultation with designers, specifying tree protection measures, monitoring and certification. The Project Arborist must be competent in arboriculture, having acquired through training, minimum Australian Qualification Framework (AQTF) Level 5, Diploma of Horticulture (Arboriculture) and/or equivalent experience, the knowledge and skills enabling that person to perform the tasks required by this standard.
Encroachment:	the area of a Tree Protection Zone that is within the proposed development area.
Impact:	the effect on tree health, structure and/or viability as a result of required works associated with the proposed development within the TPZ or the vicinity of the tree(s).

References

Australian Standard AS4970–2009 *Protection of trees on development sites*: Standards Australia.

Matheny N. Clark J. 1998: *Trees and Development a Technical Guide to Preservation of Trees During Land Development*. International Society of Arboriculture, Champaign, Illinois, USA.



Appendix A - Tree Assessment Methodology

Tree Assessment Form (TAF©)

Record	Description
Tree	In botanical science, a tree is a perennial plant which consists of one or multiple trunks which supports branches and leaves. Trees are generally taller than 5 metres and will live for more than ten seasons, with some species living for hundreds or thousands of seasons.
Genus and Species	Botanical taxonomy of trees uses the binominal system of a genus and species, often there are subspecies and subgenus as well as cultivars. When identifying tree species, identification techniques such as assessing the tree's form, flower, stem, fruit and location are used. Identifying the right species is critical in assessing the tree's legalisation and environmental benefit. All efforts are made to correctly identify each tree to species level, where possible. Genus is the broader group to which the tree belongs e.g. <i>Eucalyptus</i> , <i>Fraxinus</i> and <i>Melaleuca</i> . Species identifies the specific tree within the genus e.g. <i>Eucalyptus camaldulensis</i> , <i>Fraxinus griffithi</i> or <i>Melaleuca styphelioides</i> . Trees will also be assigned the most commonly used Common Name. Common Names are not generally used for identification due to their nonspecific use, i.e. <i>Melia azedarach</i> is commonly known as White Cedar in South Australia but is also called Chinaberry Tree, Pride of India, Bead-tree, Cape Lilac, Syringa Berrytree, Persian Lilac, and Indian Lilac; equally similar common names can refer to trees from completely different Genus e.g. Swamp Oak, Tasmanian Oak and English Oak are from the <i>Casuarina</i> , <i>Eucalyptus</i> and <i>Quercus</i> genus's respectively.
Height	Tree height is estimated by the arborist at the time of assessment. Tree height is observed and recorded in the following ranges; <5m, 5-10m, 10-15m and >20m.
Spread	Tree crown spread is estimated by the arborist at the time of assessment and recorded in the following ranges <5m, 5-10m, 10-15m, 15-20m, >20m.
Health	Tree health is assessed using the Arborman Tree Solutions - Tree Health Assessment Method that is based on international best practice.
Structure	Tree structure is assessed using Arborman Tree Solutions - Tree Structure Assessment Method that is based on international best practice.
Tree Risk Assessment	Tree Risk is assessed using Tree Risk Assessment methodology. The person conducting the assessment has been trained in the International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ), Quantified Tree Risk Assessment (QTRA) and/or VALID Tree Risk Assessment (VALID). Refer to the Methodology within the report for additional information.
Legislative Status	Legislation status is identified through the interpretation of the <i>Development Act 1993</i> , the <i>Natural Resource Management Act 2004</i> , the <i>Native Vegetation Act 1991</i> and/or any other legislation that may apply.
Mitigation	Measures to reduce tree risk, improve tree condition, remove structural flaws, manage other conditions as appropriate may be recommended in the form of pruning and is listed in the Tree Assessment Findings (Appendix B). Tree pruning is recommended in accordance with AS4373-2007 <i>Pruning amenity trees</i> where practicable. Where measures to mitigate risk is not possible and the risk is unacceptable, then tree removal or further investigation is recommended.

Useful Life Expectancy (ULE)

ULE Rating	Definition
Surpassed	The tree has surpassed its Useful Life Expectancy. Trees that achieve a surpassed ULE may do so due to poor health, structure or form. Additionally, trees that are poorly located such as under high voltage powerlines or too close to structures may also achieve a surpassed ULE. Trees that achieve this status will be recommended for removal as there are no reasonable options to retain them.
<10 years	The tree displays either or both Poor Health and/or Structure and is considered to have a short Useful Life Expectancy of less than ten years. Some short-lived species such as <i>Acacia sp.</i> may naturally achieve a short ULE.
>10 years	The tree displays Fair Health or Structure and Good Health or Structure and is considered to have a Useful Life Expectancy of ten years or more. Trees identified as having a ULE of >10, will require mitigation such as pruning, stem injections or soil amelioration to increase their ULE.
>20 years	The tree displays Good Health and Structure and is considered to have an extended Useful Life Expectancy of more than twenty years.

Maturity (Age)

Age Class	Definition
Senescent	The tree has surpassed its optimum growing period and is declining and/or reducing in size. May be considered as a veteran in relation to its ongoing management. Tree will have generally reached greater than 80% of its expected life expectancy.
Mature	A mature tree is one that has reached its expected overall size, although the tree's trunk is still expected to continue growing. Tree maturity is also assessed based on species; as some trees are much longer lived than others. Tree will have generally reached 20-80% of its expected life expectancy.
Semi Mature	A tree which has established but has not yet reached maturity. Normally tree establishment practices such as watering will have ceased. Tree will generally not have reached 20% of its expected life expectancy.
Juvenile	A newly planted tree or one which is not yet established in the landscape. Tree establishment practices such as regular watering will still be in place. Tree will generally be a newly planted specimen up to five years old; this may be species dependant.

Tree Health Assessment (THA©)

Category	Description
Good	Tree displays normal vigour, uniform leaf colour, no or minor dieback (<5%), crown density (>90%). When a tree is deciduous, healthy axillary buds and typical internode length is used to determine its health. A tree with good health would show no sign of disease and no or minor pest infestation was identified. The tree has little to no pest and/or disease infestation.
Fair	Tree displays reduced vigour abnormal leaf colour, a moderate level of dieback (<15%), crown density (>70%) and in deciduous trees, reduced axillary buds and internode length. Minor pest and/or disease infestation potentially impacting on tree health. Trees with fair health have the potential to recover with reasonable remedial treatments.
Poor	Tree displays an advanced state of decline with low or no vigour, chlorotic or dull leaf colour, with high crown dieback (>15%), low crown density (<70%) and/or in deciduous trees, few or small axillary buds and shortened internode length. Pest and or disease infestation is evident and/or widespread. Trees with poor health are highly unlikely to recover with any remedial treatments; these trees have declined beyond the point of reversal.
Dead	The tree has died and has no opportunity for recovery.

Tree Structural Assessment (TSA©)

Category	Description
Good	Little to no branch failure observed within the crown, well-formed unions, no included bark, good branch and trunk taper present, root buttressing and root plate are typical. Trees that are identified as having good health display expected condition for their age, species and location.
Fair	The tree may display one or more of the following a history of minor branch failure, included bark unions may be present however, are stable at this time, acceptable branch and trunk taper present, root buttressing and root plate are typical. Trees with fair structure will generally require reasonable remediation methods to ensure the tree's structure remains viable.
Poor	History of significant branch failure observed in the crown, poorly formed unions, unstable included bark unions present, branch and/or trunk taper is abnormal, root buttressing and/or root plate are atypical.
Failed	The structure of the tree has or is in the process of collapsing.

Tree Form Assessment (TFA©)

Category	Description
Good	Form is typical of the species and has not been altered by structures, the environment or other trees.
Fair	The form has minor impacts from structures, the environment or adjacent trees which has altered its shape. There may be slight phototropic response noted or moderate pruning which has altered the tree's form.
Poor	The tree's form has been substantially impacted by structures, the environment, pruning or other trees. Phototropic response is evident and unlikely to be corrected.
Atypical	Tree form is highly irregular due to structures or other trees impacting its ability to correctly mature. Extreme phototropic response is evident; or the tree has had a substantially failure resulting in its poor condition, or extensive pruning has altered the tree's form irreversibly.

Priority

Category	Description
Low	Identified works within this priority should be carried out within 12 months.
Medium	Identified works within this priority should be carried out within 6 months.
High	Identified works within this priority should be carried out within 3 months.
Urgent	Identified works within this priority should be carried out immediately. Works within this priority rating will be brought to attention of the responsible person at the time of assessment.

Tree Retention Rating (TRR)

The Tree Retention Rating is based on a number of factors that are identified as part of the standard tree assessment criteria including Condition, Size, Environmental, Amenity and Special Values. These factors are combined in a number of matrices to provide a Preliminary Tree Retention Rating and a Tree Retention Rating Modifier which combine to provide a Tree Retention Rating that is measurable, consistent and repeatable.

Preliminary Tree Retention Rating

The Preliminary Tree Retention Rating is conducted assessing Tree Health and Structure to give an overall Condition Rating and Height and Spread to give an overall Size Rating. The following matrices identify how these are derived.

Condition Matrix				
Structure	Health			
	Good	Fair	Poor	Dead
Good	C1	C2	C3	C4
Fair	C2	C2	C3	C4
Poor	C3	C3	C4	C4
Failed	C4	C4	C4	C4

Size Matrix					
Spread	Height				
	>20	15-20	10-15	5-10	<5
>20	S1	S1	S1	S2	S3
15-20	S1	S1	S2	S3	S3
10-15	S1	S2	S2	S3	S4
5-10	S2	S3	S3	S4	S5
<5	S3	S3	S4	S5	S5

The results from the Condition and Size Matrices are then placed in the Preliminary Tree Retention Rating Matrix.

Preliminary Tree Retention Rating				
Size	Condition			
	C1	C2	C3	C4
S1	High	Moderate	Low	Low
S2	Moderate	Moderate	Low	Low
S3	Moderate	Moderate	Low	Low
S4	Moderate	Moderate	Low	Low
S5	Low	Low	Low	Low

The Preliminary Tree Retention Rating gives a base rating for all trees regardless of other environmental and/or amenity factors and any Special Value considerations. The Preliminary Tree Retention Rating can only be modified if these factors are considered to be of high or low enough importance to warrant increasing or, in a few cases, lowering the original rating.

Tree Retention Rating Modifier

The Preliminary Tree Retention Rating is then qualified against the recognised Environmental and Amenity benefits that trees present to the community thereby providing a quantitative measure to determine the overall Tree Retention Rating. Data is collected in relation to Environmental and Amenity attributes which are compared through a set of matrices to produce a Tree Retention Rating Modifier.

Environmental Matrix				
Origin	Habitat			
	Active	Inactive	Potential	No Habitat
Indigenous	E1	E1	E2	E3
Native	E1	E2	E3	E3
Exotic	E2	E3	E3	E4
Weed	E3	E3	E4	E4

Amenity Matrix				
Character	Aesthetics			
	High	Moderate	Low	None
Important	P1	P1	P2	P3
Moderate	P1	P2	P3	P3
Low	P2	P3	P3	P4
None	P3	P3	P4	P4

Tree Retention Rating Modifier				
Amenity	Environment			
	E1	E2	E3	E4
P1	High	High	Moderate	Moderate
P2	High	Moderate	Moderate	Moderate
P3	Moderate	Moderate	Moderate	Moderate
P4	Moderate	Moderate	Moderate	Low

Tree Retention Rating

The results of the Preliminary Tree Retention Rating and the Tree Retention Rating Modifier matrices are combined in a final matrix to give the actual Tree Retention Rating.

Tree Retention Rating Matrix			
Tree Retention Rating Modifier	Preliminary Tree Retention Rating		
	High	Moderate	Low
High	Important	High	Moderate
Moderate	High	Moderate	Low
Low	Moderate	Low	Low

Special Value Trees

There are potentially trees that have Special Value for reasons outside of normal Arboricultural assessment protocols and therefore would not have been considered in the assessment to this point; to allow for this a Special Value characteristic that can override the Tree Retention Rating can be selected. Special Value characteristics that could override the Tree Retention Rating would include factors such as the following:

Cultural Values

Memorial Trees, Avenue of Honour Trees, Aboriginal Heritage Trees, Trees planted by Dignitaries and various other potential categories.

Environmental Values

Rare or Endangered species, Remnant Vegetation, Important Habitat for rare or endangered wildlife, substantial habitat value in an important biodiversity area and various other potential categories.

Where a tree achieves one or more Special Value characteristics the Tree Retention Rating will automatically be overridden and assigned the value of Important.

Tree Retention Rating Definitions

- Important** These trees are considered to be important and will in almost all instances be required to be retained within any future development/redevelopment. It is highly unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should as a minimum be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites* however given the level of importance additional considerations may be required.
- High** These trees are considered to be important and will in most instances be required to be retained within any future development/redevelopment. It is unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.
- Moderate** These trees are considered to be suitable for retention however they achieve less positive attributes than the trees rated as Important or High and as such their removal or other tree damaging activity is more likely to be considered to be acceptable in an otherwise reasonable and expected development. The design process should where possible look to retain trees with a Moderate Retention Rating. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.
- Low** These trees are not considered to be suitable for retention in any future development/redevelopment; trees in this category do not warrant special works or design modifications to allow for their retention. Trees in this category are likely to be approved for removal and/or other tree damaging activity in an otherwise reasonable and expected development. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.

Development Impact Assessment

Potential development impacts were determined in accordance with Australian Standard 4970-2009 *Protection of trees on development sites*. The identification of the impact of development considers a number of factors including the following:

- a. The extent of encroachment into a tree's Tree Protection Zone by the proposed development as a percentage of the area.
- b. Results of any non-destructive exploratory investigations that may have occurred to determine root activity.
- c. Any required pruning that may be needed to accommodate the proposed development.
- d. Tree species and tolerance to root disturbance.
- e. Age, vigour and size of the tree.
- f. Lean and stability of the tree.
- g. Soil characteristics and volume, topography and drainage.
- h. The presence of existing or past structures or obstacles potentially affecting root growth.
- i. Design factors incorporated into the proposed development to minimise impact.

The impacts on a tree can be varied and are not necessarily consistent with or directly correlated to a particular level of encroachment, to assist in providing consistency the levels of impact have been classified into the following categories: -

- No Impact - no encroachment into the TPZ has been identified.
- Low <10% - the identified encroachment is less than 10% of the TPZ area and not expected to impact tree viability.
- Low >10% - the identified encroachment is greater than 10% of the TPZ area however there are factors that indicate the proposed development will not negatively impact tree viability.
- High >10% - the identified encroachment is greater than 10% of the TPZ area and factors are present that indicate the proposed development will negatively impact tree viability. The impact is likely to lead to the long-term decline of the tree however it is unlikely to impact on its short-term stability.
- Conflicted - the identified encroachment is greater than 10% of the TPZ area and in most cases will also impact the SRZ and/or the trunk. There are factors present that indicate the proposed development will negatively impact tree viability to the point where its removal is required as part of the development.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'Low' have features or considerations identified in clauses in AS4970-2009 3.3.4 *TPZ encroachment considerations* which indicate these trees should be sustainable.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'High' do not have any features or considerations identified in clauses in AS4970-2009 3.3.4 and therefore alternative design solutions, additional root investigations and/or tree sensitive construction measures are required if the tree is to be retained. Where alternative protection methodologies are not available tree removal may be required to accommodate the development.

Trees with an Impact identified as 'Conflicted' are impacted over the majority of their root zone and/or over the SRZ or on the trunk, additional root investigations or tree sensitive construction measures are not available and the only option is alternative designs or tree removal.



Appendix B - Tree Assessment Findings

Eucalyptus sideroxylon

Mugga or Red Ironbark

Inspected:	17 February 2023
Height:	15-20 metres
Spread:	15-20 metres
Health:	Good
Structure:	Fair
Form:	Good
Trunk Circumference:	>3 metres
Useful Life Expectancy:	>10 years
Tree Protection Zone:	10.78 metres
Structural Root Zone:	3.63 metres

Observations

This tree is in good health however has fair overall condition due to the presence of stable included bark in the primary trunk division. There is deadwood within the crown but not at a level that would indicate reduced health and it typical of the specie. There is fill around the base of the main trunk, this tree has been routinely pruned, and the crown of this tree has been raised.



Legislative Status	Significant
This tree has a trunk circumference greater than three metres and is not subject to any exemption from regulation and therefore it is identified as a Significant Tree as defined in the PDI Act 2016.	
Retention Rating	High
This tree has a High Retention Rating and all reasonable design considerations should be employed to retain it wherever possible. It is unlikely that tree damaging activity, including removal, will be approved in relation to the management of this tree.	
Development Impact	Low
The identified encroachment is greater than 10% of the Tree Protection Zone area however the age, vigour and size of this tree is such that this is not expected to have a long-term impact on tree viability.	
Action	Protect Root Zone
Protect the root zone and crown in accordance with the recommendations and principles of AS4970-2009 Protection of trees on development sites to ensure it is adequately protected.	

Eucalyptus sideroxylon

Mugga or Red Ironbark

Inspected:	17 February 2023
Height:	15-20 metres
Spread:	15-20 metres
Health:	Good
Structure:	Good
Form:	Good
Trunk Circumference:	>2 metres
Useful Life Expectancy:	>20 years
Tree Protection Zone:	7.80 metres
Structural Root Zone:	2.88 metres



Observations

The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. There is evidence of early stage included bark however this is not significant or impacting the structural rating for this tree. The adjacent kerb is within the SRZ of this tree.

Legislative Status	Regulated
This tree has a trunk circumference greater than two metres but less than three metres and is not subject to any exemption from regulation and therefore it is identified as a Regulated Tree as defined in the PDI Act 2016.	
Retention Rating	High
This tree has a High Retention Rating and all reasonable design considerations should be employed to retain it wherever possible. It is unlikely that tree damaging activity, including removal, will be approved in relation to the management of this tree.	
Development Impact	Low
There is no new encroachment identified, the proposed encroachment is greater than 10% of the Tree Protection Zone area, however is within existing structures and/or sealed surfaces. Therefore, root activity in this area is expected to be minimised.	
Action	Protect Root Zone
Protect the root zone and crown in accordance with the recommendations and principles of AS4970-2009 Protection of trees on development sites to ensure it is adequately protected.	

Corymbia maculata

Spotted Gum

Inspected:	17 February 2023
Height:	>20 metres
Spread:	15-20 metres
Health:	Good
Structure:	Good
Form:	Fair
Trunk Circumference:	>2 metres
Useful Life Expectancy:	>20 years
Tree Protection Zone:	9.24 metres
Structural Root Zone:	3.28 metres



Observations

This tree has displays a history of branch failure over its life time however this has not noticeably impacted the tree's structure and it displays good health indicating it is in otherwise good condition. The central stem has dog legged altering this trees overall form.

Legislative Status	Regulated
This tree has a trunk circumference greater than two metres but less than three metres and is not subject to any exemption from regulation and therefore it is identified as a Regulated Tree as defined in the PDI Act 2016.	
Retention Rating	Moderate
This tree has a Moderate Retention Rating and could be considered for retention if it can be protected. It is likely that tree damaging activity, including removal, could be approved if it is shown that alternative design solutions are not available.	
Development Impact	Low
The identified new encroachment is less than 10% of the TPZ area and not expected to impact tree viability.	
Action	Protect Root Zone
Protect the root zone and crown in accordance with the recommendations and principles of AS4970-2009 Protection of trees on development sites to ensure it is adequately protected.	

Corymbia maculata

Spotted Gum

Inspected:	17 February 2023
Height:	>20 metres
Spread:	15-20 metres
Health:	Good
Structure:	Good
Form:	Good
Trunk Circumference:	>2 metres
Useful Life Expectancy:	>20 years
Tree Protection Zone:	9.72 metres
Structural Root Zone:	3.38 metres



Observations

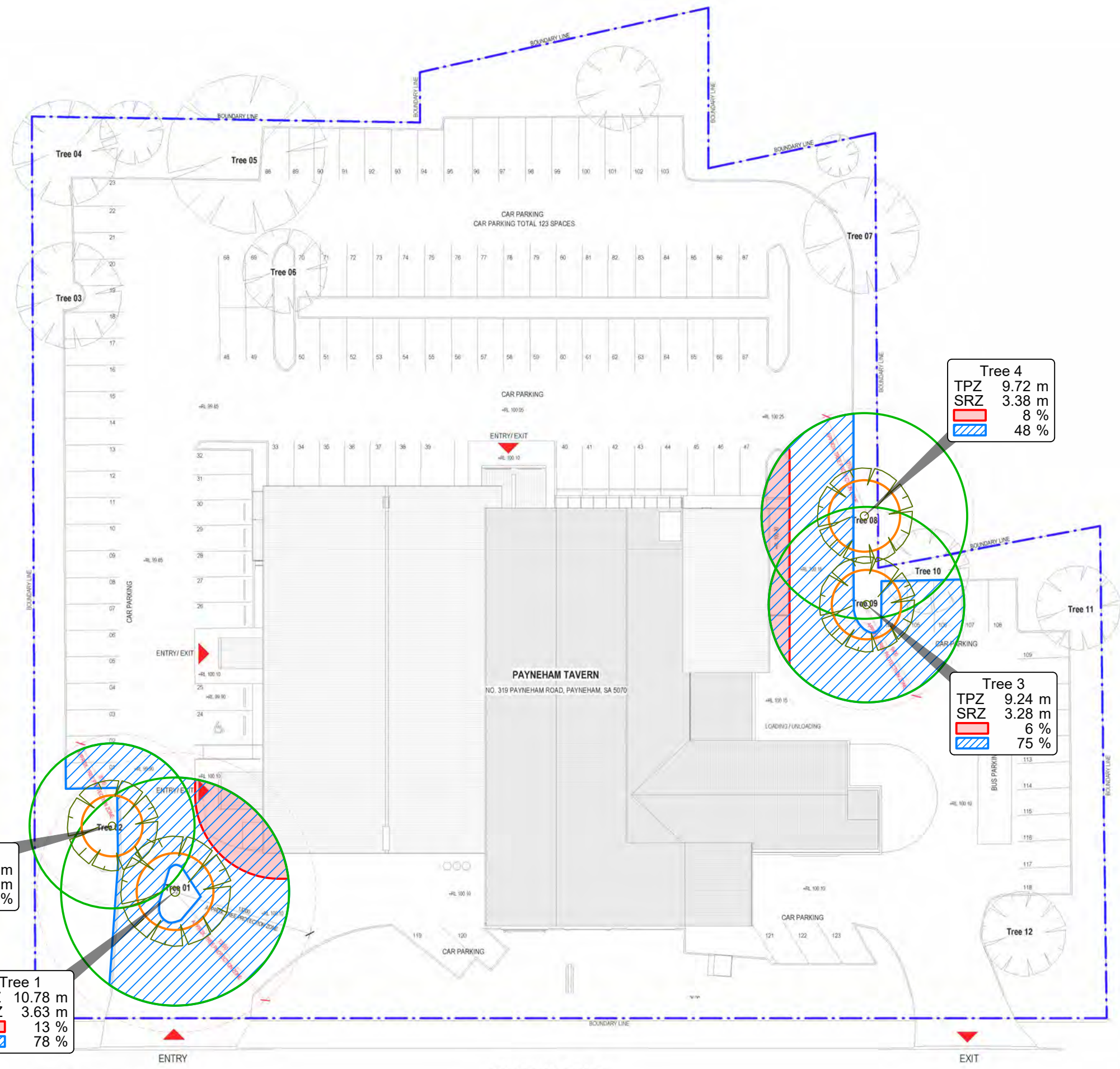
The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. There is lifting of the kerb and bitumen within the SRZ of this tree.

Legislative Status	Regulated
This tree has a trunk circumference greater than two metres but less than three metres and is not subject to any exemption from regulation and therefore it is identified as a Regulated Tree as defined in the PDI Act 2016.	
Retention Rating	High
This tree has a High Retention Rating and all reasonable design considerations should be employed to retain it wherever possible. It is unlikely that tree damaging activity, including removal, will be approved in relation to the management of this tree.	
Development Impact	Low
The identified new encroachment is less than 10% of the TPZ area and not expected to impact tree viability.	
Action	Protect Root Zone
Protect the root zone and crown in accordance with the recommendations and principles of AS4970-2009 Protection of trees on development sites to ensure it is adequately protected.	



Appendix C - Mapping

Rev	Description	By	Date
1	PRELIMINARY DA ISSUE	QT	25.02.2022
2	FOR APPROVAL	JC	03.06.2022
3	FOR APPROVAL	DD	09.11.2022
4	FOR APPROVAL	DD	24.11.2022



Tree 2
 TPZ 7.80 m
 SRZ 2.88 m
 55 %

Tree 1
 TPZ 10.78 m
 SRZ 3.63 m
 13 %
 78 %

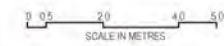
Tree 4
 TPZ 9.72 m
 SRZ 3.38 m
 8 %
 48 %

Tree 3
 TPZ 9.24 m
 SRZ 3.28 m
 6 %
 75 %

ATS7137-319PayRdDIR Legend

- TPZ (Green line)
- SRZ (Orange line)
- Encroachments
 - Proposed (Red hatched box)
 - Existing (Blue hatched box)

1 EXISTING SITE PLAN
 A104 1:200



PRELIMINARY
 NOT FOR CONSTRUCTION

Australian Venue Co.

Red.

Project Name: PAYNEHAM TAVERN SA
 Site Address: 319 PAYNEHAM ROAD, PAYNEHAM, SA 5070
 Drawing Title: EXISTING SITE PLAN

Project Number: AVC0011	Drawn: QT
Date: 08/10/11	Checked: ACJ/DD
Scale: 1:200 @ A1	Approver:
Drawing Number: TP02	Revision: 4

Attachment 1

EXISTING FLOOR AREA SCHEDULE

NAME	AREA
AL 1	5 m ²
AL 2	1 m ²
AL 3	1 m ²
AIRLOCK 1	8 m ²
AIRLOCK 2	9 m ²
AIRLOCK 3	12 m ²
AIRLOCK 4	9 m ²
AV/ COMMS	3 m ²
BISTRO	30 m ²
BOTTLE SHOP	15 m ²
COLDROOM 1	39 m ²
COLDROOM 2	39 m ²
DOSA 1	15 m ²
DOSA 2	18 m ²
DOSA 3	12 m ²
DRIVE THROUGH	127 m ²
FEMALE	11 m ²
FREEZER	4 m ²
GAMING ROOM	238 m ²
KEG ROOM	13 m ²
KITCHEN	49 m ²
LOBBY	12 m ²
MALE	14 m ²
OFFICE	23 m ²
PWD ROOM	4 m ²
SPORTS BAR	230 m ²
STAFF ROOM	41 m ²
STO.	3 m ²
STORE 1	6 m ²
STORE 2	6 m ²
STORE 3	52 m ²
STORE 4	13 m ²
STORE 5	30 m ²
STORE 6	12 m ²
TAB	15 m ²
UTILITY AREA	69 m ²
WC 1	3 m ²
WC 2	4 m ²
YARD	121 m ²
Grand total	1620 m ²

Tree 4
 TPZ 9.72 m
 SRZ 3.38 m
 8 %
 48 %

Tree 3
 TPZ 9.24 m
 SRZ 3.28 m
 6 %
 75 %

Tree 2
 TPZ 7.80 m
 SRZ 2.88 m
 55 %

Tree 1
 TPZ 10.78 m
 SRZ 3.63 m
 13 %
 78 %

ATS7137-319PayRdDIR Legend

- TPZ
- SRZ

Encroachments

- Proposed
- Existing



Rev	Description	By	Date
1	PRELIMINARY DA ISSUE	QT	25.02.2022
2	FOR APPROVAL	JC	03.06.2022
3	FOR APPROVAL	DD	09.11.2022
4	FOR APPROVAL	DD	24.11.2022

Australian Venue Co.

Red.

Project Name: PAYNEHAM TAVERN SA
 Site Address: 319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

EXIST. CONDITIONS & DEMOLITION PLAN

Project number: AVC0011
 Date: 08/10/11
 Scale: 1:100 @ A1

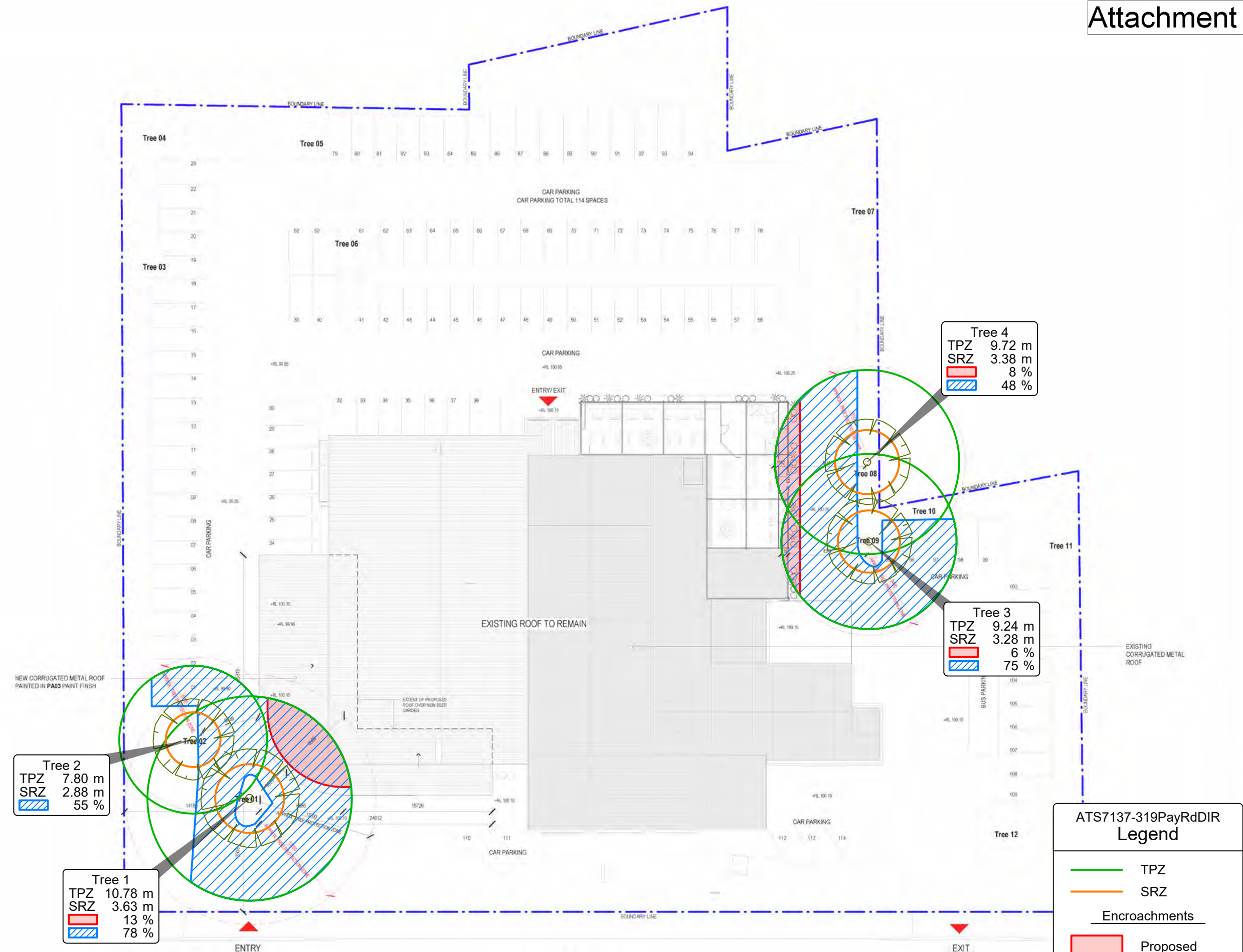
Drawing Number: TP03

64 of 194

PRELIMINARY NOT FOR CONSTRUCTION

TP03

Rev	Description	By	Date
1	PRELIMINARY DA ISSUE	QT	25.02.2022
2	FOR APPROVAL	JC	03.06.2022
3	FOR APPROVAL	DD	09.11.2022
4	FOR APPROVAL	DD	24.11.2022



Tree 2
 TPZ 7.80 m
 SRZ 2.88 m
 55 %

Tree 1
 TPZ 10.78 m
 SRZ 3.63 m
 13 %
 78 %

Tree 4
 TPZ 9.72 m
 SRZ 3.38 m
 8 %
 48 %

Tree 3
 TPZ 9.24 m
 SRZ 3.28 m
 6 %
 75 %

ATS7137-319PayRdDIR Legend

- TPZ (Green line)
- SRZ (Orange line)

Encroachments

- Proposed (Red hatched)
- Existing (Blue hatched)

1 PROPOSED SITE PLAN
 A104 1:200

PAYNEHAM ROAD

Australian Venue Co.

Red.

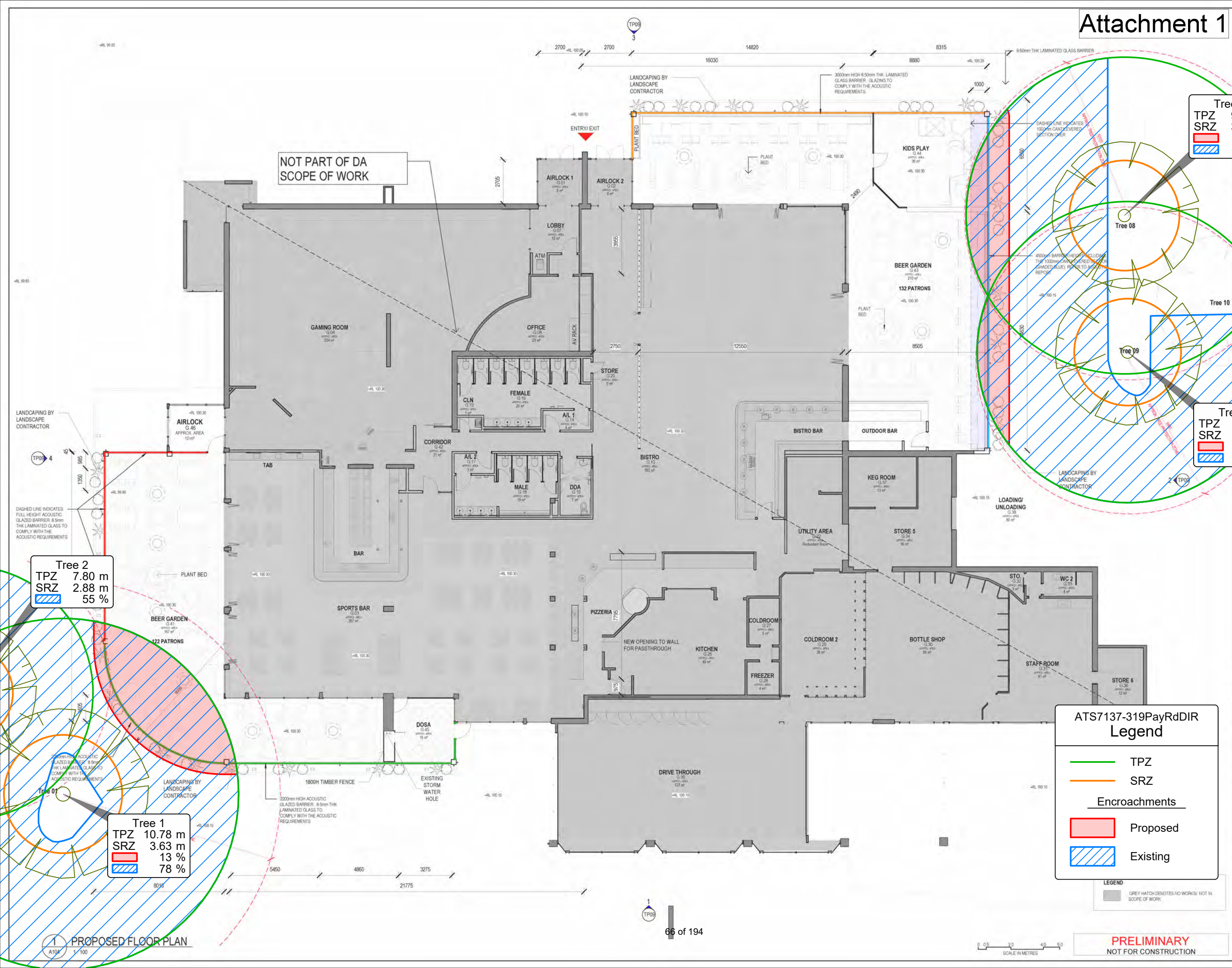
Project Name: PAYNEHAM TAVERN SA
 Site Address: 319 PAYNEHAM ROAD, PAYNEHAM, SA 5070
 Drawing Title: PROPOSED SITE PLAN

Project number: AVC0011	Drawn: QT
Date: 12/27/21	Checked: ACJ/DD
Scale: 1:200 @ A1	Created: Approver
Drawing Number: TP05	Revision: 4

PRELIMINARY
 NOT FOR CONSTRUCTION

Attachment 1

Rev	Description	By	Date
1	PRELIMINARY DA ISSUE	QT	25.02.2022
2	FOR APPROVAL	JC	03.06.2022
3	FOR APPROVAL	JC	09.11.2022
4	FOR APPROVAL	DD	24.11.2022



NOT PART OF DA SCOPE OF WORK

Tree 4
 TPZ 9.72 m
 SRZ 3.38 m
 8 %
 48 %

Tree 3
 TPZ 9.24 m
 SRZ 3.28 m
 6 %
 75 %

Tree 2
 TPZ 7.80 m
 SRZ 2.88 m
 55 %

Tree 1
 TPZ 10.78 m
 SRZ 3.63 m
 13 %
 78 %

ATS7137-319PayRdDIR Legend

- TPZ
- SRZ

Encroachments

- Proposed
- Existing

LEGEND

- GREY HATCH DENOTES NO WORKS/ NOT IN SCOPE OF WORK

Australian Venue Co.

Red.

Project Name: PAYNEHAM TAVERN SA
 Site Address: 319 PAYNEHAM ROAD, PAYNEHAM, SA 5070

PROPOSED FLOOR PLAN

Project number: AVCO011
 Date: 08/10/11
 Scale: 1:100 @ A1

QT
 ACJ/DD
 Approver
 Revision

TP06 4



Appendix D - Tree Assessment Summary

Tree Assessment Summary

Tree No.	Botanic Name	Legislative Status	Retention Rating	Development Impact	TPZ Radius	Observations	Action
1	<i>Eucalyptus sideroxylon</i>	Significant	High	Low	10.78 metres	This tree is in good health however has fair overall condition due to the presence of stable included bark in the primary trunk division. There is deadwood within the crown but not at a level that would indicate reduced health and it typical of the specie There is fill around the base of the main trunk, this tree has been routinely pruned, and the crown of this tree has been raised.	Protect Root Zone
2	<i>Eucalyptus sideroxylon</i>	Regulated	High	Low	7.80 metres	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. There is evidence of early stage included bark however this is not significant or impacting the structural rating for this tree. The adjacent kerb is within the SRZ of this tree.	Protect Root Zone
3	<i>Corymbia maculata</i>	Regulated	Moderate	Low	9.24 metres	This tree has displays a history of branch failure over its life time however this has not noticeably impacted the tree's structure and it displays good health indicating it is in otherwise good condition. The central stem has dog legged altering this trees overall form.	Protect Root Zone
4	<i>Corymbia maculata</i>	Regulated	High	Low	9.72 metres	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment. There is lifting of the kerb and bitumen within the SRZ of this tree.	Protect Root Zone

Appendix E - Tree Protection Zone Guidelines

Tree Protection Zone General Specifications and Guidelines

The Tree Protection Zone(s) is identified on the site plan. The TPZ is an area where construction activities are regulated for the purposes of protecting tree viability. The TPZ should be established so that it clearly identifies and precludes development/construction activities including personnel.

If development activities are required within the TPZ then these activities must be reviewed and approved by the Project Arborist. Prior to approval, the Project Arborist must be certain that the tree(s) will remain viable as a result of this activity.

Work Activities Excluded from the Tree Protection Zone:

- a) Machine excavation including trenching;
- b) Excavation for silt fencing;
- c) Cultivation;
- d) Storage;
- e) Preparation of chemicals, including preparation of cement products;
- f) Parking of vehicles and plant;
- g) Refuelling;
- h) Dumping of waste;
- i) Wash down and cleaning of equipment;
- j) Placement of fill;
- k) Lighting of fires;
- l) Soil level changes;
- m) Temporary or permanent installation of utilities and signs, and
- n) Physical damage to the tree.

Protective Fencing

Protective fencing must be installed around the identified Tree Protection Zone (See Figure1). The fencing should be chain wire panels and compliant with AS4687 - 2007 *Temporary fencing and hoardings*. Shade cloth or similar material should be attached around the fence to reduce dust, other particulates and liquids entering the protected area.

Temporary fencing on 28kg bases are recommended for use as this eliminates any excavation requirements to install fencing. Excavation increase the likelihood of root damage therefore should be avoided where possible throughout the project.

Existing perimeter fencing and other structures may be utilised as part of the protective fencing.

Any permanent fencing should be post and rail with the set out determined in consultation with the Project Arborist.

Where the erection of the fence is not practical the Project Arborist is to approve alternative measures.

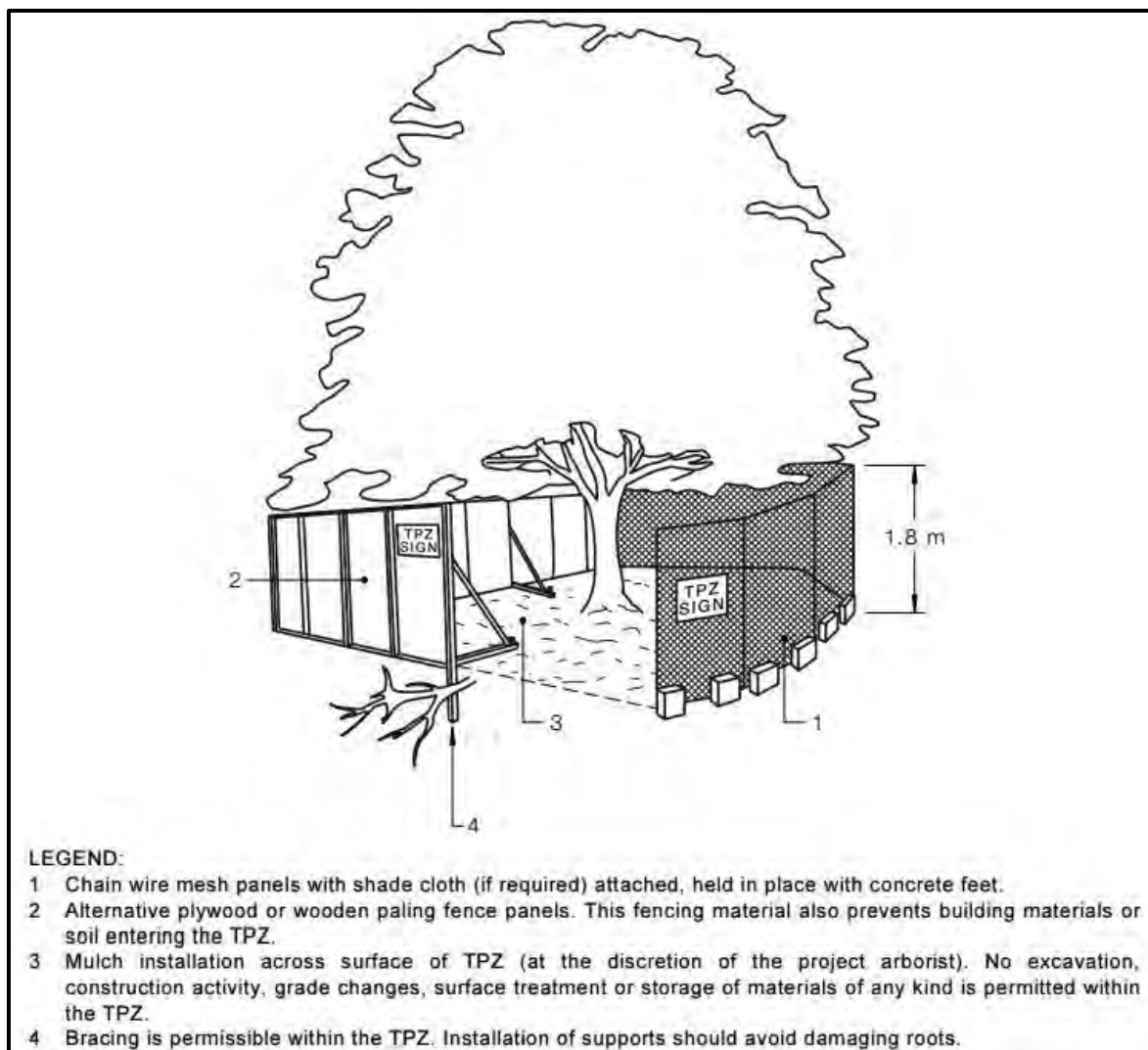


Figure 1 Showing example of protection fencing measures suitable.

Other Protection Measures

General

When a TPZ exclusion area cannot be established due to practical reasons or the area needs to be entered to undertake construction activities then additional tree protection measures may need to be adopted. Protection measures should be compliant with AS4970-2009 and approved by the Project Arborist

Installation of Scaffolding within Tree Protection Area.

Where scaffolding is required within the TPZ branch removal should be minimised. Any branch removal required should be approved by the Project Arborist and performed by a certified Arborist and performed in accordance with AS4373-2007. Approval to prune branches must be documented and maintained.

Ground below scaffold should be protected by boarding (e.g. scaffold board or plywood sheeting) as shown in Figure below. The boarding should be left in place until scaffolding is removed.

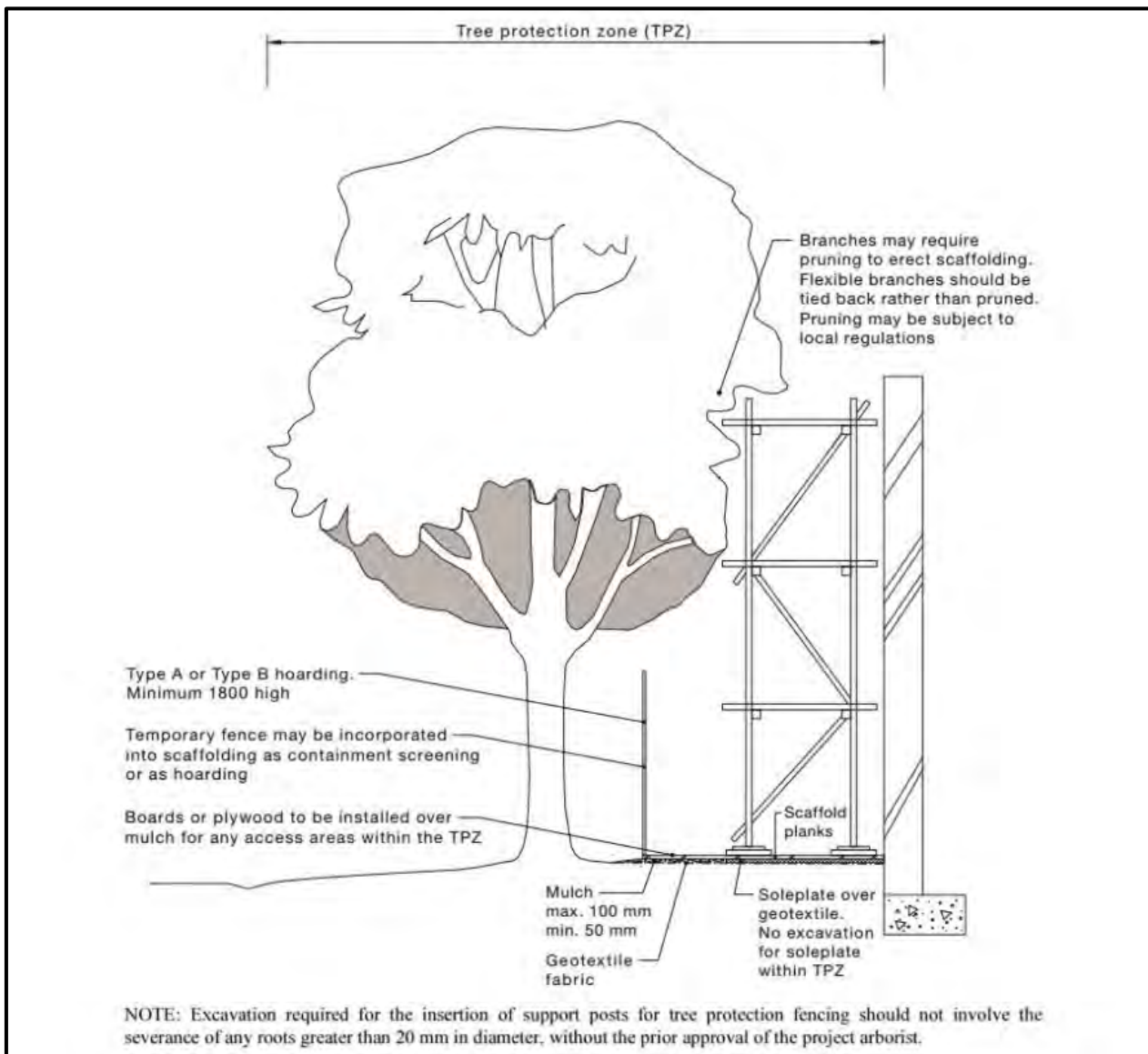


Figure 2 – Showing scaffolding constructed within TPZ.

Ground Protection

Where access is required within the TPZ ground protection measures are required. Ground protection is to be designed to prevent both damage to the roots and soil compaction.

Ground protection methods include the placement of a permeable membrane beneath a layer of non-compactable material such as mulch or a no fines gravel which is in turn covered with rumble boards or steel plates.

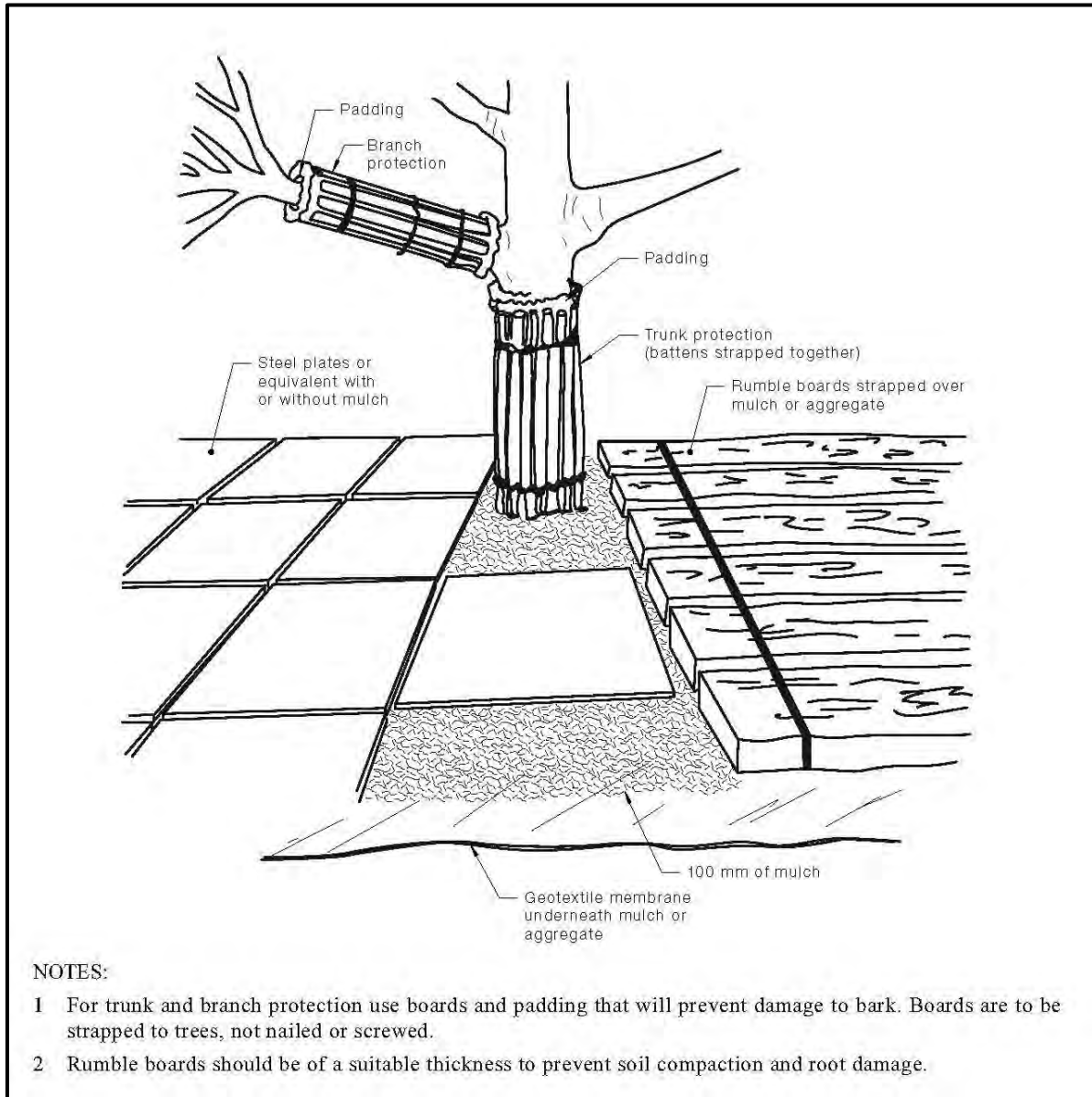


Figure 3 – Ground protection methods.

Document Source:

Diagrams in this document are sourced from AS4970-2009 Protection of trees on development sites. Further information and guidelines are available in within that document.

Paving Construction within a Tree Protection Zone

Paving within any Tree Protection Zone (TPZ) must be carried out above natural ground level unless it can be shown with non-destructive excavation (AirSpade® or similar) that no or insignificant root growth occupies the proposed construction area.

Due to the adverse effect filling over a Tree Protection Zone (TPZ) can have on tree health; alternative mediums other than soil must be used. Available alternative mediums include structural soils or the use of a cellular confinement system such as *Ecocell*®.

Ecocell®

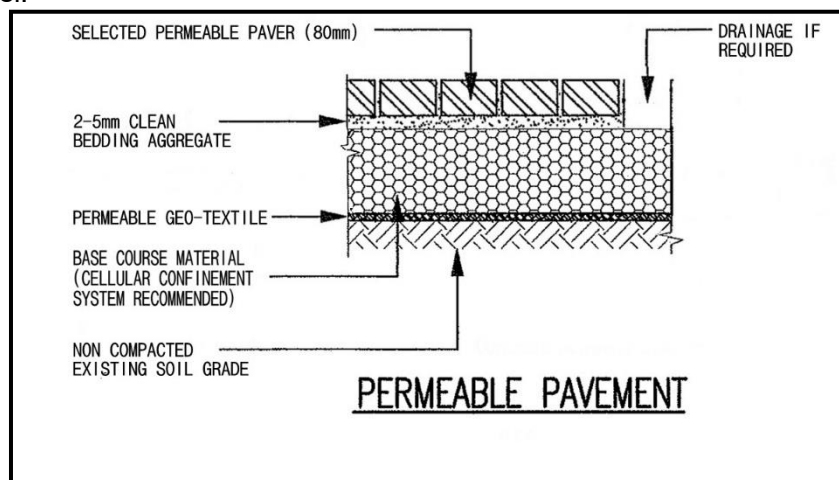
Ecocell® systems are a cellular confinement system that can be filled with large particle sized gravels as a sub-base for paving systems to reduce compaction to the existing grade.

Site preparation

- Clearly outline to all contracting staff entering the site the purpose of the TPZ's and the contractors' responsibilities. No fence is to be moved and no person or machinery is to access the TPZ's without consent from the City of Unley and/or the Project Arborist.
- Fence off the unaffected area of the TPZ with a temporary fence leaving a 1.5 metre gap between the work area and the fence; this will prevent machinery access to the remaining root zone.

Installation of Ecocell® and EcoTrihex Paving®

- Install a non-woven geotextile fabric for drainage and separation from sub base with a minimum of 600mm overlap on all fabric seams as required.
- Add Ecocell®, fill compartments with gravel and compact to desired compaction rate.
- If excessive groundwater is expected incorporate an appropriate drainage system within the bedding sand level.
- Add paving sand to required depth and compact to paving manufacturer's specifications.
- Lay EcoTrihex Paving® as per manufactures specifications and fill gaps between pavers with no fines gravel.
- Remove all debris, vegetation cover and unacceptable in-situ soils. No excavation or soil level change of the sub base is allowable for the installation of the paving.
- Where the finished soil level is uneven, gullies shall be filled with 20 millimetre coarse gravel to achieve the desired level.



This construction method if implemented correctly can significantly reduce and potentially eliminated the risk of tree decline and/or structural failure and effectively increase the size of the Tree Protection Zone to include the area of the paving.

Certificates of Control

Stage in development	Tree management process	
	Matters for consideration	Actions and certification
Development submission	Identify trees for retention through comprehensive arboricultural impact assessment of proposed construction. Determine tree protection measures Landscape design	Provide arboricultural impact assessment including tree protection plan (drawing) and specification
Development approval	Development controls Conditions of consent	Review consent conditions relating to trees
Pre-construction (Sections 4 and 5)		
Initial site preparation	State based OHS requirements for tree work Approved retention/removal Refer to AS 4373 for the requirements on the pruning of amenity trees Specifications for tree protection measures	Compliance with conditions of consent Tree removal/tree retention/transplanting Tree pruning Certification of tree removal and pruning Establish/delineate TPZ Install protective measures Certification of tree protection measures
Construction (Sections 4 and 5)		
Site establishment	Temporary infrastructure Demolition, bulk earthworks, hydrology	Locate temporary infrastructure to minimize impact on retained trees Maintain protective measures Certification of tree protection measures
Construction work	Liaison with site manager, compliance Deviation from approved plan	Maintain or amend protective measures Supervision and monitoring
Implement hard and soft landscape works	Installation of irrigation services Control of compaction work Installation of pavement and retaining walls	Remove selected protective measures as necessary Remedial tree works Supervision and monitoring
Practical completion	Tree vigour and structure	Remove all remaining tree protection measures Certification of tree protection
Post construction (Section 5)		
Defects liability/ maintenance period	Tree vigour and structure	Maintenance and monitoring Final remedial tree works Final certification of tree condition

Document Source:

This table has been sourced from AS4970-2009 Protection of trees on development sites. Further information and guidelines are available in within that document.

Tree Protection Zone



NO ACCESS

Contact: Arborman Tree Solutions

Ph. 8240 5555

m: 0418 812 967

e: arborman@arborman.com.au



Payneham Tavern Upgrade

Environmental Noise Assessment

S6318C8

November 2022

sonus.

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Payneham Tavern Upgrade
 Environmental Noise Assessment
 S6318C8
 November 2022

sonus.

Document Title : Payneham Tavern Upgrade
 Environmental Noise Assessment

Document Reference : S6318C8

Date : November 2022

Author : Byron Holmes, MAAS

Reviewer / Contact : Chris Turnbull, MAAS

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INTRODUCTION

An environmental noise assessment has been made of the proposed Payneham Tavern redevelopment at 319 Payneham Road, Payneham.

An assessment of noise associated with proposed alterations to the venue was conducted previously, and was summarised in previous Sonus report S6318C3 (dated February 2020). The previous assessment considered noise associated with an outdoor beer garden at the rear of the existing building and internal fitout of indoor bar areas.

Subsequent to the previous assessment, additional changes to the redevelopment are now proposed, comprising establishment of a new beer garden area at the front of the existing building, and a repurposing and extension of the previously proposed beer garden area at the rear of the building to comprise a dining terrace area and a “kid’s play” area.

This report details an update to the previous assessment which considers the revised layout and the additional areas now proposed as part of the redevelopment. The assessment also considers the *Planning and Design Code (the Code)* which now applies to development within the City of Norwood, Payneham & St Peters, having superseded the Norwood, Payneham & St Peters Development Plan as the relevant planning policy document in March 2021.

The external outdoor beer garden, outdoor dining and associated children’s play area represent new noise sources (in contrast to the existing hotel operations) and therefore this assessment recommends acoustic treatment for these aspects to *avoid an unreasonable interference on the amenity* of the nearest dwellings.

The closest noise sensitive receivers in the vicinity of the subject site are the single storey residences located immediately north, west and south-west of the subject site, as shown in Appendix A.

The assessment has been based on the following:

- Proposed floor plan for the redevelopment (drawing number “TP06” for project “AVC011”, prepared by Red., Revision 2 (Preliminary DA Issue) dated 8/10/22);
- Inspections of the subject site and surrounding residential area conducted on 9 January 2020 and 22 July 2022;
- Continuous noise measurements of the background noise level in the vicinity of the hotel from 9 to 14 January 2020 and from 22 to 29 July 2022;

- Attended measurements of the existing ambient noise levels in the vicinity of the hotel on 14 October 2022;
- A background level of music (being a level which would not require voices to be raised for normal conversation) being played in the external patron areas and the adjoining internal refurbished areas;
- A closing time of 10:00pm for the outdoor dining area at the rear of the premises; and,
- A patron capacity of:
 - 160 patrons within the new beer garden area at the front of the premises; and,
 - 151 patrons within the new outdoor dining terrace area at the rear of the premises.

PLANNING AND DESIGN CODE

In accordance with the Code, the subject site is located partially within the *Suburban Business Zone*, and partially within the *General Neighbourhood Zone*. The nearest noise sensitive receivers (comprising single storey residences adjoining the site to the north, west and south) are also located within the *General Neighbourhood Zone* (south) and *Established Neighbourhood Zone* (north and west).

An overview of the subject site and surrounding locality showing the location of residences and applicable zoning is provided in Appendix A.

The Code has been reviewed and particular regard has been given to the following provisions:

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
General Land Use Compatibility	
PO 1.2 Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.	DTS/DPF 1.2 None are applicable

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature									
Hours of Operation										
<p>PO 2.1 Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ol style="list-style-type: none"> 1. the nature of the development 2. measures to mitigate off-site impacts 3. the extent to which the development is desired in the zone 4. measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land. 	<p>DTS/DPF 2.1 Development operating within the following hours:</p> <table border="1" data-bbox="810 526 1402 1003"> <thead> <tr> <th data-bbox="810 526 1157 564">Class of Development</th> <th data-bbox="1157 526 1402 564">Hours of operation</th> </tr> </thead> <tbody> <tr> <td data-bbox="810 564 1157 667">Consulting room</td> <td data-bbox="1157 564 1402 667">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td data-bbox="810 667 1157 770">Office</td> <td data-bbox="1157 667 1402 770">7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td data-bbox="810 770 1157 1003">Shop, other than any one or combination of the following: <ol style="list-style-type: none"> 1. restaurant 2. cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone </td> <td data-bbox="1157 770 1402 1003">7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>		Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or combination of the following: <ol style="list-style-type: none"> 1. restaurant 2. cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone 	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
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Shop, other than any one or combination of the following: <ol style="list-style-type: none"> 1. restaurant 2. cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone 	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday									
Activities Generating Noise or Vibration										
<p>PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.1 Noise that might affect sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.</p>									
<p>PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:</p> <ol style="list-style-type: none"> (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (c) housing plant and equipment within an enclosed structure or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone. 	<p>None are applicable.</p>									

CRITERIA

DTS/DPF 4.1 of the Interface between Land Uses module of the Code references the *Environment Protection (Noise) Policy 2007 (the Policy)*.

The Policy is based on the World Health Organisation *Guidelines for Community Noise* (1999) which provide guidance on suitable noise levels to prevent community annoyance, sleep disturbance and other adverse impacts on the amenity of a locality. Although the Policy excludes licensed premises (for administrative reasons), it provides an objective means to assess the noise impact of patrons on the amenity of an area. Therefore, compliance with the Policy will also satisfy the subjective requirements of the Code relating to environmental noise.

The Policy establishes goal noise levels based on the Planning and Design Code zones in which the noise source (the redevelopment) and nearby noise sensitive receivers (existing residences) are located, based on the land uses *principally promoted* by the Code for each zone. The goal noise levels that apply under the Policy to establishment of a new noise source at an existing premises are 5dB(A) more onerous than those that would apply to existing noise sources at the premises.

In this instance, the following goal noise levels are provided by the Policy for assessment of the new outdoor dining and beer garden areas at nearby noise sensitive receivers (residences) within both the *General Neighbourhood* and *Established Neighbourhood* zones:

- an average (L_{eq}) noise level of 49 dB(A) during the day (7:00am to 10:00pm);
- an average (L_{eq}) noise level of 42 dB(A) at night (10:00pm to 7:00am); and,
- an instantaneous maximum (L_{max}) noise level of 60 dB(A) at night (10:00pm to 7:00am).

The Policy allows these goal levels to be relaxed in circumstances where existing background noise levels are already higher than these levels.

Existing ambient noise levels in the locality have been logged at two locations representative of nearby noise sensitive receivers; at the rear of the site from 9 to 14 January 2020, and at the front of the site from 22 to 29 July 2022. The results of the unattended noise monitoring are provided in Appendices B and C. The additional logging was conducted to provide an understanding of existing noise levels at residences closer to the additional beer garden now proposed for the front of the premises. Attended measurements were also conducted at various distances from Payneham Road to provide an understanding of how existing noise levels vary with increasing distance from the road.

The results of the noise monitoring and attended measurements indicate that the existing background noise level at Receiver F (as shown in Appendix A) is unlikely to fall below 46 dB(A) during the operating hours. A criterion of 46 dB(A) is therefore proposed at this residence during the night period of the Policy.

When measuring or predicting noise levels for comparison with the Policy, penalties may be applied to the average goal noise levels for each characteristic of tone, impulse, low frequency and modulation of the noise source. To apply a penalty, the characteristic must be considered dominant in the existing ambient noise environment. The noise from patrons can sometimes attract a single penalty for modulating noise character, depending on the relative level compared with the existing noise environment. The application of a penalty is discussed in the Assessment section of this report within the context of the existing acoustic environment (dominated by Payneham Road).

ASSESSMENT

The noise levels at nearby residences from the proposed activity at the site have been predicted based on a range of previous noise measurements of patrons within other similar licensed venues. Based on the measurements, a sound power level of 75 dB(A) has been applied for each patron within the new areas.

A three-dimensional noise model has been developed using the SoundPLAN noise modelling software. The model has been used to predict the noise level at nearby residences based on the sound power levels generated by each patron, the distance between the patrons and the residences, shielding and reflections provided by structures and barriers, the effect of barriers and meteorological conditions which are most conducive to noise propagation towards the residences.

The noise modelling has been based on;

- The outdoor areas operating at full capacity, being 160 patrons within the beer garden at the front of the premises, and 151 patrons within the outdoor dining terrace at the rear of the premises;
- The outdoor dining area (and associated children's play area) at the rear of the premises closing at 10:00pm;

Based on the above, the following acoustic treatments are recommended in order to achieve the goal noise levels provided by the Policy;

- Ensure that two thirds of the south-west facing bi-fold doors and half the south-east facing bi-fold doors into the southern beer garden (indicated in Figure 1 below) remain closed after 10:00pm.
- Construct barriers surrounding the southern outdoor beer garden and northern dining terrace areas as indicated in Figure 1 and 2 below.
- The barrier to the north-east side of the northern dining terrace area should incorporate a section which cantilevers over the dining terrace area by at least 1 metre as shaded **BLUE** in Figure 2 below.
- The barriers (including the cantilevered section) may be constructed from a combination of minimum 6.38mm laminated glass and solid materials such as brick, concrete or fibre cement sheeting, provided the screen achieves an overall surface density of at least 14kg/m².

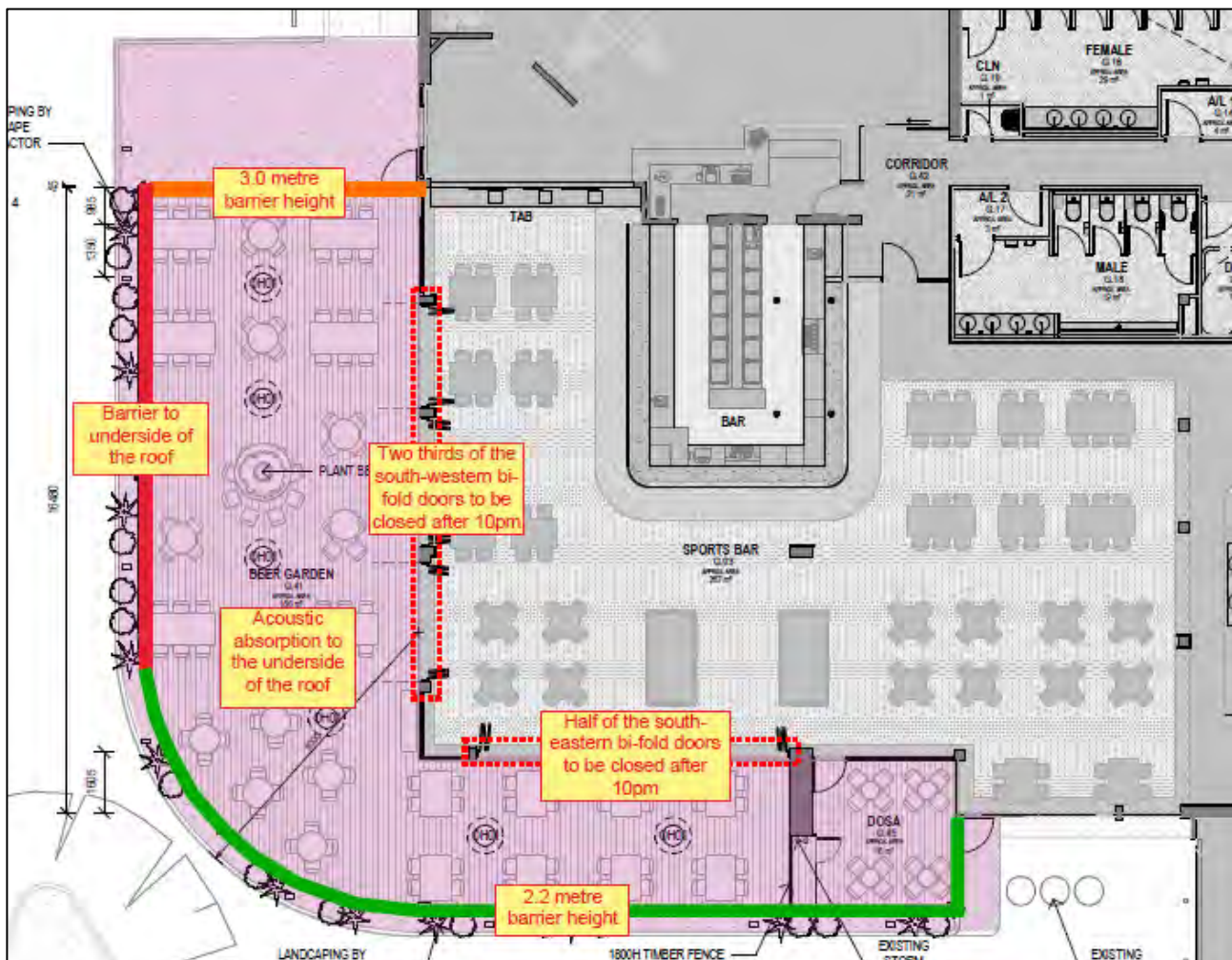


Figure 1: Southern beer garden treatments

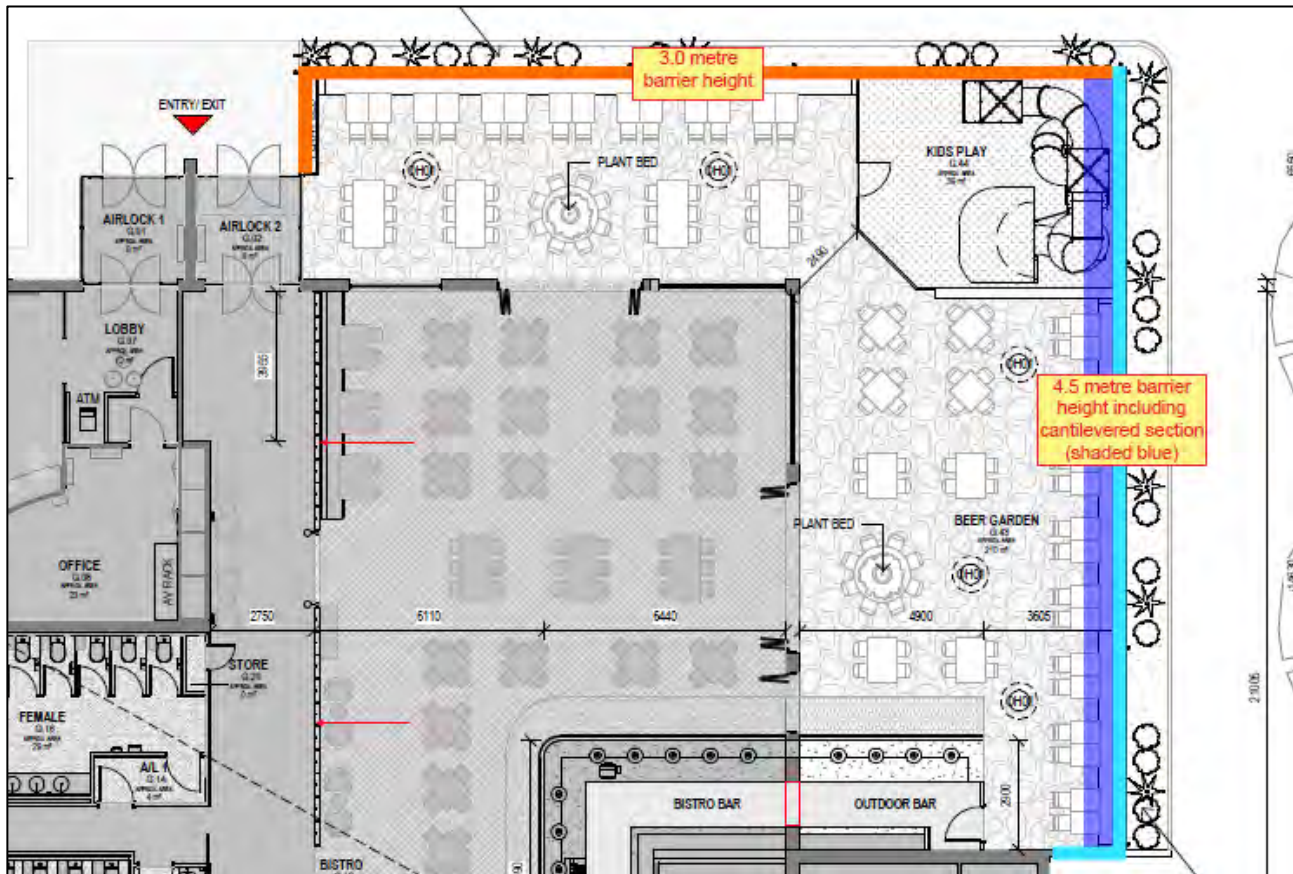
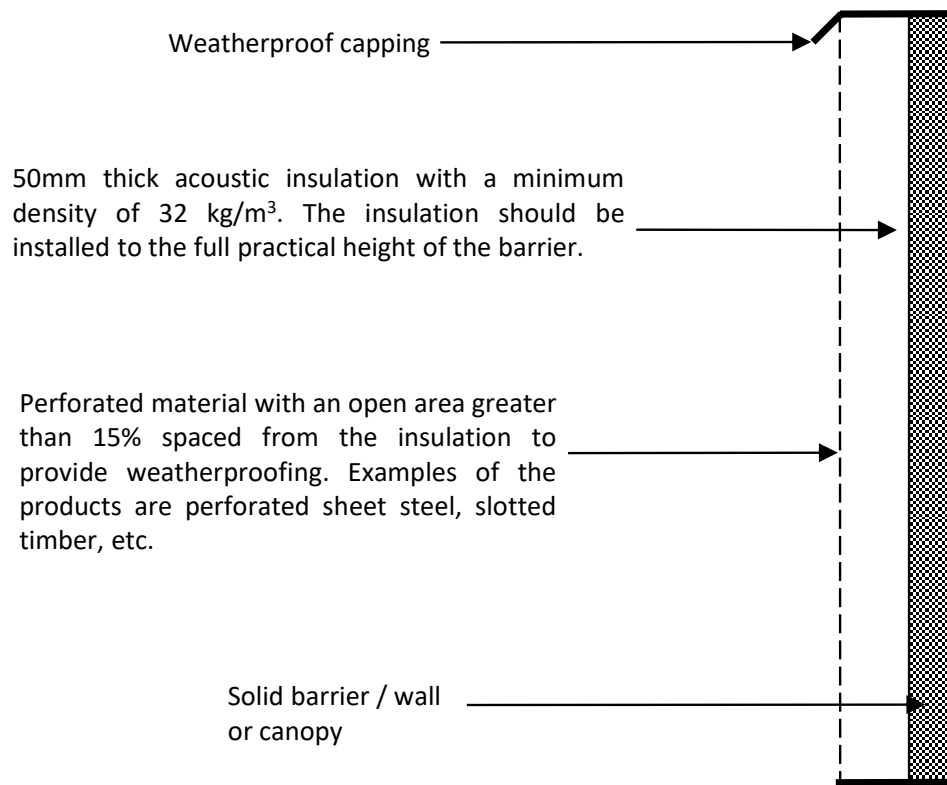


Figure 2: Northern dining terrace treatments

- Incorporate acoustic absorption with a *Noise Reduction Coefficient (NRC)* of at least 0.8 to the full extent of the underside of the roof canopy proposed over the front beer garden area, and all available non-glazed portions of walls and screens within the front beer garden and rear dining terrace areas. Examples of weather-proof acoustic absorption options which achieve the above NRC include the following:
 - Minimum 50mm thick *Pyrotek "Reapor"*;
 - Minimum 50mm thick *Stratocell "Whisper"*;
 - Minimum 50mm thick 32kg/m³ insulation protected by a perforated facing material (such as profiled sheet metal) with an open area of at least 15% (refer Detail 1 below).



Detail 1: Sample detail for weatherproof acoustic absorption with an NRC of at least 0.8

With the recommended acoustic treatments in place, and the new areas operating at full capacity, the following average (L_{Aeq}) noise levels are predicted at nearby residences. The location of each of the below residences is shown in Appendix A:

Table 1: Predicted noise levels

Receiver:	Description:	Predicted L_{eq} Noise Levels		Criteria	
		Day	Night	Day	Night
A	1 Battams Road	49 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
B	5 Battams Road	49 dB(A)	41 dB(A)	49 dB(A)	42 dB(A)
C	181 First Avenue	49 dB(A)	39 dB(A)	49 dB(A)	42 dB(A)
D	177 First Avenue	49 dB(A)	42 dB(A)	49 dB(A)	42 dB(A)
E	5/317 Payneham Road	40 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
F	1/317 Payneham Road	47 dB(A)	46 dB(A)	49 dB(A)	46 dB(A)

A comparison of the predicted noise levels and the noise monitoring indicates that the noise from patrons will be within the rise and fall of the existing ambient noise environment both for residences located near the front of the site and those located at the rear of the site. That is, during the proposed hours of operation of the beer garden and dining terrace, the existing noise levels in the environment have been measured to be higher than the noise levels predicted from patrons. A penalty under the Policy for noise character is therefore not warranted.

Based on the above, the average noise level is predicted to be no greater than the criteria determined in accordance with the Policy at any nearby residence.

In addition to the above, the maximum (L_{Amax}) noise level from patrons has been predicted. The highest maximum noise level from patrons is predicted to be less than 50 dB(A), achieving the criterion of 60 dB(A) with a significant margin.

Based on the above, when considering the existing ambient noise environment the requirements of the Policy will be achieved at all dwellings in the vicinity of the site.

CONCLUSION

An environmental noise assessment has been conducted for the proposed redevelopment of the Payneham Tavern at 319 Payneham Road, Payneham.

The proposal comprises refurbishment of internal bar and restaurant areas, establishment of a new beer garden area at the front of the existing building, and a repurposing and extension of the previously proposed beer garden area at the rear of the building to comprise a dining terrace area comprising a kid's play area.

The external outdoor beer garden, outdoor dining and associated children's play area represent new noise sources in comparison to the existing hotel operations. The assessment therefore compares the predicted noise level at surrounding dwellings from patrons within these areas against objective noise criteria derived from the Policy and the Code.

The predicted noise levels from the new areas will achieve the requirements of the *Environment Protection (Noise) Policy 2007*, when considering the influence of the existing ambient noise environment, subject to the recommended acoustic treatments in this report, which include;

- Providing specific and significant wall and canopy constructions, including material, height and extent;
- Incorporating acoustic absorption within the outdoor areas;
- Limiting patron numbers; and,
- Limiting the number of external doors that can be open after 10:00pm.

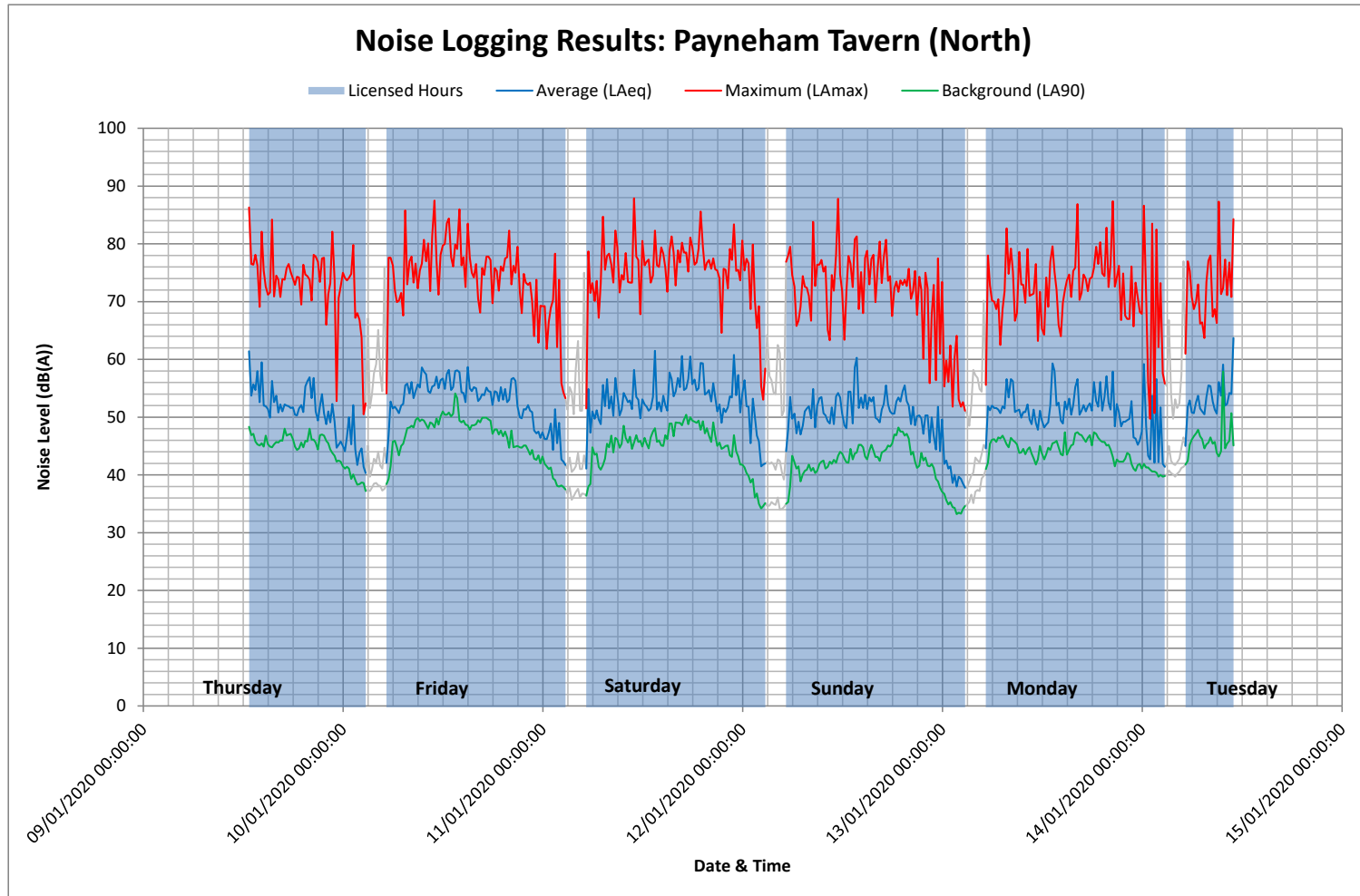
It is therefore considered that the facility has been designed *to not unreasonably impact the amenity of adjacent sensitive receivers*, thereby achieving the relevant provisions of the Planning and Design Code.

APPENDIX A: Subject Site and Surrounding Locality



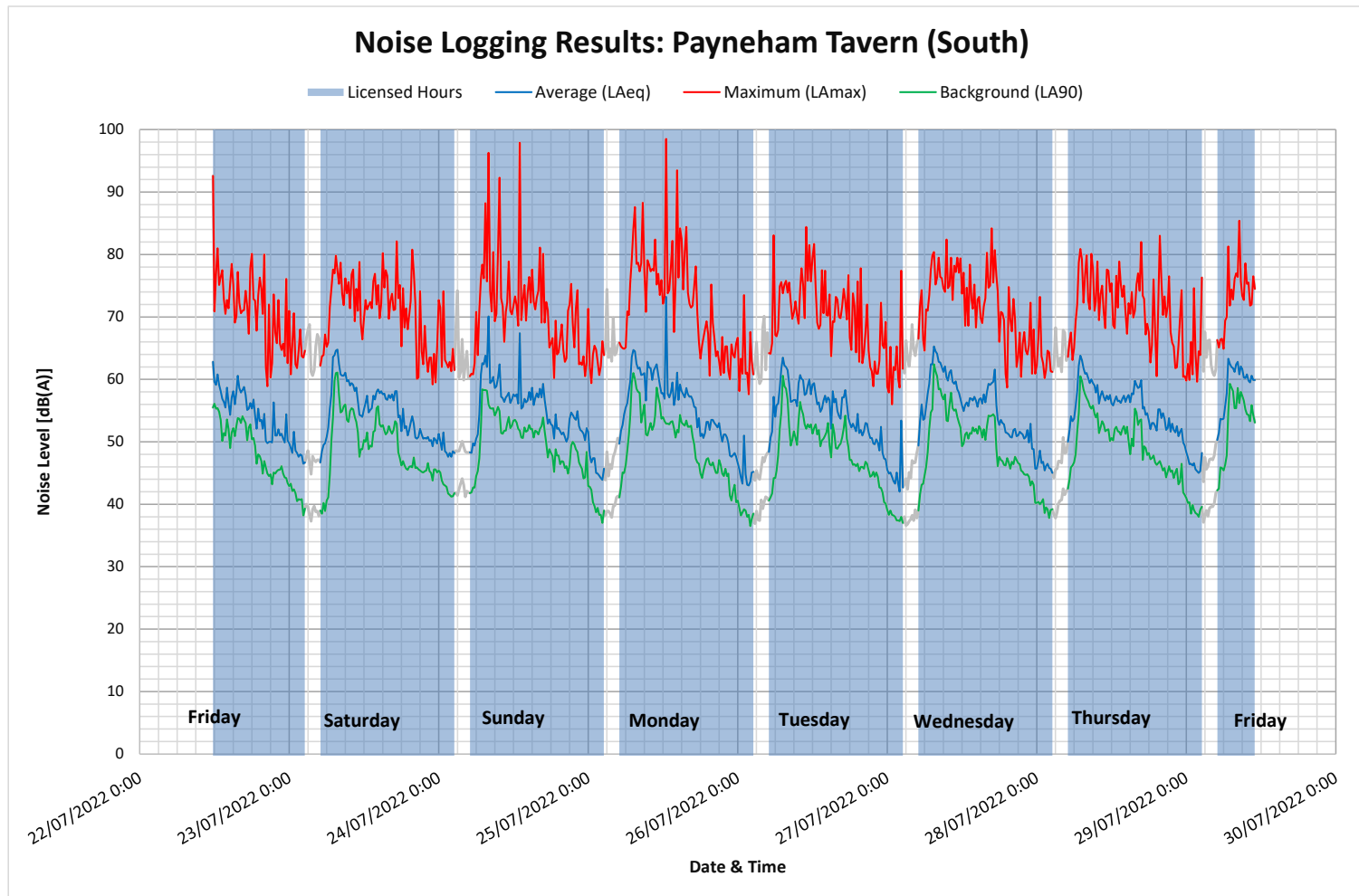


APPENDIX B: Noise Logging Results 2020 - North





APPENDIX C: Noise Logging Results 2022 - South





Ref: 22247|BNW

22 August 2022

Mr Scott Twine
URPS
Suite 12, 154 Fullarton Road
ROSE PARK SA 5067

Dear Scott,

PROPOSED ALTERATIONS, PAYNEHAM TAVERN 319 PAYNEHAM ROAD, PAYNEHAM

I refer to the proposed alterations at the Payneham Tavern at sa. As requested, I have undertaken a review of parking aspects of the proposal. This letter summarises the assessment undertaken.

EXISTING SITUATION

The subject site is located on the north-western side of Payneham Road. The Planning and Design Code identifies that the site is located within two zones, namely the Suburban Business Zone and the General Neighbourhood Zone.

The site is occupied by a tavern (hotel) with a total floor area of approximately 1,570 m². The tavern includes a drive-through bottle-shop facility.

The site is accessed by two access points on Payneham Road. These function as separate ingress (southern access) and egress (northern access) points. The site is serviced by a total of 123 parking spaces.

Bus stops are located on Payneham Road within close (walking) distance of the site. The stops are high frequency ('Go Zone') stops serviced by the 174, 176/176G, 178/178M/178S, 624, A012 and N178 services.

THE PROPOSAL

The proposed development comprises alterations to the existing tavern which will result in the addition of two beer garden areas totalling 379 m², a 39 m² children's play area and a 16 m² designated outdoor smoking area (which is ancillary to the existing sports bar).



It is understood that the alterations will result in the removal of ten parking spaces within the site.

PARKING ASSESSMENT

The Planning and Design Code identifies a 'Deemed-to-Satisfy' parking provision rate of one parking space for every 6 m² of total beer garden floor area available to the public. No rate is identified relevant to the children's play area. However, this area will be ancillary to the other uses and not generate additional parking demand (i.e. children utilising it will be associated with parents accommodated in the beer garden or other areas within the site).

On the basis of the above rate, the additional beer garden areas would require an additional 64 spaces (or 66 spaces if the designated smoking area is included in the assessment). With the loss of ten spaces within the site, the proposal therefore has a shortfall when assessed against the Deemed-to-Satisfy' rates.

While the proposal would not meet the Deemed-to-Satisfy criteria of the Code in respect to parking provision, it is noted that Performance Objective 5.1 of the General Development Policies (Transport, Access and Parking) states the following:

"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..." (our emphases)

Based on CIRQA's experience in the assessment of parking demands associated with hotels, it is considered that direct application of the Planning and Design Code rate overestimates realistic demands associated with the proposal. Therefore, further detailed assessment has been prepared in respect to the proposal's parking arrangements.

In comparison to the Planning and Design Code, the Aurecon *"Parking Spaces for Urban Places – Technical Report"* provided a recommended range of 3.5 spaces to 11 spaces per 100 m² of total floor area. However, the "Technical Report" also specified that *"...Further data collection is required"*. In CIRQA's experience, the upper end of the range identified by Aurecon would also overestimate parking demands associated with the subject site.

CIRQA has undertaken a number of recent parking assessments for hotels including surveys at the subject site itself as well as Republic Hotel, Brighton Metro Hotel and the Hope Inn Hotel. The peak parking demands surveyed at these hotels were as follows (based on total floor area including ancillary/back-of-house areas):

- Brighton Metro Hotel – approximately 2.0 spaces per 100 m² total floor area;
- Payneham Tavern – approximately 3.7 spaces per 100 m² total floor area;
- Hope Inn Hotel - approximately 4.7 spaces per 100 m² total floor area; and



- Republic Hotel - approximately 5.4 spaces per 100 m² total floor area.

In comparison, following completion of the proposed alterations, the Payneham Tavern would comprise approximately 2,004 m² of total floor area with 113 parking spaces. This equates to a parking provision rate of 5.6 spaces per 100 m². The resulting provision rate is higher than peak demands observed at any of the above sites.

Of particular note, the surveys previously undertaken at the subject site (in December 2019) identified that, even during a peak demand period, there were 69 vacant parking spaces on the subject site. There is therefore more than adequate existing capacity within the site's car park to accommodate the additional demand associated with the proposed alterations even if assessed on the basis of the Planning and Design Code rate.

On the basis of the above, it is considered that sufficient parking supply will remain on-site to accommodate peak demands associated with the existing and proposed uses. Accordingly, it is considered that the parking arrangements align with the relevant Performance Outcome sought by the Planning and Design Code.

SUMMARY

It is proposed to undertake alterations to the existing Payneham Tavern to provide new beer garden areas, a children's play area and an outdoor smoking area. Ten spaces will be removed as a result of the proposed alterations (with no additional spaces provided).

The proposal will have a shortfall when assessed against the Deemed-to-Satisfy requirement of the Planning and Design Code. However, the associated Performance Objective of the Code does allow consideration of the application of lower parking provision rates where justified by relevant land use and development characteristics. Most notably, surveys of parking demands at similar hotels as well as a survey at the subject site itself, indicate that peak demands are typically well below the rate suggested by the Code. The available survey data indicates the parking provision retained on-site would easily accommodate realistic peak demands associated with the existing uses as well as the proposed additional. It is therefore considered that sufficient parking will be provided on-site as sought by the Planning and Design Code.

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

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ben Wilson", written in a cursive style.

BEN WILSON

Director | CIRQA Pty Ltd



Ref: 22247|BNW

15 March 2023

Mr Scott Twine
URPS
Suite 12, 154 Fullarton Road
ROSE PARK SA 5067

Dear Scott,

PROPOSED ALTERATIONS, PAYNEHAM TAVERN 319-327 PAYNEHAM ROAD, ROYSTON PARK

I refer to the proposed alterations at the Payneham Tavern at 319-327 Payneham Road, Royston Park (App ID 22042866). Specifically, I refer to the Request for Information (RFI) from the City of Norwood, Payneham and St Peters in respect to the proposal.

Council's RFI requested updated site plans including details in respect to traffic movements within the site, provision of bicycle parking (10 spaces) and provision of parking spaces for use by persons with disabilities (2 spaces) as well as other non-traffic related details. Updated plans have been prepared by RED Design group which include identification of the requested elements.

In addition, Council has requested the detailed data recorded for the parking surveys at the site (the previous letter prepared by CIRQA identified the peak demand and associated rate, but did not include the full data). As requested by Council, the full survey data (undertaken between 6 pm and 9 pm on Friday 29 November 2019) is attached to this letter.

I trust the above sufficiently responds to the traffic and parking related queries raised by Council, however, please feel free to contact me on (08) 7078 1801 should you require any additional information.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ben Wilson".

BEN WILSON
Director | CIRQA Pty Ltd

Enc. - Parking survey data

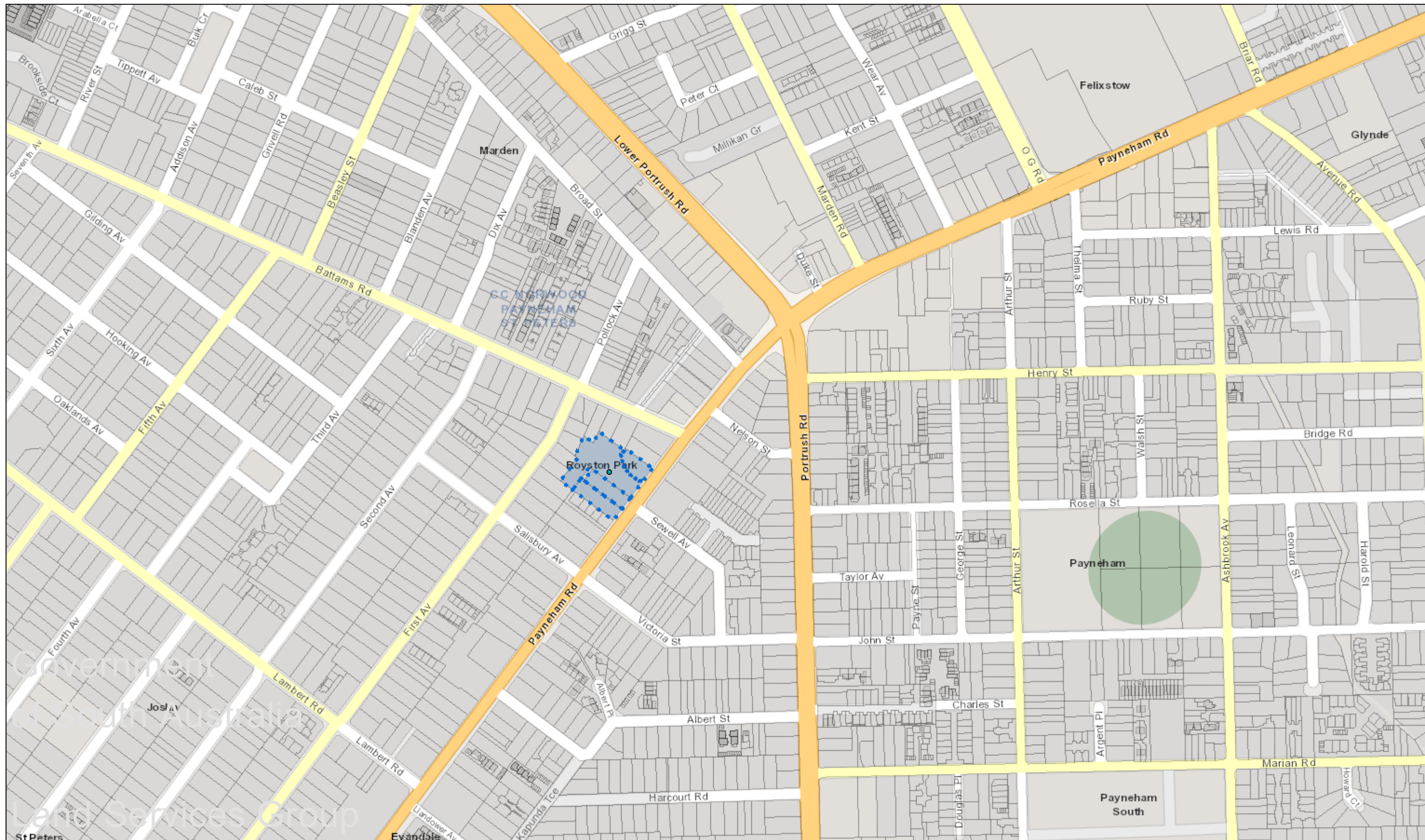
Location: Payneham Tavern
Date: Friday, 29 November 2019
Total Spaces: 123 spaces on-site



Time	Vehicles Parked	Spaces Vacant
6:00 PM	33	90
6:10 PM	37	86
6:20 PM	40	83
6:30 PM	40	83
6:40 PM	41	82
6:50 PM	41	82
7:00 PM	48	75
7:10 PM	51	72
7:20 PM	50	73
7:30 PM	54	69
7:40 PM	53	70
7:50 PM	53	70
8:00 PM	50	73
8:10 PM	48	75
8:20 PM	43	80
8:30 PM	38	85
8:40 PM	36	87
8:50 PM	38	85
9:00 PM	36	87

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

Subject Land Map



SAPPA Report

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

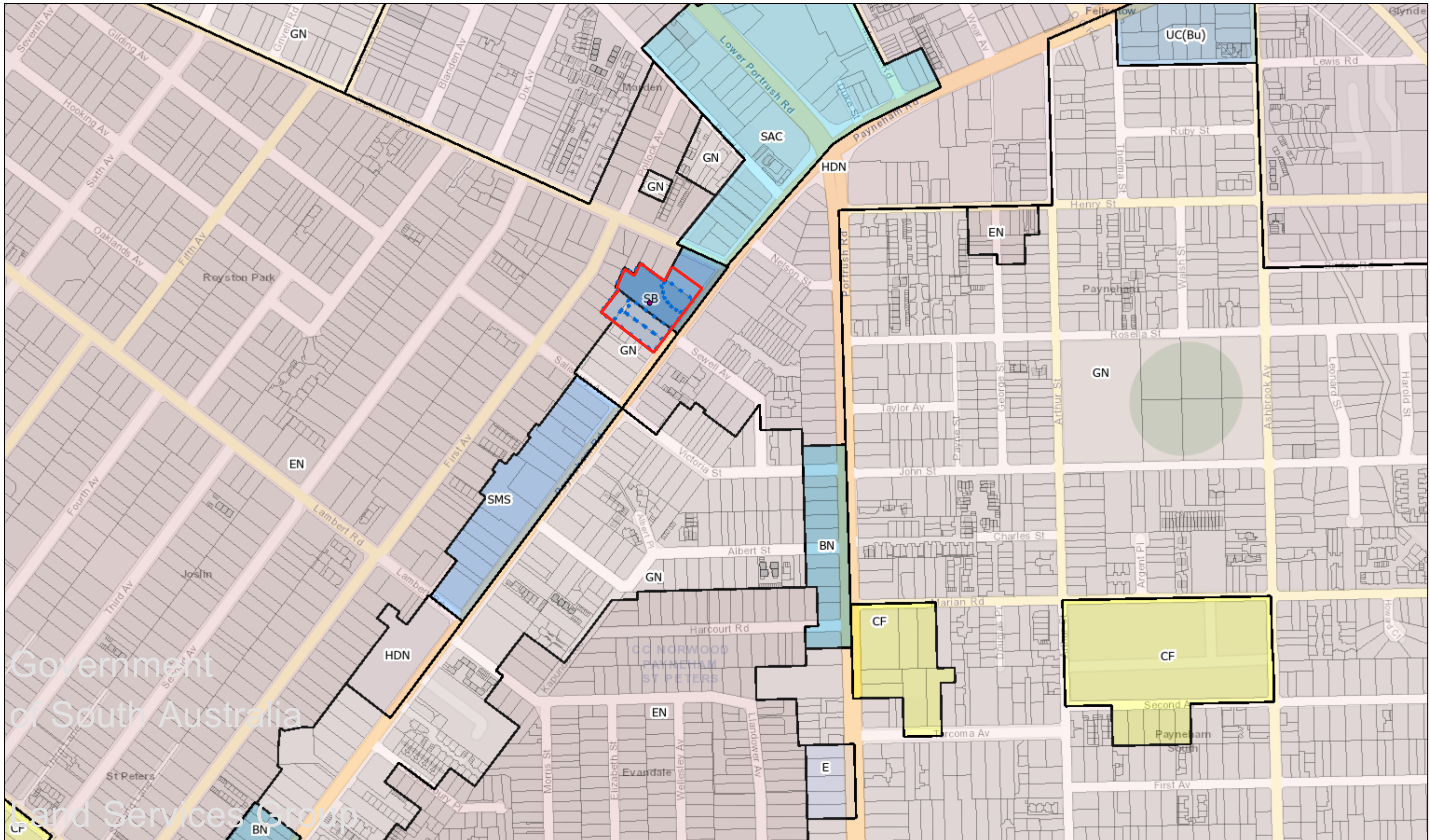
Zoning Map

Zone Legend:

- SAC Suburban Activity Centre
- SB Suburban Business
- GN General Neighbourhood
- EN Established Neighbourhood
- SMS Suburban Main Street
- HDN Housing Diversity Neighbourhood
- BN Business Neighbourhood

Attachment 3

Date created:
May 16, 2023



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.

SAPPA Report

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

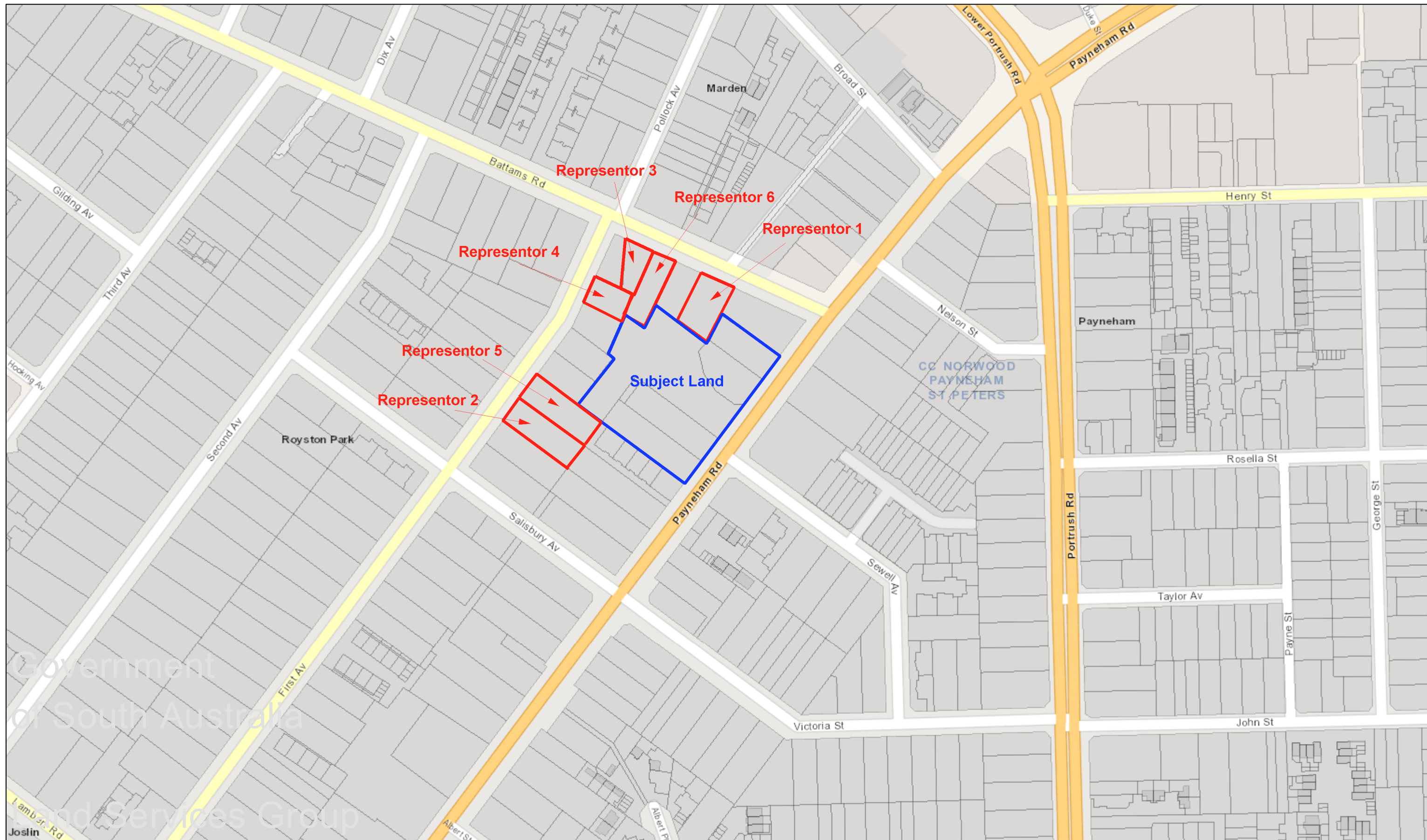
Locality Map



SAPPA Report

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

Representation Map



Application Summary

Application ID	22042866
Proposal	Additions and Alterations to existing hotel comprising partial demolition, the construction of two beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage
Location	319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Representations

Representor 1 - Mr Rodger and Ms Lia Ellis

Name	Mr Rodger and Ms Lia Ellis
Address	1 BATTAMS ROAD ROYSTON PARK SA, 5070 Australia
Submission Date	10/05/2023 05:10 PM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons Please see attached submission	

Attached Documents

Representation-22042866-Opposed-RodgerAndLiaEllis-5507927.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Australian Venue Company[applicant name]
Development Number:	22042866[development application number]
Nature of Development:	Additions and Alterations to Payneham Tavern[development description of performance assessed elements]
Zone/Sub-zone/Overlay:	General Neighbourhood/Suburban Business[zone/sub-zone/overlay of subject land]
Subject Land:	319-327 Payneham Road, Royston Park SA 5070[street number, street name, suburb, postcode] [lot number, plan number, certificate of title number, volume & folio]
Contact Officer:	Scott Twine[relevant authority name]
Phone Number:	83337999[authority phone]
Close Date:	15/5/2023[closing date for submissions]

My name*:Rodger and Lia Ellis

My phone number:

My postal address*:1 Battams Road, Royston Park SA 5070

My email:

* Indicates mandatory information

My position is:

I support the development

I support the development with some concerns (detail below)

I oppose the development



Government of South Australia

Department for Trade
and Investment

The specific reasons I believe that planning consent should be refused are: See attached Sheets

[attach additional pages as needed]

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

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[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

By: appearing personally

being represented by the following person: [Click here to enter text.](#)

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

Signature:



Date: 8/5/2023

Return Address: 1 Battams Road, Royston Park SA 5070 *[relevant authority postal address]* or

Email: *[relevant authority email address]* or

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

REPRESENTATION

We are very much opposed to this development which is directly facing into our back garden/entertaining area - 8 metres!

Originally the Payneham Tavern was never permitted to incorporate any bars facing the residential properties along Battams Road.

Currently the nearest bar to the residents on Battams Road is a fully enclosed bar 19 metres from the rear boundary. The new proposal will be 8 metres from our boundaries and not fully enclosed meaning a huge increase in noise as this proposed area will be catering for up to 151 patrons.

With the proposed beer garden open to 10pm there will be obvious noise and disruption. We can't believe that two beer gardens are being proposed as well as the noise that will emanate from a play area which is totally unnecessary. It might work in McDonalds or Hungry Jacks but this is not the place for it. We certainly would not want to dine where children are shouting and squealing either.

The current area behind is which is the proposed beer garden is a storage area generating minimal noise.

We also noticed re car parking, it is stated they have currently 3.7 car spaces per 100 square metres of floor area and with the increase to the size of the hotel and moving 10 car parks, they claim 5.6 spaces per 100 square metres. This does not make sense. We are also worried with the increased patronage traffic flow and noise will be significant.

We are aware that the AVC Group also own the Waterloo Station Hotel and have recently opened a beer garden and children's play area. We inspected the venue and found the closest residential housing (cheap rental units) are 21 metres from the beer garden which is a solid brick construction on that side. All other neighbouring houses were 60 metres plus away from the beer garden. Also noted the play area was on the other side of the hotel facing Waterloo Corner Road meaning no noise for neighbours.

There was also a large TV screen showing kick boxing at a very loud amplification through 8 speakers. The sound was clearly audible from outside. They advertise live music every Friday and Saturday. None of this was mentioned as a possibility at the Payneham Tavern proposal.

All things aside the Payneham Tavern were supposed to provide adequate screening plantings around our perimeter. Years ago those were approx 5 screening native bushes (Melaleucas and Bottlebrushes) which were left to die, removed and never replaced. This needs to be placed regardless of the proposal and with mature maintainable shrubs/trees (not natives)

The proposal states "the subject site is located partially within the Suburban Business Zone and partially within the General Neighbourhood Zone" We are NOT JUST A general neighbourhood zone but living in a beautiful residential area with contributory heritage houses. In fact when we were building our front carport City of Norwood Payneham & St Peters Council would not support it unless the carport was set back 500mm from the main facade of our house and have a separate roof form to the existing verandah to keep with heritage parameters. So now it doesn't seem to matter if there is a bistro, outdoor beer garden and play area right behind us.

We have been restoring and renovating our house and are now very concerned that the value will be considerably reduced for any potential buyers, not just us but all the other residents along Battams Road and First Avenue.

In summary we cannot understand how this proposal in this form can possibly be approved due to the detrimental effect it will have on neighbouring properties in this beautiful suburb of Royston Park.

Rodger and Lia Ellis

1 Battams Road,

Royston Park SA 5070

Distance from fence to proposed development



Height of existing fence



Side View



Side View Close



Representations

Representor 2 - Arthur Terrell

Name	Arthur Terrell
Address	PO Box 80 MARDEN SA, 5070 Australia
Submission Date	12/05/2023 04:27 PM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons Please see attached Submission	

Attached Documents

ObjectionToDevelopmentApplication22042866-ArthurJTerrell-5527932.pdf

Arthur J. TERRELL

Box 80 Post Office,
Marden, 5070,
South Australia.



11th May, 2023

Assessment Panel
City of Norwood, Payneham & St. Peters
Box 204 Post Office,
Kent Town, 5067
South Australia.

Dear Sir/Madam,

OBJECTION TO DEVELOPMENT APPLICATION ID No. 22042866

I formally lodge my Objection to parts of the Development Application made by Australian Venture Company (AVC), C/o URPS Pty Ltd., identified as Development Application ID 22042866.

Firstly may I state that I have resided in my house situated at 173 First Avenue, Royston Park, continuously since October 1977, **a period of 45 years.**

I am lodging this objection both **as a long standing resident, and also as a member of the Payneham Tavern.** As a member of the Payneham Tavern I have not been consulted, nor advised by Australian Venture Company of proposed renovations. *[I guess that we, the patrons and members, are not considered as part of 'public consultation' by that company!].*

During those 45 years I have seen the original Tavern change shape in various formats, each increasing the size of the original, i.e. by 'moving the outer walls'. I had not seen the necessity to object to those proposed changes, as those changes did not mal-affect me in any way whatsoever, as all of the noise created by the Tavern was contained inside its outer walls.

That can not be said of the current development proposal.

The current proposal introduces two Beer Gardens, the loss of some eight trees, and an ill-considered choice of location for the 'new' Childrens' Play Area.

Beer Gardens

Beer Gardens are, by their sheer nature, very noisy places.

(A) One only has to visit the Sussex Hotel in Walkerville to judge the amount of noise that is produced, and which creates an unpleasant environment both inside the hotel, and outside. I am a member of the Australian Nationals Seniors Klemzig Branch, and our Social Committee has black-listed the Sussex because of the noise environment. They too have bi-fold doors. The bi-

fold doors when open allow noise from the beer garden to enter the eating areas within the hotel, and also allow for cold draughts inside the hotel. This is similar to what will occur at the Payneham Tavern.

Australian Venture Company (AVC) also controls the Avenues Tavern at Stepney. The Avenues Tavern has double doors on the side of the Bistro area allowing for Al Fresco dining on the veranda; these doors I have often requested be closed due to the cold draughts entering the Bistro area. In summer when the doors are open, flies are often annoying the diners within the Bistro.

(B) The Payneham Tavern has never in its existence had a Beer Garden, and I do not see the need for one, let alone two, now. When as a member I dine in the Bistro, I prefer a quiet meal, not a noisy one. I also dislike eating in places such as beer gardens, where flies abound.

(C) In figure 11 of the Southern exposure (on URPS page 16), it shows that “Two thirds of the south-western bi-fold doors to be closed AFTER 10pm”, and “Half of the south-eastern bi-fold doors to be closed AFTER 10pm”. This differs from the wording on the previous page (URPS page 15) which reads “Ensure that two-thirds of the south-west facing bi-fold doors and half the south-east facing bi-fold doors into the southern beer garden (indicated in Figure 1 below) REMAIN CLOSED after 10.00pm.”.

The expression “to be closed after 10pm” is very loose in interpretation as 1015, 1030, 1045, 1100, 1115, 1130 are all ‘after’; whereas ‘remain closed after 10.00pm’ infers that the doors will be closed before, or, exactly at 10.00pm.

Unfortunately this still means that there will remain one third plus one half of the bi-fold doors open for people to access the Southern Beer Garden, and also allow for noise to emanate to the surrounding neighbours. I am particularly mindful of the neighbours who reside in the five flats at 317 Payneham Road Royston Park as they will bear the brunt of the excessive noise.

Apart from the Air Conditioning business located at the corner of Payneham Road and Battams Road, **THE PAYNEHAM TAVERN IS TOTALLY SURROUNDED BY RESIDENTIAL PROPERTIES.**

I require that it be clearly stipulated that the bi-fold doors giving partial access to the Southern Beer Garden **MUST** be closed either before, or precisely at, 10.00pm [i.e. 2200 hours] and that the remaining open bi-fold doors **MUST** be closed precisely at 11.00pm [i.e. 2300 hours] or earlier on Sunday to Friday inclusive, and on Saturday all bi-fold doors **MUST** be closed by Midnight (i.e. 2400 hours).

Should weather be adverse the Duty Manager should have the right to close the bi-fold doors earlier to satisfy the customers inside the hotel, BUT NOT to extend the hours.

To clarify, I require both Beer Gardens to abide by the same times as a consideration to all of the residential neighbours. [*I recall that there used to be signs mounted on the fences asking patrons to respect the neighbours when leaving; these signs are no longer to be seen.*]

I also recall that when beer gardens were first introduced into South Australia, that they were only usable during Daylight Hours!. [*Perhaps we should re-invent the wheel, and stop wasting our costly resources (e.g. Electricity)*].

Trees

Drawing “TPO2 – Existing Site Plan”. This drawing shows that there are in existence twelve (12) trees located on the site whereas drawing “TPO5 - Proposed Site Plan” shows only four (4) trees remaining. Ergo:- eight (8) trees are planned to be removed.

The trees to be removed form part of an integral corridor and habitat for both possums and native birdlife that exist within the Block bounded by Salisbury Avenue, Payneham Road, Battams Road, and First Avenue.

I regularly see Lorikeets, Wattle Birds, Honey Eaters, Crows (*in fact a baby crow fell down my chimney last year*), Piping Shrike, Magpies, as well as Doves, Black Birds, and occasionally Black-faced Cuckoo Shrike, Ducks, and Ibis. Recently I have been visited by a small Hawk. Possums also exist as I frequently see their ‘calling cards’ on my drive.

These trees not only provide nesting places, but also food for the birds and possums when the trees are in flower.

In a recently received flyer from ‘Protectamate’, they state “Urbanisation sprawl has made it harder for possums to survive in their natural habitat. Lets’ try to be tolerant and caring to these native animals before it’s too late”.

The trees also provide VITAL OXYGEN to the local area, helping to reduce the Carbon Monoxide emissions produced by passing traffic along all of the surrounding roads.

The report produced by “Arborman Tree Solutions Pty Ltd” does not show the advantages that the trees make to the total of the Block neighbourhood. The report ignores that animal and birdlife habitat in the trees. To watch the local birdlife is a very relaxing pastime, and how they interact with humans.

I also question whether the removal of trees is in line with the City of Norwood, Payneham and St.Peters ‘Greening the City’ policy and principles.

Childrens’ Play Area

URPS figure 12 (on page 16) shows that the Childrens’ Play Area is to be located in the North-East corner adjacent to the Sports Bar and Sports Beer Garden.

THIS LOCATION IS HIGHLY QUESTIONABLE!

IT CAN BE ALLEGED THAT THE PROPOSED SITE OF THE CLIDREN’S PLAY AREA MAY BE CONTRIBUTORY TO THE DELINQUENCY OF A MINOR.

Patrons who attend Sports bars frequently use what is best described as ‘BAD LANGUAGE’. The type of language that young children should not be subjected to hear.

The location of the Childrens’ Play Area should also be one where the children are not subjected to Passive Smoking.

An alternative location would be in the corner of the South-Eastern Beer Garden, nearest to the Kitchen.

Parents with children are usually seen eating in the Bistro, so how will the children access the Children's Play Area? Via the Sports Bar, of course!? The bottom line is that caring parents never take their children to Sports Bars because of the foul language used there.

Landscaping

More 'tallish' shrubs / narrow trees need to be planted along the fence line separating the Payneham Tavern and the flats at 317 Payneham Road Royston Park to minimise light spill from the tavern to the flats, and to assist in buffering noise..

Air Conditioner System - Water Drainage

I have frequently noted that water that emanates from the Air Conditioning system is introduced into the gutter running along Payneham Road. In fair weather this water ponds along parts of the road, and results in pedestrians being splashed by passing vehicles hitting those ponds. I am aware that the condition of the gutter is not a problem for the hotel, however as renovations are in progress I wonder if the Air Conditioning system drainage could be incorporated to flow into the Hotels Storm Water Drainage System.

Conclusion

I quote from the definition "5.1 Land Use - General Neighbourhood Zone DO 1 -- making the neighbourhood a convenient place to live without compromising residential amenity."

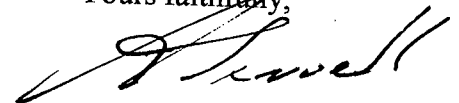
"...without comprising residential amenity." According to the dictionary, 'Amenity' means, Pleasantness, Agreeableness, Comfort, and Civilities.

The increased noise that will emanate from the Beer Gardens will certainly fail that ideal.

SONUS in their introduction recognises that there will be "new noise sources (in contrast to the existing hotel operations) ..."

Forget constructing the noisy Beer Gardens (they are only used for a part of the year anyway), just increase the inside areas of the Tavern itself, and keep all of the noise inside. That is what all of the other previous owners did to the Tavern. And that is why I did not need to object to their plans.

Yours faithfully,



A. Terrell

Representations

Representor 3 - Timothy Adey

Name	Timothy Adey
Address	PO Box 32 MARDEN SA, 5070 Australia
Submission Date	14/05/2023 01:01 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<p>Reasons</p> <p>This representation is made by Timothy Adey and Nia Adey. We are the owners of and live at 7 Battams Road Royston Park. We oppose the proposed development as it will significantly affect the amenity of our home and the proposed development does not comply with the PDC</p>	

Attached Documents

Adobe-Scan-14-May-2023-1221609.pdf
Emailfromtimothyadey-representation-wishestobeheard-5530603.pdf
MasterplanAndResonateReports-5541335.pdf

By a decision of the Board made on or about 5 February at 1976 the approval to construct the hotel was at all times of subject to a number of conditions, including;

1. The person operating the hotel were to the reasonable satisfaction of the council tend nurture and cultivate the trees, shrubs etc on the subject property and replace trees, shrubs, etc which shall die or become diseased.
2. The persons operating the hotel shall not permit the use of any device for the amplification of any sound and any sound emanating there from, shall not be above the ambient noise level at any point beyond the boundaries of the subject land.

PROPOSED DEVELOPMENT

The proposed development

1. Seeks to increase the capacity from 650 to 1300 people.
2. Construct a beer garden/bistro/children's playground to the northern aspect
3. Construct a sports bar to the south eastern aspect.
4. Seeks to reduce parking spaces and remove trees.

We oppose the proposed development as it will have a significant detrimental effect on the amenity of our home, and appears contrary to the original conditions imposed by the board on 5 February 1976.

It is reasonable to assume that the intention of the proposed development is to significantly increase the patronage leading to an increase in noise, light spill, and additional traffic and potential nuisance behaviour.

NOISE

The bistro/beer garden (including children's play area) is a very short distance from our home. The proposal suggests that the bistro will close at 10 pm. However, the proposal does not disclose when the beer garden will close and further indicates that the majority of the doors leading to that area from the hotel will remain open. This will have the effect of any noise emanating from the hotel area being heard by us.

We are extremely concerned that any use of amplified music or noise from large TV screens will be significant. We are equally concerned that the noise of patrons in the beer garden/bistro will be unreasonable.

This likely and intended increase in noise will significantly reduce our amenity and the proposed acoustic treatments are unlikely to have the effect of keeping noise levels below or equal to the ambient noise level at any point beyond the boundaries of the subject land.

A peer review of the SONUS report has been undertaken and raises a number of concerns in respect to the assumptions and findings contained in the report. We rely on the contents of the peer review report. The same is attached to the submissions of Katerina Grenfell and William Hurt.

TRAFFIC/PARKING/NUISANCE BEHAVIOUR

The development application seeks to increase the capacity of the hotel to 1300 people.

It is therefore reasonable to assume that there will be a significant and corresponding increase in parking and traffic yet the proposal seeks to dispense with current a number of available car parking spaces.

It is also reasonable to assume that with the significant increase in patronage that those patrons will

be required to park on adjacent streets including Battams Road. This will unreasonably affect the amenity of our home in that we will be unable to park in front of our house, and there will be a likely increase in noise/nuisance behaviour by patrons when leaving the license premises and collecting their vehicles from the front of our home.

The development application fails to address these issues adequately or at all.

CONCLUSION

The proposed development does not comply with the PDC. The proposed development remains silent and lacks any detail in respect to the proposed use of and hours of operation of the bistro/beer garden/children's playground (including the use of amplification or large television screens, etc).

I refer to the representations made by Katerina Grenfell and William Hurt in respect to the specific details.

The proposed development will lead to a significant increase in the paint change, associated noise (amplified, or otherwise), and other activities that will unreasonably impair the amenity of our home.

The proposed development will lead to activities which are not "low level impact" and will compromise residential amenity.

The proposed development is opposed in its entirety.

Alternatively, any consent should be subject to;..

1. the opening hours of the beer garden/outdoor dining/children's playground to be restricted to 9 pm Sunday to Thursday inclusive and 10 pm on the Friday and Saturday evenings.
2. additional acoustic treatments for the outdoor dining area/bistro/children's playground area.
3. A prohibition on any amplified music or similar including large televisions.
4. Adequate measures (including security) to ensure appropriate patron behaviour in the hotels car park
5. Ensuring that any noise emanating from the hotel premises does not exceed the ambient noise level at any point beyond the boundaries of the subject land

Kieran Fairbrother

From: Timothy Adey
Sent: Monday, 15 May 2023 8:31 AM
To: Kieran Fairbrother
Subject: Planning submission-Payneham Tavern

We confirm your receipt of our submission. We indicated in that submission that we did not wish to be heard. However, we now indicate that we wish to be heard on the submission and will be represented by Ms Katerina Grenfell .

Yours faithfully,
Nia and Tim Adey

Sent from my iPhone

15 May 2023

Katarina Grenfell & William Hirt
5 Battams Road
ROYSTON PARK SA 5070

Via email:

Dear Katarina

Re: Development ID: 22042866

Assessment of Proposed Additions and Alterations to existing hotel comprising partial demolition, the construction of two beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage at 319-327 Payneham Road, Royston Park

We confirm that you and William, and Tim and Nia Adey (owners of 7 Battams Road, Royston Park) have sought our assessment and opinion regarding the proposed development by Australian Venue Company (AVC) to undertake additions and alterations to the existing Payneham Tavern premises which includes partial demolition works, the construction of two (2) beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage at 319-327 Payneham Road, Royston Park.

We confirm your property (5 Battams Road, Royston Park) abuts the northern boundary of the development site and contains a single-storey detached dwelling, ancillary outbuilding and swimming pool. Your dwelling is sited approximately 47 metres from the site of the existing Tavern building. The site of the proposed northern addition that forms part of the proposed works will be approximately 25 metres from your property boundary.

Both you and William, and Tim and Nia Adey, have expressed concerns that the proposed development will generate an intensity of activity that will be detrimental to your residential amenity, particularly in respect to additional noise of patrons and associated vehicle movements. In addition, there is a fear the proposal will generate greater levels of light spill, waste generation and vermin nuisance that may increase the level of impact to your properties.

We believe your shared concerns with respect to the impact the proposed development will have upon the amenity of your properties are justified following our review of the following:

- The application documents made available for public inspection.
- Current General and Hotel Licence for the Payneham Tavern.





- The relevant Desired Outcomes (DO) and Performance Outcomes (PO) of the relevant Overlays, the Suburban Business Zone and General Neighbourhood Zones, and General Development Policies of the Planning and Design Code.
- The input from other consultants on technical matters.

The Proposal

From our review of the application documents made publicly available, we note the proposed development comprises the following elements:

- Increase in patron capacity from 625 persons to 1,300 persons (greater than a 100% increase).
- Internal alterations.
- Partial demolition of the existing building.
- Two (2) beer garden additions to the front and rear of the building (additional floor area increase of 377 square metres).
- Provision of children's play equipment within the rear addition.
- Removal of 10 car parking spaces.
- Replacement advertisement signage.
- Landscaping.

Deficiencies of Information Available

We are of the opinion the application documents made available for public notification lack critical information required to make a complete and proper determination on the suitability of the proposed development. The critical information missing from the documents include:

- Information outlining security measures to be applied to manage patron behaviour given the proposed increase in patron capacity.
- An assessment of the impact of greater patron activity within the external northern carpark areas of the Tavern site.
- An assessment of the impact of greater vehicle movements upon the subject land (including delivery and waste vehicles) and the surrounding local road network.
- A revised Waste Management Plan.

In addition, we noted an inconsistency in the description of the proposed use of the northern addition in the documentation. The planning drawings and technical reports refer to the addition as being a "beer garden" while the planning report refers to the addition as being an outdoor dining area. We believe the description of this space should be clear and concise to avoid potential confusion as the conditions and features of, and patron behaviours within, an outdoor dining area are likely to be very different to that of a beer garden.



Statutory Referrals

We note the report prepared by the Lead consultant (URPS) included commentary in respect to a statutory referral to the Commissioner of Highways not being required. The justification given was the floor area would not exceed 10,000 square metres or provide for the creation/alteration of vehicle access points associated with the land.

The commentary also states the proposal will not change the nature of vehicular movements or increase the number/frequency of movement through an existing access point (underlining our emphasis).

We see no grounds to dispute the matter of floor area, the creation/alteration of a vehicle access point, or the nature of movement changing through the existing access point. However, we cannot agree with the opinion the proposal will not increase the number/frequency of movement through an existing access point given the proposal seeks to double patron capacity from 625 persons to 1,300 persons.

We believe the relevant authority has a statutory responsibility to refer the application to the Commissioner of Highways (if not already enacted).

Assessment of Proposed Development

The following provides our observations on the proposed development and the relevant policies of the Planning and Design Code.

Land Use

We acknowledge the proposed development will not involve a change in land use however the intent of the proposed development is to refurbish the existing tavern facility to attract and accommodate a significant increase in patron numbers. This outcome will result in a considerable intensification of activity associated with the use of the land.

In respect to the Desired Outcomes of both the Suburban Business Zone and the General Neighbourhood Zone of the Planning and Design Code (the Code), we note non-residential land uses should have a low level of impact that does not compromise residential amenity.

Suburban Business Zone DO 1:

A business and innovation precinct that includes a range of emerging businesses which have low level off-site impacts. Residential development within the area is subordinate to employment uses and generally includes medium-density housing designed to complement and not prejudice the operation of existing businesses.

General Neighbourhood Zone DO 1:

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



The Code also includes policies to alleviate conflict between different land uses including any proposed intensification of an existing use. These include:

General Development (Interface between Land Uses) DO 1

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

General Development (Interface between Land Uses) PO 1.2

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

General Development (Interface between Land Uses) PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- (a) the nature of the development*
- (b) measures to mitigate off-site impacts*
- (c) the extent to which the development is desired in the zone*
- (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*

General Development (Interface between Land Uses) PO 4.1

Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

General Development (Interface between Land Uses) PO 4.2

Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

- (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*



- (c) *housing plant and equipment within an enclosed structure or acoustic enclosure*
- (d) *providing a suitable acoustic barrier between the plant and/or equipment and the adjacent sensitive receiver boundary or zone*

General Development (Interface between Land Uses) PO 4.6

Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.

The technical documents provided with the application include an Environmental Noise Assessment and a letter providing a review of parking aspects of the proposal. The planning report has relied on the noise assessment to conclude:

“the facility has been designed to not unreasonably impact the amenity of the adjacent sensitive receivers, thereby achieving the relevant provision of the Code”.

The Environmental Noise Assessment was the subject of a peer review which identified potential gaps in the assessment and identified items that should be addressed. It noted the Environmental Noise Assessment report being silent on the following potential noise impacts:

- Assessment of increase in patrons from internal areas through the open doors to the beer gardens.
- Additional or relocated mechanical plant required for the redevelopment (including the increase in patron capacity).
- The increase in car movements on-site within the car parks to accommodate the increase in patron capacity (greater than 100% from 625 to 1,300). Noting that a doubling of traffic through the car park equates to a 3 dB increase in predicted noise levels (if all other variables remain the same).
- Waste collection (should they fall outside of the specified hours), and the likely increase due to increased patron capacity.

The peer review document is provided in **Attachment A**.

The proposed additions will result in an outdoor dining area/beer garden/children’s play space being approximately 25 metres from your property boundary. Before the proposal can be considered to achieve the relevant provisions of the Code, we believe greater investigations are required into the potential impact of the proposed increase in patron capacity, including within the external areas of the Tavern, are required.



Traffic Movements and Parking

There is also the matter of traffic impacts. Although a peer review was not conducted of the parking assessment, we note the assessment identifies a shortfall when assessed against the guidelines of the Planning and Design Code but justifies the shortfall based on parking demands at similar hotels and a survey at the subject site itself (from some four (4) years ago). The assessment is silent on the proposed doubling of patron numbers from 625 to 1,300 persons and an assessment of the associated traffic generation of such a significant increase.

We believe on-street parking immediately adjacent to the subject land on Payneham Road is not an option and patrons will not have access to other shared-use parking areas. With the proposal to remove ten (10) parking spaces from the subject land, we firmly believe it is critical for the proposal to cater for the peak parking demands on-site, especially when such a substantial increase in patron capacity is proposed.

General Development (Transport, Access and Parking) PO 5.1

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

- 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.*

If the Tavern facility does not provide sufficient spaces to support demand, then it is unlikely patrons will park on Payneham Road, but will seek the safer environment provided in Battams Road. We are in no doubt the potential for increased on-street parking demands in Battams Road will create conflict with existing residential demands, especially during weekend periods when residential demands are greatest.

Further, we note the subject land relies on only one (1) ingress and egress point. The location of these points requires all vehicles to circulate through the northern parking area except those passing through the drive-through bottle shop (which is closed from 8:00 pm Sunday to Thursday and from 9:00 pm Friday and Saturday).

Accordingly, we anticipate vehicle movements and related patron activities within the northern car park area will increase significantly given the proposed increase in patron capacity. It is reasonable to anticipate more constant vehicle and patron noise within this area as well as potential conflict between patron safety and service vehicle movements. We note the Code encourages the separation of these activities.



General Development (Transport, Access and Parking) PO 1.3

Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.

We believe it is entirely reasonable to be concerned about the impact the intensity of activity within this area will have upon your amenity.

Further, as noted earlier, the application documents failed to address the following matters:

- Information outlining security measures to be applied to manage patron behaviour given the proposed increase in patron capacity.
- A revised Waste Management Plan.

The proposed increase in patron capacity has the potential to greatly change the level of activity that will potentially occur in the external spaces of the Payneham Tavern after 10.00 pm and associated services to support the patron increase.

The application does not outline if greater security measures will be introduced to manage patron behaviour in the external areas, whether external lighting will be upgraded to provide greater security (and the impact of potential light spill resulting from upgrades), or any upgrades to waste management to ensure an increase in waste generation does not create odour and vermin nuisance.

While the application documents consider the facility has been designed to not unreasonably impact upon the amenity of adjacent residences, thereby achieving the relevant provisions of the Code, we believe insufficient evidence has been provided to ensure the amenity you enjoy at your properties will be adequately protected.

Conclusion

In summary, we are of the opinion that:

- We believe additional documents/information should have been available to the public during the notification process and the lack of this information validates your doubt on the suitability of the Payneham Tavern being capable of accommodating a greater than 100 percent increase in patron capacity without causing detrimental upon the amenity of your property.
- The proposed increase to patron capacity will result in greater activities within the external areas of the premises near residential properties.
- There are gaps in the information provided with the application to conclusively determine the proposed development will have a reasonable impact upon the amenity of your property.



- The prospect of seeking additional acoustic protection measures at the boundary of your property and the subject land are reasonable given the provisions prescribed by the Planning and Design Code.
- The expectations for greater protection measures needing to be incorporated into the proposed development to safeguard the residential amenity are justified.
- There should be no doubt the proposed development can accommodate parking demands to ensure patron vehicles are not constantly spilling into Battams Road.

We are of the opinion that the proposed intensification of patron capacity has a reasonable potential of causing detrimental impact upon your property.

Accordingly, the proposed development failures to satisfy key policies of the Planning and Design Code and **does not** warrant a planning consent being granted.

You will be given the opportunity to make a verbal submission in support of your objection to the proposed development, either in person or through a representative, to the Council Assessment Panel (CAP). The Council will provide you with the date and time this application will be presented to the CAP, so you have the opportunity to make the aforementioned verbal submission.

If you have any questions regarding any of the above matters, please contact me on 8193 5600 or via email: adamw@masterplan.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adam Williams', followed by a horizontal line.

Adam Williams
MasterPlan SA Pty Ltd

enc: Resonate Peer Review of acoustic assessment.

ATTACHMENT A

Resonate Peer Review

Thursday, 11 May 2023

Project number: A230325
Reference: A230325LT1A

Katarina Grenfell
5 Battams Road
Royston Park
South Australia 5070

Dear Katarina,

Payneham Tavern - Peer Review
Acoustic Peer Review

1 Introduction

This letter outlines a peer review of the acoustic assessment prepared for an application for the redevelopment of Payneham Tavern, which is located at 319-327 Payneham Road, Royston Park.

2 Scope of redevelopment

We understand that the proposed redevelopment of the Payneham Tavern comprises:

- Internal alterations—reconfiguration of spaces within the existing hotel to enable the relocation of the existing Bistro and Sports Bar areas
- Partial demolition of the existing building
- Two beer garden additions to the front and rear of the building:
 - Southern (front) beer garden associated with Sports Bar—167 m²
 - Northern (rear) beer garden associated with Bistro—210 m² (including children's play area)
- Provision of children's play equipment within rear addition
- Removal of 10 car parking spaces.

In addition to the works for the redevelopment noted above, it is proposed to increase the patron numbers from 650 to 1300.

3 Review

Our peer review comments are outlined in Table 1. Note that these comments are made in view of assisting the identification of potential gaps to be raised in a representation to CAP.

Table 1 Peer review comments

Sonus Report Section	Comment
Introduction	<p>The Sonus report notes that music noise in the beer gardens and adjoining internal refurbished areas are to be limited to '<i>background level of music (being a level which would not require voices to be raised for normal conversation)</i>'. This is not identified in the Planning report as a requirement under Section 5.3.1.</p> <p>This aspect of the assessment is critical as no specific music noise assessment has been made based on this assumption. If amplified music (above background music) is desired, then an assessment would be required to satisfy PO 4.6 <i>Interface Between Land Uses—Activities generating noise or vibration</i>.</p> <p>The areas to which the music noise levels are to be limited to background music only are identified in Figure 1.</p>
Criteria	<p>The report uses the measured background noise level as a basis for:</p> <ul style="list-style-type: none"> • Adopting an alternative nighttime criterion at Receiver F (in affect, justification of an exceedance). • Not applying a characteristic penalty to the predicted patron noise levels. <p>To consider existing high background noise levels, measurements are to be taken in absence of the noise source itself (that is, the Tavern). Alternatively, a measurement location is to be selected that is representative of the noise-affected premises but is not affected by the Tavern. The Sonus report does not specify where the measurement locations were. However, it is likely that they were undertaken on the site of the Tavern itself capturing noise due to the operation of the Tavern. If so, the measured levels would not appropriately represent the background noise levels, and cannot be used to justify exceedance or to not apply a penalty.</p> <p>As such:</p> <ul style="list-style-type: none"> • The presented levels are likely to require a characteristic penalty to be applied, and would therefore be 5 dB higher. Note that a characteristic penalty should be applied under the Noise Policy to account for the modulation (rise and fall) of patron noise in a quiet existing ambient environment. This would result in an exceedance of the criteria at most assessed receptors. • Justification of exceedance at Receiver F may not be appropriate.
Assessment	<p>It is noted that not all affected noise receptors have been included in the assessment. This is as identified in Figure 2—with the red receivers (A to F) assessed in the Sonus report, with no comment regarding the green receivers.</p> <p>All adjacent receptors should be considered in demonstrating compliance.</p>

Sonus Report Section	Comment
Assessment	<p>The Sonus report is silent on the following potential noise impacts:</p> <ul style="list-style-type: none"> • Assessment of increase in patrons from internal areas through the open doors to the beer gardens. • Additional or relocated mechanical plant required for the redevelopment (including the increase in patron capacity) • The increase in car movements on site within the carparks to accommodate the increase in patron capacity (by 100% from 650 to 1300). Noting that a doubling of traffic through the carpark equates to a 3 dB increase in predicted noise levels (if all other variables remain the same). • Waste collection (should they fall outside of the specified hours), and the likely increase due to increased patron capacity.

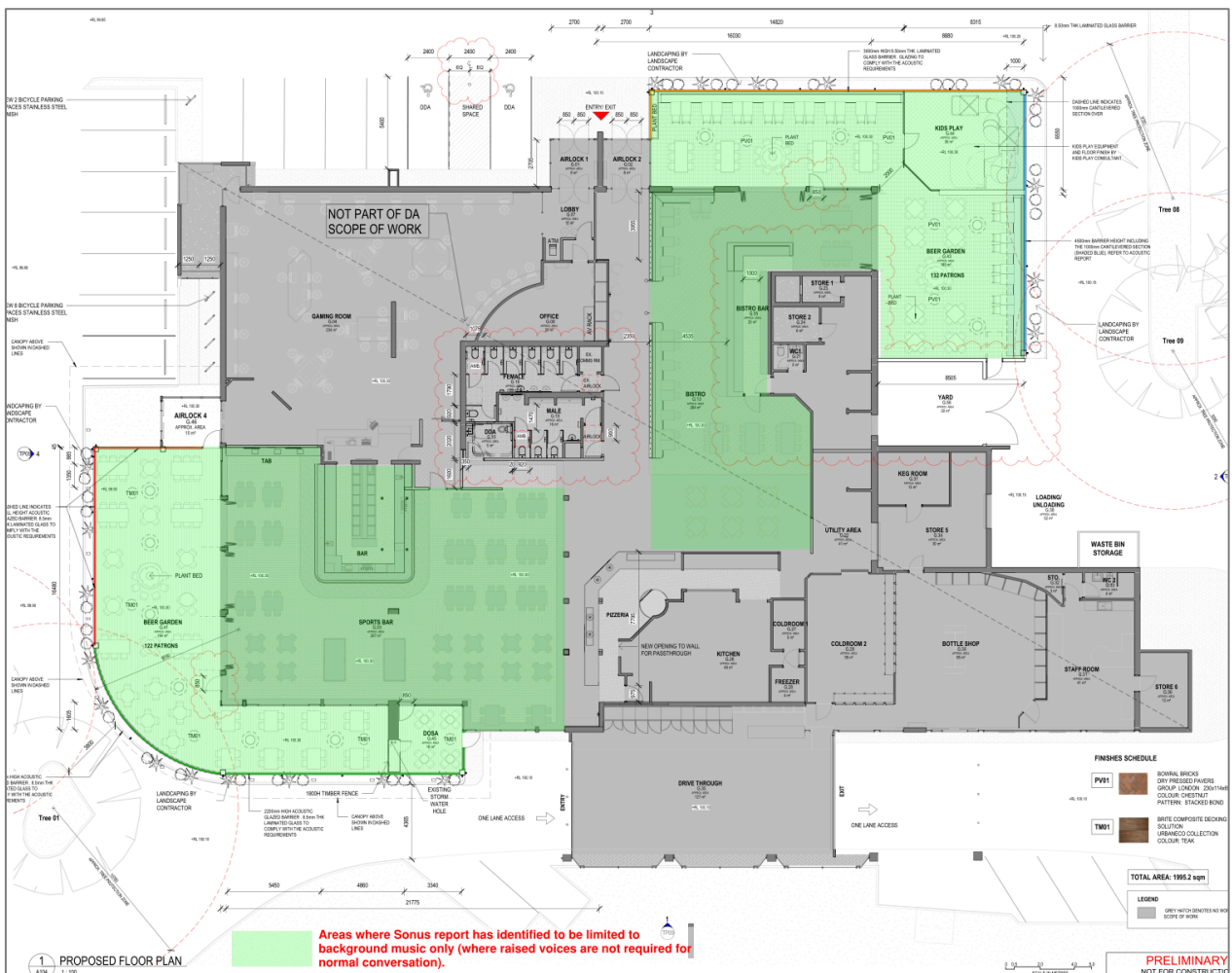


Figure 1 Areas identified to have background music only



Figure 2 Identification of receivers not assessed

4 5 Battams Road

This section addresses concerns specifically raised by the resident at 5 Battams Road.

4.1 Noise impact

We agree with the modelling and results presented in the Sonus report with respect to the actual noise levels presented. However, there are the following concerns as raised in Section 3:

- The approach taken by Sonus in not applying a characteristic penalty may result in a level 5 dB higher than predicted and presented. We understand that the existing background noise levels are perceived to be quiet, and not adversely affected. Note that a characteristic penalty should be applied under the Noise Policy to account for the modulation (rise and fall) of patron noise in a quiet existing ambient environment. This would ultimately result in an exceedance for both the day and nighttime criteria by up to 5 dB.
- Other potential impacts regarding increased patrons, vehicle movements, and mechanical services have not been addressed.

These items should be addressed prior to approval to ensure that the development can operate within the requirements of the Noise Policy.

4.2 Additional considerations

- Ask for the decision to be deferred pending an independent acoustic peer review of the Sonus assessment, or to seek clarification on the items raised in Section 3.
- Specify a condition with respect to background music only within the Tavern as noted in Section 3.
- All recommendations in the acoustic report to be adopted as conditions as a minimum—in particular number of patrons, operating hours, beer garden acoustic barriers, and door closures.

Note that the conditions may have to be more onerous than that outlined in Section 3 if any amended assessment results in exceedance. Additional treatments and conditions that may have to be ultimately considered may include:

- Further limit to patron numbers
- Further limit to operational hours
- Increase to the requirement of acoustic barriers around the beer gardens
- Roof top to the rear beer garden
- Increasing the height of the property barrier (between the Tavern car park and the residences).

Please let me know if you have any queries or wish to discuss the above.

Yours sincerely,



Deb James
Director
p +61 8 8155 5888
m +61 422 047 275
deb.james@resonate-consultants.com

Representations

Representor 4 - mark newton

Name	mark newton
Address	183 first avenue ROYSTON PARK SA, 5070 Australia
Submission Date	14/05/2023 10:32 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

As a direct neighbour to the property I do not see that the proposed documentation has clearly not satisfied or demonstrated that noise from the proposed outdoor public areas will not affect the adjacent properties. Concern will be from external located media devises such as large screen tv's etc. The statement within the documentation that the proposed extension is to support a further application to increase the use to 1300 patrons is concerning for what the real object of the extension. The proposal that to increase the patrons to 1300 can not be supported by the existing size of the car park and this will lead to increase inconvenience via noise and traffic having to park in the adjacent streets. The Pub has always been a family orientated venue with low social impact to the adjacent area, this proposed change and future licence submission as noted on page 6 of the proposed submission.

Attached Documents

Representations

Representor 5 - Stephen Jervis

Name	Stephen Jervis
Address	175 First Avenue ROYSTON PARK SA, 5070 Australia
Submission Date	15/05/2023 02:22 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

Objection to Proposed Re-development of Payneham Tavern Our first concern is based on the anticipated increase in noise levels and its impact on close surrounding domestic residences. The Planners acoustic report is questionable when there is no allowance for an increase in patronage levels from 650 to 1300. How do they allow for the increase without experiencing it? The rear Beer Garden should at least have a closed roof and full height acoustic glass walls. This would massively reduce noise travel to surrounding residences. The proposed closing time of 10pm for the Dining area should be extended to the rear Beer Garden if they do not intend to enclose the roof permanently. Secondly, with a proposed reduction in parking spaces from 123 to 113, the doubling of patronage capacity to 1300 creates an obvious problem. By the Planners own admission, their parking "provision rate" is higher than required by the "Planning and Design Code". Consideration needs to be given to:

- They are quoting a "69 vacant spaces" example from December 2019. Obviously the proposed re-development is relying on a substantial increase of patronage numbers to make the project financially viable, whilst at the same time reducing car park spacing.
- They are relying on the "Performance Outcome 5.1 of Transport, Access and Parking Act" siting the solution to a "reduced on-site rate" being 5.1a "availability of on-street parking". Note points 5.1b,c&d do not apply to this property. So their solution to this issue is to push parking onto surrounding streets. As Payneham Road in front of the Tavern is a Clearway from 3 – 7pm Mon to Friday, and due to no pedestrian crossing from the eastern side of Payneham Road, Patrons will seek to park in the western side streets adjacent to the Tavern, ie Battams Rd, First Ave and Salisbury St. Traffic Management around these streets is already an acknowledged problem and the focus of a survey by NPS Council, with a Public Meeting held last year to discuss ways to reduce traffic flow around the side streets off Payneham Road. As a neighbouring resident we already experience late night rowdy Patrons in the Carpark, a Carpark which is never "policed" by security officials which has previously been brought to the attention of Management and ignored. We have also experienced Patrons urinating against our side fence day and night. We understand it to be a requirement of their "Liquor and Gaming License" that an appointed Security Officer should be patrolling the Carpark until the last Patron has left. This also has never happened. The Application does not satisfactorily address surrounding residents concerns of Noise Levels and Traffic increases resulting from an greater Patron numbers and a reduction of Parking spaces.

Attached Documents

Representations

Representor 6 - Katarina Grenfell

Name	Katarina Grenfell
Address	5 Battams Road ROYSTON PARK SA, 5070 Australia
Submission Date	15/05/2023 03:59 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	See attached statement and supporting expert reports from Masterplan and Resonate

Attached Documents

Representation-re-Payneham-Tavern-Grenfell-and-Hirt-FINAL-1222002.pdf
MasterPlan-and-Resonate-Reports-1222003.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Australian Venue Company (AVC)
Development Number:	22042866
Nature of Development:	Additions and Alterations to existing hotel comprising partial demolition, the construction of two beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage , Folios 6127/585, 6127/587, 6127/589 and 6192/816
Zone/Sub-zone/Overlay:	Suburban Business Zone, General Neighbourhood Zone, General Development Policy: Interface between Land Uses
Subject Land:	319-327 Payneham Road, Royston Park SA 5070
Contact Officer:	City of Norwood, Payneham and St Peters
Phone Number:	08 8366 4530
Close Date:	11:59 pm 15 May 2023

My name*: Katarina Grenfell & William Hirt	My phone number:
My postal address*: 5 Battams Road, Royston Park	My email:

* Indicates mandatory information

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



We live at 5 Battams Road, Royston Park. Our back garden directly abuts the carpark of the Payneham Tavern, and we share a back fence with the Payneham Tavern. **Our back fence is approximately 25 metres from the proposed northern child's play area and beer garden/outdoor dining area.**

We are opposed to the proposed development as we consider that the current proposal will have a significant detrimental effect on the **amenity of our home**. The threat posed by the development to the amenity of our home is through (i) **noise**; (ii) **light spill**; (iv) **additional traffic and insufficient parking**; (iv) **nuisance behaviour**. We have taken expert independent advice and attach (i) the planning report from MasterPlan and (ii) the acoustic report from Resonate.

Noise

We are very concerned about the noise that the two beer gardens will generate, which will spill over into our back garden, and into our home. This is particularly so during warmer weather when we have windows open. Currently our home and back garden is very peaceful and quiet.

The proposed development includes an increase in patron capacity from 625 patrons to 1,300 patrons, which is an increase of more than 100%. It also includes two beer gardens. The "Northern Beer Garden associated with Bistro" will be only 25 metres from our home, and is to accommodate 151 patrons. The URPS report states that the outdoor dining area and associated children's play area at the rear of the premises will close at 10.00pm (URPS Report p15). However, the URPS report does not say when the associated beer garden at the rear will close. Current hours of operation of the Payneham Tavern are Monday – Saturday until 2am and Sunday until midnight. We occasionally get woken up around 2am or later by the noise from patrons or staff leaving the Tavern at closing time.

We are very concerned that we will be subjected to amplified music, noise coming from large screens, patrons' voices and noise coming from the carpark (e.g. car doors opening and closing, delivery vehicle engines running during loading of supplies, patron vehicles moving etc) every night and weekend. We are also concerned that there will be live music in the beer garden every Friday and Saturday night, and that the beer garden will be open until late (as is currently advertised at the Waterloo Station Hotel, also recently renovated with a beer garden by AVC¹. We note that Waterloo Station Hotel is open until 3am Thursday – Saturday and until 2am every other night.)

The noise from these activities will greatly reduce our amenity. While we note from the plans that certain acoustic treatments are anticipated, we question their adequacy, particularly as the outdoor areas will have doors open, and be open from above. We also question why the outdoor dining area/child's play area will have less of a sound barrier than the beer gardens.

The attached report by Resonate Acoustics has identified a number of gaps in the SONUS Report, which gaps lead to questions as to its reliability. These gaps include:

- No specific music noise assessment has been made on the assumption of there being background music being played in the beer gardens and adjoining internal refurbished areas, contrary to the requirements of the PDC General Development Policy: Interface between Land Uses PO4.6 which requires an assessment to be made at the envisaged noise sensitive locations;

1

<https://waterloostation.com.au>

- No specific assessment has been made to address amplified music within the tavern or in the beer garden;
- Measurements have not been taken in the absence of the noise source itself (i.e. the Tavern);
- No characteristic penalty has been applied to the predicted patron noise levels of up to 1,300 patrons. The Resonate report states at p2 and p4:

“a characteristic penalty should be applied in a quiet existing ambient environment. This would result in an exceedance of the criteria at most assessed receptors”...

“the approach taken by Sonus in not applying a characteristic penalty may result in a level 5 dB higher than predicted and presented. We understand that the existing background noise levels are perceived to be quiet, and not adversely affected Note that a characteristic penalty should be applied under the Noise Policy to account for the modulation (rise and fall) of patron noise in a quiet existing ambient environment. This would ultimately result in an exceedance for both the day and nighttime criteria by up to 5 dB.”

- No noise assessment has been taken from our back garden, (which has consistently been very quiet since we purchased the property in 2019, with the exception of occasional noises from Tavern's carpark such as people talking, car doors slamming and the sound of bottles being collected);
- Not all adjacent receptors have been assessed;
- No assessment has been made in respect of the increase in patrons from internal areas through open doors to the beer gardens;
- No assessment has been made of any additional or relocated mechanical plant for the redevelopment, including the 100% increase in patron capacity. (It is not clear from the plans in the proposal where the mechanical plant will be installed)
- No assessment has been made of the increase in car movements on site within the carparks to accommodate the more than 100% increase in patron capacity
- No assessment has been made as to impact of waste collection, and the likely increase due to more than 100% increase in patron capacity

We are also personally concerned about the reliability of the information in the SONUS report as to current noise levels, as our back garden and home are currently very quiet. We rarely hear any voices. We never hear any amplified music or sports being broadcasted. Further, we note that the change in layout and use of the Tavern, which includes the removal of one of the main entrances on the South side of the building, will mean that more customers will park and enter the Tavern from the entrance nearest to our property.

Light Spill

The plans do not show where the light sources will be in the car park, and the reports do not indicate what kind of lights they will be. Currently there are three very tall lights in the carpark from which light spills onto our property, and into our home. In summer, when the white cedar trees have leaves, the light spill is reduced, but when those trees lose their leaves, we have significant light spill. We have raised the light spill with the Tavern in the past, but whilst the light has been slightly reduced, we still have noticeable light spill in our house. As the proposed development appears to make the Tavern a vastly more popular destination, we expect that lighting may also be upgraded in the carpark, and are concerned that it will lead to additional light spill onto our property.

Traffic and Parking

The information provided to the Council in support of the development application does not take into account the significant increase in number of patrons that the redevelopment of the Tavern seeks to achieve. We have visited the Tavern on a number of occasions and on those occasions, the Tavern did not have many people there. We expect that the redevelopment of the Tavern will lead to a significant increase in patrons – this is also anticipated by AVC as they are seeking to double their licence capacity by more than 100% to **1,300 people**.

The CIRQA parking assessment appears to be based on current levels of patronage and does not take into account the significant anticipated increase in patrons. The parking shortfall, contrary to the requirements of the PDC, will unreasonably affect the amenity of our home as patrons will park on Battams Road due to the shortfall of parking spaces. We are concerned that there will be a significant increase in traffic on Battams Road, and that it will be difficult to park in front of our own home. Increased activity in the carpark (voices, car doors being slammed, engines running etc) will also significantly increase nuisance noises from the Tavern since these are the main noises we hear currently.

We are also concerned that the information provided in support of the application fails to address the impact of increased vehicle movements at the site of the Tavern, including delivery and waste vehicles (as required by General Development (Interface between Land Uses) PO 4.2), and on surrounding local roads.

Nuisance behaviour

We are concerned about a likely increase in nuisance behaviour associated with the Tavern in the vicinity of our home. The documentation in support of the application skims over the fact that the development seeks to more than double the patronage from 625 to 1,300 patrons and does not address what measures will be taken to manage patron behaviour. We are concerned about possible drunken/irresponsible behaviour in the car park, close to our home.

The documentation does not address what measures will be taken:

- to manage patrons in the carpark
- to manage noise after hours in the carpark
- to address additional rubbish in the carpark / vermin attracted to food in the outdoor dining area/beer garden
- to prevent rubbish being thrown over our back fence (this is a common occurrence)

(Our back fence is currently overgrown with ivy growing from the side of the Tavern. The ivy is in fact so overgrown that it is pulling our fence down and is full of rats. We have repeatedly raised this issue with the Management of the Tavern, and in 2021 they trimmed the ivy on one occasion, but it is again overgrown and full of rats. We have raised this issue again, but no action has been taken. We have approached the Tavern about sharing the cost of a new fence at the boundary of our properties. We have obtained planning approval from the NPSP Council for a 2.7 metre fence, consisting of a 0.6 metre retaining wall (due to the difference in elevation from the side of the Tavern to our property) and a 2.1 metre fence. This is required because the current fence is only 1.5 metres tall on our side, which is inadequate to separate our property from the effects of the Tavern. This issue has not been resolved with the Tavern, and it does not give us any confidence that the Tavern will address our concerns).

Non-compliance with the PDC

All of the above concerns are based on the failure of the proposed development to reasonably comply with the policies of the PDC.

We object to the proposed development as the proposal does not comply with the PDC. The Desired Outcomes of both the Suburban Business Zone and the General Neighbourhood Zone require that activities within these zones “have low level off-site impacts” and do not compromise residential amenity.

Suburban Business Zone DO 1:

A business and innovation precinct that includes a range of emerging businesses which have low level off-site impacts. Residential development within the area is subordinate to employment uses and generally includes medium-density housing designed to complement and not prejudice the operation of existing businesses.

General Neighbourhood Zone DO 1:

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

The PDC also includes policies to alleviate conflict between different land uses.

The proposal does not adequately comply with these policies:

General Development (Interface between Land Uses) DO 1

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

General Development (Interface between Land Uses) PO 1.2

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

General Development (Interface between Land Uses) PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- (a) the nature of the development*
- (b) measures to mitigate off-site impacts*
- (c) the extent to which the development is desired in the zone*
- (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*

General Development (Interface between Land Uses) PO 4.1

Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

General Development (Interface between Land Uses) PO 4.2

Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

- (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- (c) housing plant and equipment within an enclosed structure or acoustic enclosure*
- (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone*

General Development (Interface between Land Uses) PO 4.6

Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.

The effects of the proposed development, which includes (i) a more than 100% increase in patrons, (ii) 2 beer gardens and an outdoor dining area, (iii) in which there will be amplified music and (iv) much more traffic in the carpark and around our home, will lead to significantly increased noise and activity which will unreasonably impair the amenity of our home. These are “not low-level impacts” and they compromise residential amenity.

Conclusion

The proposed development is so seriously at odds with the relevant provisions of the PDC that the Council would be making an error of law and planning judgment were it to approve the proposed development.

In the event that the Council were to disregard the PDC and nevertheless approve an expansion of the Payneham Tavern, the following measures would be required, as a minimum, to reduce the negative impact on the amenity of adjoining residents:

- an independent acoustic assessment as to the impacts of the proposed development, and of the measures required to reduce noise and preserve residents' amenity;
- a significant reduction in the number of patrons – 1,300 patrons is a very large, and unreasonable, number for a licensed premises with 3 outdoor areas which adjoins numerous residential properties;
- the Council consider the traffic and parking impacts of the proposal in view of 1,300 patrons, not only in the carpark, but in surrounding local streets;
- the opening hours of the beer garden and outdoor dining area be restricted to 9.00pm on Sunday-Thursday nights, and 10.00pm on Friday and Saturday nights;
- additional acoustic protections for the child's play area and outdoor dining area – they should receive the same height acoustic protections as the beer gardens;
- a requirement that there be no amplified music or sports broadcasting in the beer gardens, outdoor dining area and children's play area;
- ground-level lighting in the carpark to prevent light spill onto adjoining residential properties;
- greater protection measures to be incorporated into the proposed development to protect residential amenity, including increasing the height of the property barrier between the carpark and our home (i.e. a 2.1 metre high fence, as measured from our side of the property boundary)
- that the Tavern be required to have security measures in place to ensure respectful patron behaviour in the carpark

[attach additional pages as needed]

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

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[list any accepted or deemed-to-satisfy elements of the development].*

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: Click here to enter text.

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

Signature: 

Date: 15 May 2023

Return Address: [Click here to enter text.](#) *[relevant authority postal address]* or

Email: developmentassessment@npsp.sa.gov.au *[relevant authority email address]* or

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

15 May 2023

Katarina Grenfell & William Hirt
5 Battams Road
ROYSTON PARK SA 5070

Via email:

Dear Katarina

Re: Development ID: 22042866

Assessment of Proposed Additions and Alterations to existing hotel comprising partial demolition, the construction of two beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage at 319-327 Payneham Road, Royston Park

We confirm that you and William, and Tim and Nia Adey (owners of 7 Battams Road, Royston Park) have sought our assessment and opinion regarding the proposed development by Australian Venue Company (AVC) to undertake additions and alterations to the existing Payneham Tavern premises which includes partial demolition works, the construction of two (2) beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage at 319-327 Payneham Road, Royston Park.

We confirm your property (5 Battams Road, Royston Park) abuts the northern boundary of the development site and contains a single-storey detached dwelling, ancillary outbuilding and swimming pool. Your dwelling is sited approximately 47 metres from the site of the existing Tavern building. The site of the proposed northern addition that forms part of the proposed works will be approximately 25 metres from your property boundary.

Both you and William, and Tim and Nia Adey, have expressed concerns that the proposed development will generate an intensity of activity that will be detrimental to your residential amenity, particularly in respect to additional noise of patrons and associated vehicle movements. In addition, there is a fear the proposal will generate greater levels of light spill, waste generation and vermin nuisance that may increase the level of impact to your properties.

We believe your shared concerns with respect to the impact the proposed development will have upon the amenity of your properties are justified following our review of the following:

- The application documents made available for public inspection.
- Current General and Hotel Licence for the Payneham Tavern.





- The relevant Desired Outcomes (DO) and Performance Outcomes (PO) of the relevant Overlays, the Suburban Business Zone and General Neighbourhood Zones, and General Development Policies of the Planning and Design Code.
- The input from other consultants on technical matters.

The Proposal

From our review of the application documents made publicly available, we note the proposed development comprises the following elements:

- Increase in patron capacity from 625 persons to 1,300 persons (greater than a 100% increase).
- Internal alterations.
- Partial demolition of the existing building.
- Two (2) beer garden additions to the front and rear of the building (additional floor area increase of 377 square metres).
- Provision of children's play equipment within the rear addition.
- Removal of 10 car parking spaces.
- Replacement advertisement signage.
- Landscaping.

Deficiencies of Information Available

We are of the opinion the application documents made available for public notification lack critical information required to make a complete and proper determination on the suitability of the proposed development. The critical information missing from the documents include:

- Information outlining security measures to be applied to manage patron behaviour given the proposed increase in patron capacity.
- An assessment of the impact of greater patron activity within the external northern carpark areas of the Tavern site.
- An assessment of the impact of greater vehicle movements upon the subject land (including delivery and waste vehicles) and the surrounding local road network.
- A revised Waste Management Plan.

In addition, we noted an inconsistency in the description of the proposed use of the northern addition in the documentation. The planning drawings and technical reports refer to the addition as being a "beer garden" while the planning report refers to the addition as being an outdoor dining area. We believe the description of this space should be clear and concise to avoid potential confusion as the conditions and features of, and patron behaviours within, an outdoor dining area are likely to be very different to that of a beer garden.



Statutory Referrals

We note the report prepared by the Lead consultant (URPS) included commentary in respect to a statutory referral to the Commissioner of Highways not being required. The justification given was the floor area would not exceed 10,000 square metres or provide for the creation/alteration of vehicle access points associated with the land.

The commentary also states the proposal will not change the nature of vehicular movements or increase the number/frequency of movement through an existing access point (underlining our emphasis).

We see no grounds to dispute the matter of floor area, the creation/alteration of a vehicle access point, or the nature of movement changing through the existing access point. However, we cannot agree with the opinion the proposal will not increase the number/frequency of movement through an existing access point given the proposal seeks to double patron capacity from 625 persons to 1,300 persons.

We believe the relevant authority has a statutory responsibility to refer the application to the Commissioner of Highways (if not already enacted).

Assessment of Proposed Development

The following provides our observations on the proposed development and the relevant policies of the Planning and Design Code.

Land Use

We acknowledge the proposed development will not involve a change in land use however the intent of the proposed development is to refurbish the existing tavern facility to attract and accommodate a significant increase in patron numbers. This outcome will result in a considerable intensification of activity associated with the use of the land.

In respect to the Desired Outcomes of both the Suburban Business Zone and the General Neighbourhood Zone of the Planning and Design Code (the Code), we note non-residential land uses should have a low level of impact that does not compromise residential amenity.

Suburban Business Zone DO 1:

A business and innovation precinct that includes a range of emerging businesses which have low level off-site impacts. Residential development within the area is subordinate to employment uses and generally includes medium-density housing designed to complement and not prejudice the operation of existing businesses.

General Neighbourhood Zone DO 1:

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



The Code also includes policies to alleviate conflict between different land uses including any proposed intensification of an existing use. These include:

General Development (Interface between Land Uses) DO 1

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

General Development (Interface between Land Uses) PO 1.2

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

General Development (Interface between Land Uses) PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- (a) the nature of the development*
- (b) measures to mitigate off-site impacts*
- (c) the extent to which the development is desired in the zone*
- (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*

General Development (Interface between Land Uses) PO 4.1

Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

General Development (Interface between Land Uses) PO 4.2

Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

- (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*



- (c) *housing plant and equipment within an enclosed structure or acoustic enclosure*
- (d) *providing a suitable acoustic barrier between the plant and/or equipment and the adjacent sensitive receiver boundary or zone*

General Development (Interface between Land Uses) PO 4.6

Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.

The technical documents provided with the application include an Environmental Noise Assessment and a letter providing a review of parking aspects of the proposal. The planning report has relied on the noise assessment to conclude:

“the facility has been designed to not unreasonably impact the amenity of the adjacent sensitive receivers, thereby achieving the relevant provision of the Code”.

The Environmental Noise Assessment was the subject of a peer review which identified potential gaps in the assessment and identified items that should be addressed. It noted the Environmental Noise Assessment report being silent on the following potential noise impacts:

- Assessment of increase in patrons from internal areas through the open doors to the beer gardens.
- Additional or relocated mechanical plant required for the redevelopment (including the increase in patron capacity).
- The increase in car movements on-site within the car parks to accommodate the increase in patron capacity (greater than 100% from 625 to 1,300). Noting that a doubling of traffic through the car park equates to a 3 dB increase in predicted noise levels (if all other variables remain the same).
- Waste collection (should they fall outside of the specified hours), and the likely increase due to increased patron capacity.

The peer review document is provided in **Attachment A**.

The proposed additions will result in an outdoor dining area/beer garden/children’s play space being approximately 25 metres from your property boundary. Before the proposal can be considered to achieve the relevant provisions of the Code, we believe greater investigations are required into the potential impact of the proposed increase in patron capacity, including within the external areas of the Tavern, are required.



Traffic Movements and Parking

There is also the matter of traffic impacts. Although a peer review was not conducted of the parking assessment, we note the assessment identifies a shortfall when assessed against the guidelines of the Planning and Design Code but justifies the shortfall based on parking demands at similar hotels and a survey at the subject site itself (from some four (4) years ago). The assessment is silent on the proposed doubling of patron numbers from 625 to 1,300 persons and an assessment of the associated traffic generation of such a significant increase.

We believe on-street parking immediately adjacent to the subject land on Payneham Road is not an option and patrons will not have access to other shared-use parking areas. With the proposal to remove ten (10) parking spaces from the subject land, we firmly believe it is critical for the proposal to cater for the peak parking demands on-site, especially when such a substantial increase in patron capacity is proposed.

General Development (Transport, Access and Parking) PO 5.1

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

- 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.*

If the Tavern facility does not provide sufficient spaces to support demand, then it is unlikely patrons will park on Payneham Road, but will seek the safer environment provided in Battams Road. We are in no doubt the potential for increased on-street parking demands in Battams Road will create conflict with existing residential demands, especially during weekend periods when residential demands are greatest.

Further, we note the subject land relies on only one (1) ingress and egress point. The location of these points requires all vehicles to circulate through the northern parking area except those passing through the drive-through bottle shop (which is closed from 8:00 pm Sunday to Thursday and from 9:00 pm Friday and Saturday).

Accordingly, we anticipate vehicle movements and related patron activities within the northern car park area will increase significantly given the proposed increase in patron capacity. It is reasonable to anticipate more constant vehicle and patron noise within this area as well as potential conflict between patron safety and service vehicle movements. We note the Code encourages the separation of these activities.



General Development (Transport, Access and Parking) PO 1.3

Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.

We believe it is entirely reasonable to be concerned about the impact the intensity of activity within this area will have upon your amenity.

Further, as noted earlier, the application documents failed to address the following matters:

- Information outlining security measures to be applied to manage patron behaviour given the proposed increase in patron capacity.
- A revised Waste Management Plan.

The proposed increase in patron capacity has the potential to greatly change the level of activity that will potentially occur in the external spaces of the Payneham Tavern after 10.00 pm and associated services to support the patron increase.

The application does not outline if greater security measures will be introduced to manage patron behaviour in the external areas, whether external lighting will be upgraded to provide greater security (and the impact of potential light spill resulting from upgrades), or any upgrades to waste management to ensure an increase in waste generation does not create odour and vermin nuisance.

While the application documents consider the facility has been designed to not unreasonably impact upon the amenity of adjacent residences, thereby achieving the relevant provisions of the Code, we believe insufficient evidence has been provided to ensure the amenity you enjoy at your properties will be adequately protected.

Conclusion

In summary, we are of the opinion that:

- We believe additional documents/information should have been available to the public during the notification process and the lack of this information validates your doubt on the suitability of the Payneham Tavern being capable of accommodating a greater than 100 percent increase in patron capacity without causing detrimental upon the amenity of your property.
- The proposed increase to patron capacity will result in greater activities within the external areas of the premises near residential properties.
- There are gaps in the information provided with the application to conclusively determine the proposed development will have a reasonable impact upon the amenity of your property.



- The prospect of seeking additional acoustic protection measures at the boundary of your property and the subject land are reasonable given the provisions prescribed by the Planning and Design Code.
- The expectations for greater protection measures needing to be incorporated into the proposed development to safeguard the residential amenity are justified.
- There should be no doubt the proposed development can accommodate parking demands to ensure patron vehicles are not constantly spilling into Battams Road.

We are of the opinion that the proposed intensification of patron capacity has a reasonable potential of causing detrimental impact upon your property.

Accordingly, the proposed development failures to satisfy key policies of the Planning and Design Code and **does not** warrant a planning consent being granted.

You will be given the opportunity to make a verbal submission in support of your objection to the proposed development, either in person or through a representative, to the Council Assessment Panel (CAP). The Council will provide you with the date and time this application will be presented to the CAP, so you have the opportunity to make the aforementioned verbal submission.

If you have any questions regarding any of the above matters, please contact me on 8193 5600 or via email: adamw@masterplan.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Adam Williams', followed by a horizontal line.

Adam Williams
MasterPlan SA Pty Ltd

enc: Resonate Peer Review of acoustic assessment.

ATTACHMENT A

Resonate Peer Review

Thursday, 11 May 2023

Project number: A230325
Reference: A230325LT1A

Katarina Grenfell
5 Battams Road
Royston Park
South Australia 5070

Dear Katarina,

Payneham Tavern - Peer Review
Acoustic Peer Review

1 Introduction

This letter outlines a peer review of the acoustic assessment prepared for an application for the redevelopment of Payneham Tavern, which is located at 319-327 Payneham Road, Royston Park.

2 Scope of redevelopment

We understand that the proposed redevelopment of the Payneham Tavern comprises:

- Internal alterations—reconfiguration of spaces within the existing hotel to enable the relocation of the existing Bistro and Sports Bar areas
- Partial demolition of the existing building
- Two beer garden additions to the front and rear of the building:
 - Southern (front) beer garden associated with Sports Bar—167 m²
 - Northern (rear) beer garden associated with Bistro—210 m² (including children's play area)
- Provision of children's play equipment within rear addition
- Removal of 10 car parking spaces.

In addition to the works for the redevelopment noted above, it is proposed to increase the patron numbers from 650 to 1300.

3 Review

Our peer review comments are outlined in Table 1. Note that these comments are made in view of assisting the identification of potential gaps to be raised in a representation to CAP.

Table 1 Peer review comments

Sonus Report Section	Comment
Introduction	<p>The Sonus report notes that music noise in the beer gardens and adjoining internal refurbished areas are to be limited to '<i>background level of music (being a level which would not require voices to be raised for normal conversation)</i>'. This is not identified in the Planning report as a requirement under Section 5.3.1.</p> <p>This aspect of the assessment is critical as no specific music noise assessment has been made based on this assumption. If amplified music (above background music) is desired, then an assessment would be required to satisfy PO 4.6 <i>Interface Between Land Uses—Activities generating noise or vibration</i>.</p> <p>The areas to which the music noise levels are to be limited to background music only are identified in Figure 1.</p>
Criteria	<p>The report uses the measured background noise level as a basis for:</p> <ul style="list-style-type: none"> • Adopting an alternative nighttime criterion at Receiver F (in affect, justification of an exceedance). • Not applying a characteristic penalty to the predicted patron noise levels. <p>To consider existing high background noise levels, measurements are to be taken in absence of the noise source itself (that is, the Tavern). Alternatively, a measurement location is to be selected that is representative of the noise-affected premises but is not affected by the Tavern. The Sonus report does not specify where the measurement locations were. However, it is likely that they were undertaken on the site of the Tavern itself capturing noise due to the operation of the Tavern. If so, the measured levels would not appropriately represent the background noise levels, and cannot be used to justify exceedance or to not apply a penalty.</p> <p>As such:</p> <ul style="list-style-type: none"> • The presented levels are likely to require a characteristic penalty to be applied, and would therefore be 5 dB higher. Note that a characteristic penalty should be applied under the Noise Policy to account for the modulation (rise and fall) of patron noise in a quiet existing ambient environment. This would result in an exceedance of the criteria at most assessed receptors. • Justification of exceedance at Receiver F may not be appropriate.
Assessment	<p>It is noted that not all affected noise receptors have been included in the assessment. This is as identified in Figure 2—with the red receivers (A to F) assessed in the Sonus report, with no comment regarding the green receivers.</p> <p>All adjacent receptors should be considered in demonstrating compliance.</p>

Sonus Report Section	Comment
Assessment	<p>The Sonus report is silent on the following potential noise impacts:</p> <ul style="list-style-type: none"> • Assessment of increase in patrons from internal areas through the open doors to the beer gardens. • Additional or relocated mechanical plant required for the redevelopment (including the increase in patron capacity) • The increase in car movements on site within the carparks to accommodate the increase in patron capacity (by 100% from 650 to 1300). Noting that a doubling of traffic through the carpark equates to a 3 dB increase in predicted noise levels (if all other variables remain the same). • Waste collection (should they fall outside of the specified hours), and the likely increase due to increased patron capacity.

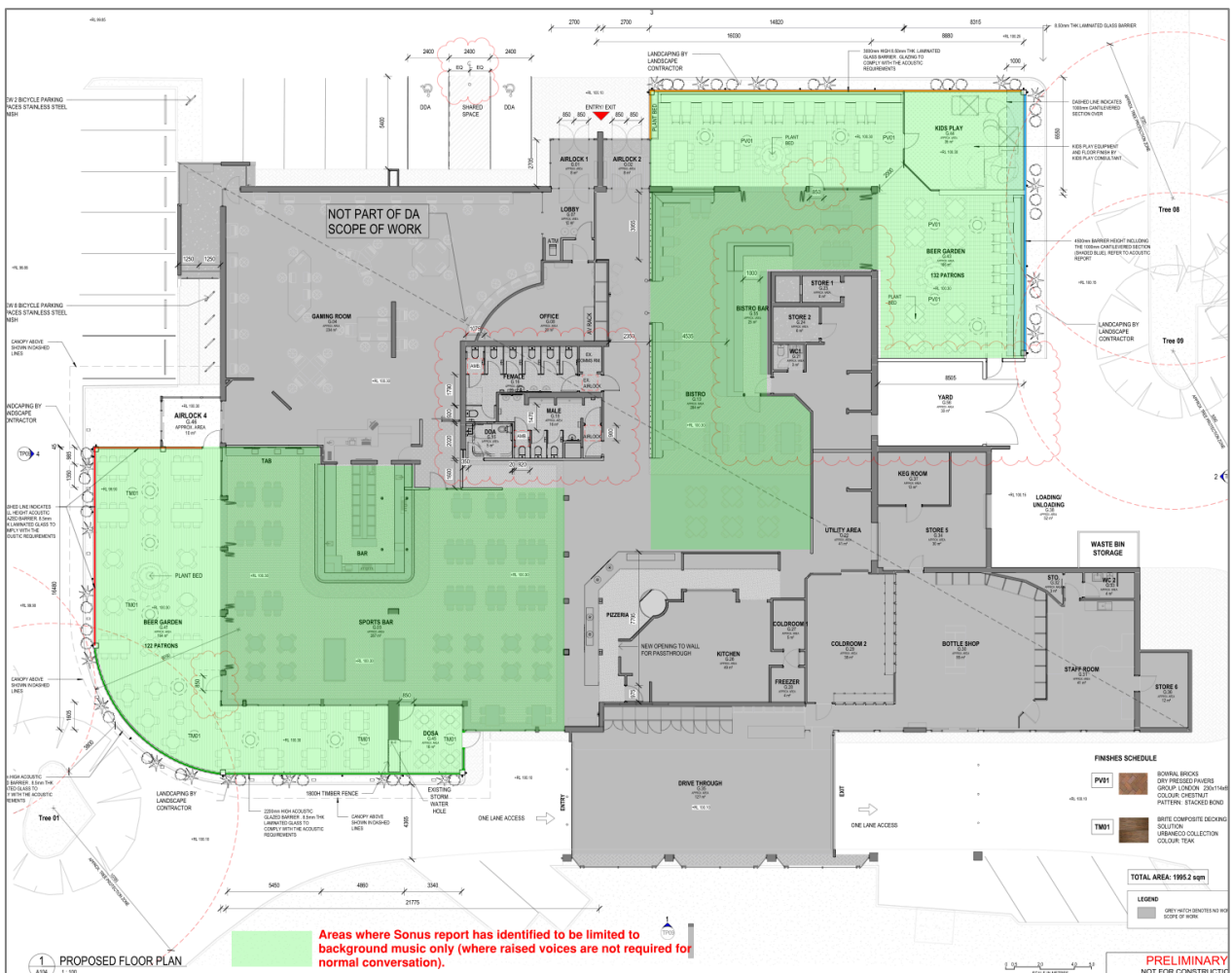


Figure 1 Areas identified to have background music only



Figure 2 Identification of receivers not assessed

4 5 Battams Road

This section addresses concerns specifically raised by the resident at 5 Battams Road.

4.1 Noise impact

We agree with the modelling and results presented in the Sonus report with respect to the actual noise levels presented. However, there are the following concerns as raised in Section 3:

- The approach taken by Sonus in not applying a characteristic penalty may result in a level 5 dB higher than predicted and presented. We understand that the existing background noise levels are perceived to be quiet, and not adversely affected. Note that a characteristic penalty should be applied under the Noise Policy to account for the modulation (rise and fall) of patron noise in a quiet existing ambient environment. This would ultimately result in an exceedance for both the day and nighttime criteria by up to 5 dB.
- Other potential impacts regarding increased patrons, vehicle movements, and mechanical services have not been addressed.

These items should be addressed prior to approval to ensure that the development can operate within the requirements of the Noise Policy.

4.2 Additional considerations

- Ask for the decision to be deferred pending an independent acoustic peer review of the Sonus assessment, or to seek clarification on the items raised in Section 3.
- Specify a condition with respect to background music only within the Tavern as noted in Section 3.
- All recommendations in the acoustic report to be adopted as conditions as a minimum—in particular number of patrons, operating hours, beer garden acoustic barriers, and door closures.

Note that the conditions may have to be more onerous than that outlined in Section 3 if any amended assessment results in exceedance. Additional treatments and conditions that may have to be ultimately considered may include:

- Further limit to patron numbers
- Further limit to operational hours
- Increase to the requirement of acoustic barriers around the beer gardens
- Roof top to the rear beer garden
- Increasing the height of the property barrier (between the Tavern car park and the residences).

Please let me know if you have any queries or wish to discuss the above.

Yours sincerely,



Deb James
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23 June 2023

Mr Kieran Fairbrother
Senior Urban Planner
City of Norwood Payneham & St Peters

Dear Kieran

Response to Representations (22042866) – 319-327 Payneham Road, Royston Park

Introduction

Thank you for providing the representations received during the public notification period.

A total of six (6) representations were submitted, these included:

Table 1: Representors

#	Name	Property Affected	Position
1	Rodger and Lia Ellis	1 Battams Road, Royston Park	Opposes and wishes to be heard
2	Arthur Terrell	173 First Avenue, Royston Park	Opposes
3	Timothy and Nia Adey	7 Battams Road	Opposes and wishes to be heard
4	Mark Newton	183 First Avenue, Royston Park	Opposes
5	Stephen Jervis	175 First Avenue, Royston Park	Opposes
6	Katarina Grenfell and William Hirt	5 Battams road, Royston Park	Opposes and wishes to be heard

The location of the subject land and that of the representors is shown in Figure 1 below.

Figure 1: Representors' land and the subject land (in yellow)



The concerns raised principally relate to:

- Amenity impacts by way of:
 - Noise
 - Light Spill
 - Hours of Operation
- Traffic and availability/loss of car parking
- Waste management
- Land Use impact
- Antisocial behaviour
- Landscaping and trees

To assist with the consideration of the matters raised, additional expert advice has been prepared by Sonus acoustic engineers (**Annexure A**) and CIRQA traffic consultants (**Annexure B**). This advice is enclosed.

The proponent has also agreed to supplement this response with:

- A reduction in the proposed patronage increase to 1,025 persons (1,300 persons previously proposed). The existing capacity is 625 persons.
- Confirmation that the front outdoor beer garden area associated with the sports bar will be closed at midnight.

Rather than address each representation individually, I have responded to the collective themes below.

Amenity Impacts

Noise

Resonate was engaged on behalf of two representors to undertake a peer review of the Noise Impact Assessment previously prepared by Sonus. This review identified that the following matters for further consideration:

- No specific music noise assessment has been made for the beer gardens.
- An alternative night-time criterion has been adopted for Receiver F.
- No characteristic penalty has been applied to the predicted patron noise levels.
- Not all noise affected sensitive receivers have been included in the assessment.
- Potential for increased noise impacts associated with:
 - Increased patrons within internal areas to the beer gardens.
 - Additional or relocated mechanical plant.
 - Increased car movements within the carparks.
 - Waste collection

Sonus has undertaken a further review in relation to these comments. This assessment is enclosed (**Annexure A**) and can be summarised as follows:

- The original assessment was prepared based on the understanding that any outdoor music would comprise background music only. The proponent has confirmed that music within the outdoor areas will only consist of background music played through an in-house speaker system. No live music will be played within the outdoor areas.
- It was identified that the existing noise environment at Receiver F (Unit 1 317 Payneham Road) is significantly impacted by road traffic noise, particularly during the hours of operation that fall within the Environment Protection (Noise) Policy 2007 (the Policy) night-time period (i.e. between 10:00 pm and midnight).

The Policy supports the assessment approach undertaken to demonstrate compliance. This approach being to demonstrate that the noise from the development will not be significant in the existing noise environment.

- In accordance with the Guidelines for Use of the Environment Protection (Noise) Policy 2007 (the Guidelines), for a penalty to apply, the noise characteristic must be fundamental to the nature and impact of the noise, rather than simply a part of it.

In considering this, the predicted noise level from an individual raised voice is approximately 10 dB(A) below that of the continuous noise of all patrons, and therefore individual voices will not be dominant within the acoustic environment. On this basis a penalty for a modulating noise characteristic is not warranted.

- All noise affected sensitive receivers were considered. In circumstances where a number of residences were predicted to be exposed to a similar noise level generally only the highest predicted level was presented. Some results were therefore consolidated. The predicted noise levels at all adjoining residences is contained for reference within the additional Sonus advice.
- The noise from patrons indoors was included in the predicted noise levels. Recommendations were included in the original report to manage the break-out noise from these spaces. These recommendations included the closure of specific external doors at 10pm.
- No additional or relocated mechanical plant is proposed as part of the redevelopment beyond installation of additional toilet exhaust fans. It is therefore anticipated that any increase in mechanical plant noise would not be audible at residences.
- Additional assessment on the noise associated with increased car parking activity has been undertaken. This assessment was premised on forecasted traffic generation associated with the redevelopment.

This assessment identified that the highest predicted noise levels (at day and night), is lower than the lowest measured background noise at either logging location.

- When combined with the predicted patron noise levels, it is confirmed that the criteria are still achieved.
- Waste collection will continue to occur in line with current practices, with timing consistent with the mandatory requirements of Part 6 Division 3 of the Environment Protection (Noise) Policy 2007.

Having considered the feedback provided by Resonate, it has been demonstrated that the proposal maintains compliance with the Environment Protection (Noise) Policy 2007.

The facility has therefore been designed to not unreasonably impact the amenity of adjacent sensitive receivers, thereby achieving the relevant provisions of the Code.

Hours of Operation

Clarification has been sought in relation to the proposed hours of operation. No change to operating hours is sought as part of this proposal.

In fact, the premise currently operates below the maximum approved operating hours. A comparison of these is provided below:

Table 1: Approved vs actual hours of operation

Day	Approved Hours	Current Operating Hours
Monday – Saturday	5am to 3am the following day	8am to 2am the following day
Sunday	5am to 3am the following day	9am to midnight

The premise will continue to maintain its approved operating hours, with the two additions sought to operate within a reduced capacity. The additions are sought to close daily as follows:

- Northern (rear) beer garden to close at 10pm.
- Southern (front) beer garden to close at 12pm (with bi-fold recommendations in place at 10pm onwards).

The proposed development does not seek to increase or alter the approved hours of operation.

Light Spill

The comments submitted noted that lighting is expected to be upgraded in conjunction with this proposal. No alterations to the car park lighting are proposed to occur.

The proposed additions are sufficiently setback from external allotment boundaries such that any internal lighting will not result in an unreasonable impact on adjoining properties. This will be assisted by the limited operating hours of these areas.

While lighting emitted from the proposed additions and alterations are not anticipated to detract from the amenity of neighbouring properties, the proponent is amenable to Council imposing a condition to ensure such lighting is installed in a manner that directs lighting away from neighbouring allotments.

Carparking and Traffic

CIRQA traffic consultants have been engaged by the proponent to review the comments submitted in relation to car parking and traffic. Their review is contained within **Annexure B**.

In summary their response identifies:

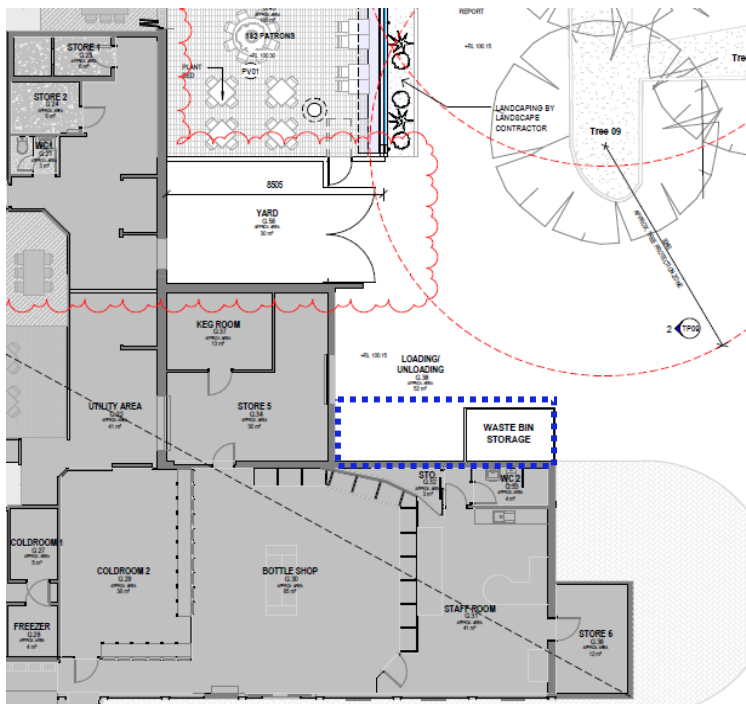
- The site retains a surplus in available carparking as the surveyed car parking demand does not exceed the car parking supply rate of the premise. This survey was undertaken in December when higher than typical trading conditions occur.
- Parking demand and traffic generation assessments are not typically assessed based on licensed capacity. Such an approach is not representative of typical design demands at such sites. Traffic and parking assessments for hotels are more typically based on floor area and for some uses, seating numbers (which differs from total capacity) and/or gaming machine numbers.
- The original traffic and parking report did not state a reliance on on-street parking. An on-site supply surplus in carparking is considered to exist, which is sufficient to accommodate the demand resulting from the proposal.
- The proposed additions result in a forecasted increase of approximately 20 peak hour trips. Such an increase in volumes is readily accommodated by the adjoining road network.
- Typical peak periods associated with the premise would occur outside of typical commuter peak periods for Payneham Road.
- There is latent capacity within the existing waste collection and delivery services without requiring additional commercial vehicle movements. These movements are undertaken outside of peak trading periods and can easily be accommodated within the site.

The development is considered to provide for sufficient on-site car parking and will not result in vehicular volumes that would exceed the capacity of adjoining roads.

Waste Management

Waste is presently stored adjacent to the north-eastern elevation of the building and collected on-site. While a theoretical increase in waste generation may occur, the site retains sufficient area to accommodate this nominal increase during peak occupancy periods (i.e. 625-1025 persons). This area is identified below.

Figure 2: Location of waste collection storage and collection (blue)



This nominal increase in waste generation does not equate to an increased frequency in waste collections. This is due to a latent capacity within the existing waste collection service to accommodate any additional waste.

All waste will continue to be stored in a manner that is not visible from the public realm and collected within the confines of the allotment boundaries. The way in which waste is collected from the land will therefore remain unchanged by the proposal.

Given the interface with neighbouring residential uses, this waste collection is required to occur between 7am to 7pm or 9am to 7pm on a Sunday or public holiday.

Land Use Impact

Two of the submitted representations included an assessment of the proposal prepared by planning consultants, Masterplan. This assessment noted that the Desired Outcomes (DOs) of the Suburban Business and General Neighbourhood Zone which apply to the land, seeks for non-residential land uses to provide a low level of impact which does not compromise residential amenity.

The representations did not principally question the suitability of the use, rather identified that its suitability should be measured by the extent of noise emanated by the development. It relied on the peer review conducted by Resonate acoustic engineers to do so.

Having considered the supplementary advice prepared by Sonus, it has been demonstrated that the proposal will provide a low-level impact that does not compromise residential amenity. The proposal maintains compliance with the Environment Protection (Noise) Policy 2007.

The respective DOs of the Zones are satisfied.

Antisocial behaviour

The consideration of antisocial behaviour has limited scope when determining the merits of a proposal against the relevant provisions of the Planning and Design Code. In *Reichelt & Ors v City of Charles Sturt & Anor* [2016] (SAERDC 38), the court observed the following in relation to antisocial behaviour:

- 57 ***We accept that behaviour of the type identified may occur at the proposed development, and that if it occurs, the amenity of neighbouring residents will inevitably be detrimentally affected. However, we do not regard the possibility of such behaviour occurring, in and of itself, to be a warrant for refusing approval to the proposed development.***
- 58 ***The occurrence of anti-social, even criminal, behaviour is an unfortunate fact of life to be encountered at a broad range of shopping, commercial and entertainment facilities. If development approvals for such facilities were refused in order to ensure that detrimental impacts on the amenity of nearby residents were avoided altogether and in every case, there would be very few such facilities ever approved.***

While this matter is not a relevant planning consideration, our client understands the identified concerns and is an experienced publican (operating over 150 venues nationwide). Staff are trained to monitor and implement a series of practices to manage the behaviour of patrons.

It is acknowledged that the premise operator has obligations for the responsible delivery of alcohol and the management of patrons under the hotel's liquor license.

Landscaping and Trees

No 'tree damaging activity' or tree removal is proposed as part of this development.

To the contrary, Arborman Tree Solutions were engaged to undertake an Arboricultural Impact Assessment and a Development Impact Report to ensure the proposed works would not detrimentally impact the health of adjoining regulated/significant trees.

This assessment confirms that with the implementation of the arborist's recommendations, the health of the trees will not be detrimentally impacted.

The extent of landscaping sought to be removed to facilitate the proposal is limited to two perennial shrubs (Yucca plants). This loss is offset by the provision of additional landscaping plantings to the external perimeter of the additions. The balance of landscaping on site is retained.

Conclusion

Thank you for the opportunity to address the concerns of the representors. In summary, the proposal:

- Has been revised to seek for a reduced patron capacity of 1,025 persons (previous increase sought being 1,300).
- Now seeks for the front outdoor beer garden area associated with the sports bar to close at midnight.
- Has demonstrated that compliance with the Environment Protection (Noise) Policy 2007 is achieved and that the facility will not result in noise conditions exceeding the existing background levels.
- Will operate below the existing approved hours of operation (as is currently the case).
- Does not result in new or increased light spill into adjoining residential properties.
- Retains sufficient on-site car parking and will not result in vehicular volumes that would exceed the capacity of adjoining roads.
- Will not alter the location, time or method of waste collection and there is latent capacity within the existing waste collection service to accommodate any additional waste generated.
- Represents an existing and operative use that maintains a low-level impact to not compromise residential amenity.
- Will as far as reasonably practicable, manage patron behaviour. Acknowledging that the occurrence of such behaviour cannot be assumed.
- Does not seek to remove any trees and will accommodate new landscaping to the perimeter of the building.

For the reasons outlined herein and as previously addressed as part of the initial submission, the proposed development satisfies the relevant provisions of the Code to warrant planning consent.

Please call me if you have any questions on 8333 7999.

Yours sincerely



Matthew King
Managing Director

URPS
Suite 12/154 Fullarton Road
Rose Park 5067

S6318C9

Attention: Scott Twine

23 June 2023

Dear Scott,

**PAYNEHAM TAVERN REDEVELOPMENT
RESPONSE TO REPRESENTATIONS**

Sonus was engaged to conduct an environmental noise assessment for the proposed redevelopment of Payneham Tavern at 319-327 Payneham Road, Royston Park, SA (development number 22042866). The proposed redevelopment comprises establishment of a beer garden at the front of the premises (associated with the Sports Bar) and an outdoor dining terrace and children's play area (associated with the Bistro) at the rear of the premises, internal alterations within the building and associated landscaping and other works.

Sonus' environmental noise assessment of the redevelopment was detailed in report S6318C8 dated November 2022 (the **Sonus Report**).

As part of the development application process, a number of representations have been received from adjoining landholders, including an acoustic peer review (prepared by Resonate Consultants, reference A230325LT1A dated 11 May 2023, the **Resonate Review**) as part of one of the submissions (5 Battams Road). The Resonate Review is also referred to by a second submission (7 Battams Road).

This letter provides a response to specific concerns raised in the representations (and the Resonate Review) regarding the environmental noise from the proposed development.

Subsequent to preparation of the Sonus Report and submission of the development application, it is understood that the following amendments to the redevelopment are now proposed. These amendments are considered in the following responses:

- The proposed total patronage following the redevelopment to be reduced from to 1,025 from the previously proposed 1,300 (the existing capacity being 625)
- The front outdoor beer garden area associated with the sports bar is now proposed to close at midnight.

RESONATE REVIEW

The Resonate Review comments are summarised as follows:

- No specific music noise assessment has been made for the beer gardens.
- An alternative night-time criterion has been adopted for Receiver F.
- No characteristic penalty has been applied to the predicted patron noise levels.
- Not all noise affected noise sensitive receivers have been included in the assessment.
- Potential for increased noise impacts associated with:
 - Increased patrons within internal areas to the beer gardens.
 - Additional or relocated mechanical plant.
 - Increased car movements within the car parks.
 - Waste collection.

Responses to each of the above comments are provided in the following sections.

Music Noise

The Sonus Report was prepared based on the understanding that any outdoor music would comprise background music only (being music of a volume that would not require voices to be raised for normal conversation). Sonus has confirmed with the proponent that the only music that will be played within the outdoor areas will be background music played through an in-house speaker system. That is, no live music will be played within the outdoor areas.

Receiver F Noise Criterion

The Resonate Review notes that *'the report uses the measured background noise level as a basis for... Adopting an alternative nighttime criterion at Receiver F (in affect, justification of an exceedance)'*.

The *Environment Protection (Noise) Policy 2007* (the **Policy**) provides more than one path to demonstrate compliance. One method is to demonstrate that the noise from the development will not be significant in the existing noise environment.

Extensive monitoring of the existing noise environment has been conducted at the locations identified in the below aerial photograph, including unattended noise monitoring at two locations (NL1 and NL2, comprising a number of weekdays and a weekend) supplemented by attended measurements.

On the basis of the monitoring and on-site observations, it was identified that the existing noise environment at Receiver F (Unit 1 317 Payneham Road) is significantly impacted by road traffic noise, particularly during the proposed hours of operation of the new areas that fall within the Policy night-time period (between 10:00 pm and midnight). As such, noise from the development will not be significant at Unit 1, 317 Payneham Road during these hours provided it does not exceed the existing background noise at this location (46 dB(A)).

The existing noise environment at Unit 2, 317 Payneham Road is similarly impacted by road traffic noise, and as such noise from the development will not be significant at this receiver provided it does not exceed 44 dB(A).



Characteristic Penalty

The Resonate Review notes that a characteristic penalty may be applicable to the predicted patron noise levels, and that a penalty has not been applied by the Sonus Report.

In accordance with the *Guidelines for Use of the Environment Protection (Noise) Policy 2007* (the **Guidelines**), for a penalty to apply, the noise characteristic must be fundamental to the nature and impact of the noise, rather than simply a part of it. In determining whether a penalty applies, the Guidelines note that the characteristic should be considered in the context of the existing acoustic environment.

Patron noise can possess a modulating noise characteristic where individual voices are dominant rather than the continuous noise from many incoherent voices. To determine the potential for a modulating characteristic to be associated with the beer garden and dining terrace areas, the noise from an individual speaking with a loud voice has been compared with the continuous noise associated with all patrons within each area (151 patrons within the bistro dining terrace and 160 within the beer garden). The predicted noise level from an individual raised voice is approximately 10 dB(A) below that of the continuous noise of all patrons, and therefore individual voices will not be dominant within the acoustic environment. On this basis a penalty for a modulating noise characteristic is not warranted.

It is also noted that predicted noise levels are less than 5 dB(A) above the existing background noise levels measured at NL2 (set back from Payneham Road) at all times during the proposed hours of operation.

Noise Sensitive Receivers Considered by the Assessment

The Resonate Review notes that *“not all affected noise receptors have been included in the assessment”*.

While the assessment considered *all* adjoining residences (indicated as orange in the above figure), in circumstances where a number of residences were predicted to be exposed to a similar noise level generally only the highest predicted level was presented. That is, predicted noise levels at residences not presented in the Sonus Report are lower than those presented in the report, or can be interpolated from the presented noise levels. The predicted noise levels at *all* adjoining residences are presented in the following table.

Report Receiver:	Description:	Predicted L _{eq} Noise Levels		Criteria	
		Day	Night	Day	Night
A	1 Battams Road	49 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
-	3 Battams Road	48 dB(A)	40 dB(A)	49 dB(A)	42 dB(A)
B	5 Battams Road	49 dB(A)	41 dB(A)	49 dB(A)	42 dB(A)
-	185 First Avenue	46 dB(A)	39 dB(A)	49 dB(A)	42 dB(A)
-	183 First Avenue	45 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
C	181 First Avenue	49 dB(A)	39 dB(A)	49 dB(A)	42 dB(A)
-	179 First Avenue	48 dB(A)	40 dB(A)	49 dB(A)	42 dB(A)
D	177 First Avenue	49 dB(A)	42 dB(A)	49 dB(A)	42 dB(A)
-	175 First Avenue	42 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
E	5/317 Payneham Road	40 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
-	4/317 Payneham Road	40 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
-	3/317 Payneham Road	40 dB(A)	39 dB(A)	49 dB(A)	42 dB(A)
-	2/317 Payneham Road	44 dB(A)	44 dB(A)	49 dB(A)	44 dB(A)*
F	1/317 Payneham Road	47 dB(A)	46 dB(A)	49 dB(A)	46 dB(A)*

Notes:

* Based on measured background noise levels

Increased Patrons within Internal Areas

The Resonate Review notes that *'the Sonus report is silent on the assessment of an increase in patrons from internal areas through the open doors to the beer gardens'*.

It is confirmed that the noise from patrons indoors was included in the predicted noise levels.

Recommendations are provided by the Sonus Report to manage the break-out of noise from these spaces by recommending that specific external doors should be closed (and remain closed) after 10:00 pm.

Mechanical Plant

The Resonate Review notes that *'additional or relocated mechanical plant required for the redevelopment (including the increase in patron capacity)'* is not considered by the Sonus Report. Sonus has confirmed with the proponent that no additional or relocated mechanical plant is proposed as part of the redevelopment beyond installation of additional toilet exhaust fans. It is therefore anticipated that any increase in mechanical plant noise would not be audible at residences.

Increase in Car Parking Activity

The Resonate Review notes that ‘other potential impacts regarding ... increased vehicle movements ... have not been addressed’.

Only minor changes to the existing approved car parking arrangements (comprising the removal of 10 parking spaces) are proposed as part of the development. These changes will therefore not increase the capacity of the car parking area, nor will they result in any increase in noise from individual vehicles.

Notwithstanding, an assessment of the noise associated with any increase in vehicle movements and parking activity within the car parking area (beyond that associated with the existing approved operations) has been conducted. The assessment has been based on advice from CIRQA traffic consultants regarding the traffic generation forecast to be associated with the redevelopment comprising the following:

- Prior to 10:00 pm: A peak of 10 additional trips per 15-minute period
- After 10:00pm: Less than 5 additional trips per 15-minutes period

As the additional carpark activity would occur in addition to that associated with the existing approved hotel operations, it has been assumed that this activity would occur within the bays closest to the site boundary (on the assumption that patrons would preferentially park closer to the building entrances where possible and therefore any additional activity would occur further from the entrances than the existing activity).

Based on the above, the following noise levels are predicted at nearby noise sensitive receptors:

Report Receiver:	Description:	Predicted L_{eq} Noise Levels (Traffic)		Criteria	
		Day	Night	Day	Night
A	1 Battams Road	37 dB(A)	34 dB(A)	49 dB(A)	42 dB(A)
-	3 Battams Road	35 dB(A)	32 dB(A)	49 dB(A)	42 dB(A)
B	5 Battams Road	37 dB(A)	34 dB(A)	49 dB(A)	42 dB(A)
-	185 First Avenue	33 dB(A)	30 dB(A)	49 dB(A)	42 dB(A)
-	183 First Avenue	33 dB(A)	29 dB(A)	49 dB(A)	42 dB(A)
C	181 First Avenue	37 dB(A)	34 dB(A)	49 dB(A)	42 dB(A)
-	179 First Avenue	39 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
D	177 First Avenue	38 dB(A)	36 dB(A)	49 dB(A)	42 dB(A)
-	175 First Avenue	36 dB(A)	34 dB(A)	49 dB(A)	42 dB(A)
E	5/317 Payneham Road	39 dB(A)	36 dB(A)	49 dB(A)	42 dB(A)
-	4/317 Payneham Road	39 dB(A)	36 dB(A)	49 dB(A)	42 dB(A)

Report Receiver:	Description:	Predicted L_{eq} Noise Levels (Traffic)		Criteria	
		Day	Night	Day	Night
-	3/317 Payneham Road	39 dB(A)	36 dB(A)	49 dB(A)	42 dB(A)
-	2/317 Payneham Road	38 dB(A)	35 dB(A)	49 dB(A)	44 dB(A)*
F	1/317 Payneham Road	36 dB(A)	33 dB(A)	49 dB(A)	46 dB(A)*

Notes:

* Based on measured background noise levels

The highest predicted noise level during the day (39 dB(A)) is lower than the lowest measured background noise level during the same period at both monitoring locations (NL1 and NL2) during the proposed hours of operation of the new areas. Similarly, the highest predicted level during the night period (37 dB(A)) is lower than the lowest measured background noise level at either logging location within the proposed hours of operation. As such, a penalty for a modulating noise character does not apply to the new parking activity.

Cumulative Noise Impact

When combined with the predicted patron noise levels, it is confirmed that the criteria are still achieved.

Waste Collection

The Resonate Review notes that the Sonus Report does not provide consideration of waste collection activities. The proponent has confirmed that waste collection will continue to occur consistent with current practices, with timing consistent with the mandatory requirements of Part 6 Division 3 of the *Environment Protection (Noise) Policy 2007*. It is noted that ample space is available on-site to accommodate any additional waste generation associated with the increase in patronage.

OTHER ITEMS RAISED IN SUBMISSIONS

Responses to specific items raised in submissions not covered by the response to the Resonate Review are provided in the following sections.

Children's Play Area

Multiple submissions made reference to noise from the proposed children's play area associated with the rear bistro dining terrace. It is confirmed that this has been considered as part of the noise assessment and is included in the predicted noise emissions from the site presented in the Sonus Report.

Large Screen Televisions

Multiple submissions made reference to amplified live sports being broadcast on large televisions to be installed within the outdoor areas. It is understood that televisions are installed within the outdoor areas, the volume will be maintained at a level which is inaudible at nearby noise sensitive receivers.

If you have any questions or require clarification, please call me.

Yours faithfully
Sonus Pty Ltd



Chris Turnbull
Director

+61 417 845 720
ct@sonus.com.au

Ref: 22247|BNW

14 June 2023

Mr Scott Twine
URPS
Suite 12, 154 Fullarton Road
ROSE PARK SA 5067

Dear Scott,

PROPOSED ALTERATIONS, PAYNEHAM TAVERN 319-327 PAYNEHAM ROAD, ROYSTON PARK

I refer to the proposed alterations at the Payneham Tavern at 319-327 Payneham Road, Royston Park (App ID 22042866). Specifically, I refer to the representations received during the community notification period for the application.

Key comments relating to traffic and parking matters raised by the representors are noted below in italics followed by my response.

"We also noticed re car parking, it is stated they have currently 3.7 car spaces per 100 square metres of floor area and with the increase to the size of the hotel and moving 10 car parks, they claim 5.6 spaces per 100 square metres. This does not make sense."

The representor has misinterpreted the information provided. The rate of 3.7 spaces per 100 m² relates to the surveyed demand rate at the site (i.e. the realistic number of spaces per floor area generated by the existing uses). The rate of 5.6 spaces per 100 m² relates to the provision or supply rate (the number of spaces per floor area available within the site for use but not necessarily utilised given the demand rate is lower). The difference between the 'demand rate' and the 'supply rate' indicates significant capacity to absorb additional demands within the site (i.e. associated with potential increase in popularity of the venue). Notably, the rate is higher than the peak demand rate observed at the Republic Hotel (a 'popular', redeveloped venue). I also note that the survey at the Payneham Tavern was undertaken in a December period which Australian Venue Co. has advised would have had higher than typical trading conditions (due to the approach to Christmas) and that typical demands would be lower.

"We are also worried with the increased patronage traffic flow and noise will be significant."

Traffic generation for hotel developments has previously been assessed on the basis of 5 peak hour trips per 100 m² (similar to a 'restaurant' trip generation rate). Based on this rate, there would be a forecast increase of approximately 20 peak hour trips associated with the proposed expansion. Such an increase in volumes is not significant but rather it is low (particularly noting it would be split between ingress and egress movements). Additionally, the peak period associated with the Tavern occurs outside of the commuter peak periods on Payneham Road which further minimises any impact from the small increase in movements.

"The development application seeks to increase the capacity of the hotel to 1300 people. It is therefore reasonable to assume that there will be a significant and corresponding increase in parking and traffic yet the proposal seeks to dispense with current a number of available car parking spaces. It is also reasonable to assume that with the significant increase in patronage that those patrons will be required to park on adjacent streets including Battams Road."; and

"The information provided to the Council in support of the development application does not take into account the significant increase in number of patrons that the redevelopment of the Tavern seeks to achieve."

Parking demand and traffic generation assessments are not typically assessed based on licensed capacity. Such an approach is not representative of typical design demands at such sites. Traffic and parking assessments for hotels (pubs) are more typically assessed based on floor area and for some uses, seating numbers (which differs from total capacity) and/or gaming machine numbers. As per my above comments, the assessment against the realistic 'per floor' area demand rate indicates that parking will be easily accommodated on-site (without reliance on on-street parking) and that the traffic increase associated with the expansion is low.

Notwithstanding the above, I have been advised that the applicant has revised its proposed capacity to a reduced level of 1,025 persons (and increase of 400 persons compared to the existing 625 capacity).

"We are also concerned that the information provided in support of the application fails to address the impact of increased vehicle movements at the site of the Tavern, including delivery and waste vehicles (as required by General Development (Interface between Land Uses) PO 4.2), and on surrounding local roads."

As noted above, the additional traffic generation associated with the proposal will be very low. In respect to delivery and waste vehicle movements, there would not be a notable change in the number of such vehicles associated with the site. Generally,

there would likely be latent capacity within the existing services without requiring additional commercial vehicle movements. Additionally, such movements are typically undertaken outside of peak trading periods and can easily be accommodated within the site (as currently occurs).

"They are relying on the "Performance Outcome 5.1 of Transport, Access and Parking Act" citing the solution to a "reduced on-site rate" being 5.1a "availability of onstreet parking". Note points 5.1b,c&d do not apply to this property. So their solution to this issue is to push parking onto surrounding streets."

The representor has misinterpreted and/or misconstrued the information provided. The original traffic and parking report did not state a reliance on on-street parking. In fact, the original report did not even quote PO 5.1(a) or reference the availability of on-street parking. Rather, the original report noted that the initial wording of PO 5.1 which simply refers to "... factors that may support a reduced on-site rate...". The subsequent points (a) to (d) of PO 5.1 (which were not quoted or relied upon) are simply examples of potential factors that could be considered but are not exclusive. The factors detailed in the original report related to the realistic reduced demand rates observed at the subject site and other similar hotels ('pubs'). As detailed above, I consider that sufficient parking will be provided on-site to accommodate peak design demands.

"We believe on-street parking immediately adjacent to the subject land on Payneham Road is not an option and patrons will not have access to other shared-use parking areas. With the proposal to remove ten (10) parking spaces from the subject land, we firmly believe it is critical for the proposal to cater for the peak parking demands on-site, especially when such a substantial increase in patron capacity is proposed."

With the exception of the bus zone in front of the site, on-street parking is permitted on Payneham Road outside of the part-time bicycle restrictions (which are not applicable during the peak demand period associated with the Tavern). Nevertheless, as detailed above and in the original traffic and parking report, there will be sufficient parking supply retained on-site to accommodate peak design demands.

I trust the above sufficiently responds to the queries raised by the representors in respect to traffic and parking matters. However, please feel free to contact me on (08) 7078 1801 should you have any queries.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Ben Wilson", written in a cursive style.

BEN WILSON

Director | CIRQA Pty Ltd

Referral Snapshot

Development Application number:

22042866

Consent:

Planning Consent

Relevant authority:

City of Norwood, Payneham and St. Peters

Consent type for distribution:

Referral body:

Commissioner of Highways

Response type:

Schedule 9 (3)(7) Development Affecting Transport Routes and Corridors

Referral type:

Direction

Response date:

13 Feb 2023

Advice:

With comments, conditions and/or notes

Condition 1

All access shall be in accordance with Proposed Site Plan, Project No AVC0011, Revision 4, dated 24/11/2022.

Advisory Note 1

All signage should be in accordance with the Department for Infrastructure and Transport's "Advertising Signs - Assessment Guidelines for Road Safety" (August 2014). The document is available via the following link:
https://dit.sa.gov.au/__data/assets/pdf_file/0019/145333/DIT-Advertising-Signs-Assessment-Guidelines.pdf

Advisory Note 2

It is recommended that the applicant contact Mr. Wayne Stewart, Senior Project Officer, South Australian Public Transport Authority (SAPTA), on ph. (08) 7109 7240 if bus stop adjacent to the site is impacted during construction.

Internal Referrals

Requested By	Referral Type	Requested Date	Respondee	Response Date	Status	Actions
Kieran Fairbrother	Arboriculture – Regulated or Significant Tree	05/04/2023	Matthew Cole	06/04/2023	Responded	View
Kieran Fairbrother	Traffic	05/04/2023	Gayle Buckby		Recalled	View
Kieran Fairbrother	Arboriculture – Regulated or Significant Tree	16/01/2023	Matthew Cole	14/03/2023	Responded	View

Response Details

Request:
Hi Matt,
This application involves the construction of additions to the Payneham Tavern which will result in construction being undertaken within the TPZ of 4 regulated trees (see site plan). The applicant has not provided an arborist report in support of their application.
Can you please undertake a VTA of the four (4) affected regulated trees and provide your comments/thoughts on the proposed levels of encroachment into their respective TPZs? Noting specifically whether you consider any of the work to potentially constitute a tree-damaging activity to any one or more of the 4 trees, and whether any tree-protection conditions should be considered. It is also worth noting that the existing building does appear to already encroach within the TPZ of some of these trees and the trees and building are already separated by the hard-surfaced bitumen car park.
Thanks
Kieran

Response:
Hi Kieran
Thanks for your time over the phone just now with respect to this DA.
As we discussed, of all the trees that grow on this site I am of the opinion that without any resurfacing of the carpark or kerbing replacement, that tree 1 is the only tree that could be adversely affected by the proposed development.
The concern specifically would be with regard to the excavation required for the construction of the beer garden at 3.9m to the north of tree 1, as such I would recommend some standard root pruning be conditioned for the project and for this location e.g.
An investigative trench should be hand dug or using a hydro vac that would follow the arc of the beer garden through the TPZ of tree 1 to determine the extent of root growth in this area. The pruning of tree roots is likely to be permitted at this distance from the centre of the tree, however any larger roots with a diameter of 50mm or more should not be cut without consultation from a level 5 or above arborist.
The trench should be 100mm wide and down to 600mm depth.
Should any large roots or root masses be uncovered this may require further arboricultural action to parts of the tree that are to remain prior to root pruning.
I also note that the tree 1 has established some buttressing (growth around the base of the tree), this should be carefully managed and the immediate surrounding soil profile (shown in the image below) should be carefully removed if deemed necessary.
Thanks Kieran, please let me know if I can elaborate on any of the above.
Matt

[X Close](#)

Internal Referrals

Requested By	Referral Type	Requested Date	Respondee	Response Date	Status	Actions
Kieran Fairbrother	Arboriculture – Regulated or Significant Tree	05/04/2023	Matthew Cole	06/04/2023	Responded	View
Kieran Fairbrother	Traffic	05/04/2023	Gayle Buckby		Recalled	View
Kieran Fairbrother	Arboriculture – Regulated or Significant Tree	16/01/2023	Matthew Cole	14/03/2023	Responded	View

Response Details

Request:
 Hi Matt,
 The applicant has engaged Arborman Tree Solutions to provide an impact assessment report for this development in respect of the regulated tree. Would you mind reviewing their report and providing your comments on their findings and recommendations? (I have only briefly scanned the report but I am generally in agreeance with their views, and think the development could proceed without negatively affecting the trees with appropriate conditions).
 If I could get a response within a fortnight that would be awesome!
 Thanks
 Kieran

Response:
 Hi Kieran, I have read the Arborman report and agree with the comments and recommendations made within the report. Specifically, I agree with the Conclusion made on page 8 of 9 of the report where recommendations are made around construction techniques and tree protection techniques.
 Thanks and kind regards
 Matt

[xClose](#)

Kieran Fairbrother

From: Simon Moore <smoore@sonus.com.au>
Sent: Thursday, 6 July 2023 5:25 PM
To: Kieran Fairbrother
Cc: 'Scott Twine'
Subject: RE: Development Application 22042866 - 319-327 Payneham Road Royston Park

Hi Kieran,

Yes that is correct. It is a little tricky with the noise source being split over two zones, but you are right with how you calculated the INL's and then the goal noise levels.

Regards,
Simon

Simon Moore
Associate
+61 402 857 579
smoore@sonus.com.au

Sonus Pty Ltd
17 Ruthven Avenue
ADELAIDE SA 5000
Phone: 08 8231 2100

The logo for Sonus Pty Ltd, featuring the word "sonus." in a lowercase, sans-serif font. The letters are white, and the period is a small red dot. The logo is set against a dark grey rectangular background.

From: Kieran Fairbrother <KFairbrother@npsa.gov.au>
Sent: Thursday, July 6, 2023 4:44 PM
To: Simon Moore <smoore@sonus.com.au>
Cc: 'Scott Twine' <stwine@urps.com.au>
Subject: FW: Development Application 22042866 - 319-327 Payneham Road Royston Park

Hi Simon,

I am the planner at the Council here that is assessing the development application for the Payneham Tavern.

Scott Twine from URPS provided me with your details because I want to clarify one thing in your response to my earlier questions (in the emails below). (And thanks for providing that response so quickly by the way.)

In your response to question 1, you advised that the goal noise levels of 49dB(A) and 42dB(A) were based on indicative noise levels. I would like to know exactly how you calculated these INLs, and if my assumption below is correct?

My understanding of the Noise Policy is that where the noise source and noise-affected premises occupy different land use categories, the INL to be used for assessment is the average of their respective INLs. The Draft Indicative Noise Levels Guidelines for the draft *EP (Commercial and Industrial) Noise Policy 2022* assigned particular Noise EPP Land Use Categories to all the zones in the P&D Code, and together prescribed max day and night time levels.

In this case, Payneham Tavern is partially within the Suburban Business Zone and the General Neighbourhood Zone. The Suburban Business Zone has been prescribed as 'Light Industry, Commercial' under these Guidelines, with 60dB(A) and 53dB(A) prescribed as max day and night time levels. The General Neighbourhood Zone is prescribed as 'Residential', which has max levels of 52dB(A) and 45dB(A), respectively. Consequently, to work out the INL for the Payneham Tavern site, I assume that you took the average of these two INLs, resulting in 56dB(A) for the day and 48dB(A) for the night? Is this correct?

Noting that the surrounding dwellings all reside in either the Established Neighbourhood Zone and General Neighbourhood Zone, they are all designated a 'Residential' Land use category under these Guidelines, and thus have max noise levels of 52dB(A) and 45dB(A).

From there, did you then work out the average INL of the noise source and noise-affected premises to be the average of: 56dB(A) and 52dB(A) for the day, and 48dB(A) and 45dB(A) for the night? Which then provides INLs of 54dB(A) and 47dB(A), respectively; which, less the 5dB(A) per Clause 20(3) of the Noise Policy, results in the goal noise levels you derived being 49dB(A) during the day and 42dB(A) during the night?

Can you please let me know at your earliest convenience if I have that right so I ensure I understand this all correctly?

Thanks in advance.

Regards,

Kieran Fairbrother
SENIOR URBAN PLANNER

City of Norwood Payneham & St Peters

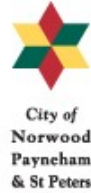
175 The Parade, Norwood SA 5067

Telephone 08 8366 4560

Email kfairbrother@npsp.sa.gov.au

Website www.npsp.sa.gov.au

Community Well-being is...
Social Equity
Economic Prosperity
Cultural Vitality
Environmental Sustainability



Think before you print.

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From: Scott Twine <stwine@urps.com.au>
Sent: Thursday, 6 July 2023 1:59 PM
To: Kieran Fairbrother <KFairbrother@npsa.gov.au>
Subject: FW: Development Application 22042866 - 319-327 Payneham Road Royston Park

Hi Kieran,

Please see Sonus' responses below in [blue](#) to the questions raised.

I can also confirm that the proponent accepts the draft conditions, with an amendment to the hours of operation of the southern beer garden on Fridays/Saturdays to 12am (midnight).

Thanks again for your assistance.

Kind Regards,



Scott Twine
Senior Consultant
0403 717 534

12/154 Fullarton Road

Rose Park SA 5067
08 8333 7999

Kaurna Country



We are moving!

From 24 July our new address is Level 1, 27 Halifax Street, Adelaide SA 5000.

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My working hours are

Monday to Friday 8:30am – 5:00pm

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From: Kieran Fairbrother <KFairbrother@npsp.sa.gov.au>

Sent: Wednesday, 5 July 2023 1:56 PM

To: Scott Twine <stwine@urps.com.au>

Subject: RE: Development Application 22042866 - 319-327 Payneham Road Royston Park

Thanks Scott,

Please see below questions for Sonus.

1. The assessment criteria proposed by Sonus were derived in accordance with Clause 18(2)(a) of the *Environment Protection (Noise) Policy 2007* which states that noise levels should not exceed more than 5dB(A) above the existing background noise levels. Based on the background noise measurements taken by Sonus, the criteria adopted were 49dB(A) between 07:00am and 10:00pm, and 42dB(A) between 10:00pm and 07:00am.

Resonate were engaged by two representors to review Sonus's assessment, and similarly Bestec were engaged by the Council to do the same. Both Resonate and Sonus disagreed with the background noise levels upon which Sonus derived their assessment criteria; noting that these measurements should have been corrected to account for influence from the existing noise from the Tavern.

Can you please provide further justification as to your reasoning for using the noise levels you did to formulate your assessment criteria, and why you did not account for noise from the operations of the tavern and consequently reduce these levels (as has been suggested by Resonate and Bestec as something that should have been done)?

The goal noise levels of 49 dB(A) (day) and 42 dB(A) (night) which have been applied at most nearby residences (except for units 1/317 and 2/317 Payneham Road) were not derived in accordance with Clause 18(2)(a); these were derived based on Sub-Clause 20 (2) and 20 (3) of the *Environment Protection (Noise) Policy 2007*. That is, these criteria are based on the Indicative Noise Levels and therefore do not rely on the existing background noise levels.

For unit 1/317 Payneham Road (Receiver F) and unit 2/317 Payneham Road, the night-time criteria were based on the predicted levels not exceeding the existing background noise levels (i.e. not background + 5 dB(A) as described by Clause 18(2)(a)).

Attachment 9

The criterion which has been applied at Receiver F was based on the lowest background (L_{90}) noise level measured at monitoring location NL2 during the currently licensed hours of operation (37 dB(A) measured at 2:00 am on a Tuesday morning). The background noise level recorded at that time was outside of the operating hours of the tavern (as the tavern was not operating for the full duration of the approved licensed hours) and the measurement is therefore unlikely to be affected by noise associated with the tavern. The 37 dB(A) background noise level was then adjusted to account for the closer proximity to Payneham Road of units 1 and 2/317 Payneham Road in comparison to the background monitoring location at NL2, based on attended noise measurements conducted at a time expected to be representative of peak patronage (11:00 pm on a Friday night). The attended noise measurements were conducted simultaneously adjacent to NL2 (“Attended 2”) and at measurement position “Attended 1” to determine the background noise level at Receiver F. The attended measurements indicated that road traffic noise is dominant in the background noise environment at both measurement locations, and that the background noise level difference between the two locations was 9 dB(A). As such, the minimum background level of 37 dB(A) at NL2 was adjusted by +9 dB(A) to represent the background noise environment at unit 1/317 Payneham Road (Receiver F).

Note that the measured background noise level at Receiver F during the attended measurements was 51 dB(A) at 11:00pm on Friday night, and was confirmed to not be affected by noise associated with the tavern’s existing operations. The background noise level at 11:00pm is 5 dB(A) higher than the background noise level adopted by the Sonus assessment, and as such the background noise level adopted for the assessment is considered to be conservative.

A similar approach was taken for unit 2/317 Payneham Road.



2. Can you also provide evidence to back up the statement in your original report (page 7) that “the existing background noise level at Receiver F is unlikely to fall below 46 dB(A) during the operating hours [of the tavern]”?

Refer to the above discussion. The minimum background noise level measured during the current licensed hours of operation at NL2 was 37 dB(A). This was adjusted by +9 dB(A) as noted above to account for the proximity of this residence to Payneham Road to arrive at the stated 46 dB(A) lowest background level. Note that the proposed hours of operation do not extend as late as the existing licensed hours, and the attended measurement on Friday night at 11:00pm

Attachment 9

indicated background noise levels to be around 5 dB(A) higher than that adopted by the assessment. As such background noise levels are likely to be higher than 46 dB(A) during the proposed hours of operation.

3. On page 7 of your Response to Representations, under the heading “Cumulative Noise Impact”, you have stated that “when [the noise levels from traffic in the car park is] combined with the predicted patron noise levels, it is confirmed that the criteria are still achieved”. Can you please provide results that demonstrate this?

Cumulative predicted levels at each nearby noise sensitive receiver are presented in the below table:

Report Receiver:	Description:	Predicted L _{eq} Noise Levels (Patrons)		Predicted L _{eq} Noise Levels (Car Park Traffic)		Predicted L _{eq} Noise Levels (Cumulative)		Criteria	
		Day	Night	Day	Night	Day	Night	Day	Night
A	1 Battams Road	49 dB(A)	37 dB(A)	37 dB(A)	34 dB(A)	49 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
-	3 Battams Road	48 dB(A)	40 dB(A)	35 dB(A)	32 dB(A)	48 dB(A)	40 dB(A)	49 dB(A)	42 dB(A)
B	5 Battams Road	49 dB(A)	41 dB(A)	37 dB(A)	34 dB(A)	49 dB(A)	41 dB(A)	49 dB(A)	42 dB(A)
-	185 First Avenue	46 dB(A)	39 dB(A)	33 dB(A)	30 dB(A)	46 dB(A)	39 dB(A)	49 dB(A)	42 dB(A)
-	183 First Avenue	45 dB(A)	37 dB(A)	33 dB(A)	29 dB(A)	45 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
C	181 First Avenue	49 dB(A)	39 dB(A)	37 dB(A)	34 dB(A)	49 dB(A)	39 dB(A)	49 dB(A)	42 dB(A)
-	179 First Avenue	48 dB(A)	40 dB(A)	39 dB(A)	37 dB(A)	48 dB(A)	40 dB(A)	49 dB(A)	42 dB(A)
D	177 First Avenue	49 dB(A)	42 dB(A)	38 dB(A)	36 dB(A)	49 dB(A)	42 dB(A)	49 dB(A)	42 dB(A)
-	175 First Avenue	42 dB(A)	37 dB(A)	36 dB(A)	34 dB(A)	42 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
E	5/317 Payneham Road	40 dB(A)	37 dB(A)	39 dB(A)	36 dB(A)	40 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
-	4/317 Payneham Road	40 dB(A)	37 dB(A)	39 dB(A)	36 dB(A)	40 dB(A)	37 dB(A)	49 dB(A)	42 dB(A)
-	3/317 Payneham Road	40 dB(A)	39 dB(A)	39 dB(A)	36 dB(A)	40 dB(A)	39 dB(A)	49 dB(A)	42 dB(A)
-	2/317 Payneham Road	44 dB(A)	44 dB(A)	38 dB(A)	35 dB(A)	44 dB(A)	44 dB(A)	49 dB(A)	44 dB(A)*
F	1/317 Payneham Road	47 dB(A)	46 dB(A)	36 dB(A)	33 dB(A)	47 dB(A)	46 dB(A)	49 dB(A)	46 dB(A)*

Notes:

* Based on measured background noise levels

4. Clause 18(2)(b) of the *Environment Protection (Noise) Policy 2007* states that noise levels may also be measured for compliance with the General Duty when measured against the indicative noise levels for the noise source. Would this be a valid, alternative test for the purposes of this assessment, and if so what would be the assessment criteria against which the Tavern’s predicted noise levels would be assessed?

Attachment 9

Refer to discussion Point 1 above. The default goal noise levels for all nearby noise sensitive receivers (based on Sub-clauses 20 (2) and 20 (3)) are 49 dB(A) (day) and 42 dB(A) (night). These goal noise levels are 5 dB(A) more onerous (lower) than those that would apply to an existing situation (Under Clause 18(2)(b) of the Policy).

On a separate note, this is for you Scott. Please see below proposed conditions (among others) that I am considering recommending should the Panel choose to grant consent to the application, assuming I am satisfied that these will resolve my concerns re the acoustic side of things. Can you please advise if the proponent is willing to accept these conditions?

1. The hours of operation of the proposed beer garden additions and children's' play area shall be restricted to the following times:
 - Southern beer garden:
 - Sunday to Thursday: 07:00am to 10:00pm
 - Friday and Saturday: 07:00am to 12:00pm
 - Northern beer garden and children's' play area: 07:00am to 10:00pm, 7 days a week
2. The south-west facing bi-fold doors for the southern beer garden shall be closed completely after 10pm on Fridays and Saturdays and remain closed until the tavern re-opens for trade the following day.
The south-east facing bi-fold doors for the southern beer garden shall be closed halfway after 10pm on Fridays and Saturdays and remain closed as such until the tavern re-opens for trade the following day.

At this stage I don't think there is anything more I need, but I'll be in touch if I think I do.

If you can provide a response before COB tomorrow that would be most helpful. If not, please let me know and we'll see what we can do – the agenda needs to be published next week.

I've had a chat with my manager and colleague and we're all of the opinion that this proposal could work, subject to those conditions above. But further clarity from Sonus on those 4 questions above would be excellent in helping me portray that in my report to the Panel.

Thanks in advance! Don't hesitate to call me if you need.

Regards,

Kieran Fairbrother
SENIOR URBAN PLANNER

City of Norwood Payneham & St Peters

175 The Parade, Norwood SA 5067

Telephone 08 8366 4560

Email kfairbrother@npsp.sa.gov.au

Website

<https://url.avanan.click/v2/www.npsp.sa.gov.au.YXAzOnVycHM6YTpvOjMxZjI1NjQwYzU5ZjkyMjk3ZjBIMTViMjEyMzAyOTlwOjY6NmUwMDpIM2U0YjhlMWYwNTkxNWFjYTMwMGYxNzYxZDQ1NjA0ZTc4YzZkM2NINWUxZDk5NWYyODZyYjQyOTgyZjVmN2RiOnQ6VA>

19/01/2023

Mr Scott Twine
UNIT 12 154 FULLARTON ROAD
ROSE PARK SA 5067

Request for Information

Applicant: Australian Venue Company (AVC), c/- URPS Pty Ltd
Application ID: 22042866
Subject Land:

319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6127/585	Plan Parcel: D1776 AL12	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6127/586	Plan Parcel: F103920 AL6	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6127/589	Plan Parcel: F125980 AL1	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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319-327 PAYNEHAM RD ROYSTON PARK SA 5070

Title ref.: CT 6192/816	Plan Parcel: F3832 AL81	Council: THE CITY OF NORWOOD PAYNEHAM AND ST PETERS
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Dear Mr Twine,

The following additional information is required by the due date 19/04/2023 to assist with the assessment of your Planning Consent for proposed development.

Proposed Development:

Additions and Alterations to existing hotel comprising partial demolition, the construction of two beer gardens, the removal of 10 car parking spaces and the construction of illuminated signage

Required Information

1. A site plan, draw to scale, showing—

Planning, Development and Infrastructure Act 2016 & Planning, Development and Infrastructure (General) Regulations 2017	Section 119(3) / Regulation 34
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- a. **The intended directions of vehicle movements through the site, and in and out of the site, including in particular whether access from the car park to the drive-through bottle shop is intended to be retained; and**
 - b. **The minimum distance between the beer garden proposed at the southwest corner of the building and the 'island' that is situated adjacent this section of the building (i.e. the island that contains the regulated tree that is in the middle of the driveway);**
 - c. **Where all waste bins associated with the Tavern are going to be located and stored, including where they will be collected from;**
 - d. **On-site provision for ten (10) bicycle parking spaces** (Note: the P&D Code requires an excessive number of bicycle parks to be provided for additions of the proposed size, but at this stage we believe the provision for ten (10) bicycle spaces should be sufficient);
 - e. **On-site provision for two (2) accessible car parking spaces** (Note: the plans provided demonstrate the only current on-site accessible car park being removed as a result of the proposed additions. However, AS 2890.6: 2009 requires 1 accessible parking space to be provided for each 50 parking spaces on site);
2. **General construction details of the beer gardens, specifically how the floors and walls are to be constructed. For clarity, I need to know if the floors of the beer gardens are going to be constructed as a concrete slab or by some other means (e.g. raised deck, pavers on compacted soil, etc) so we can determine the potential extent of any tree-damaging activity that may occur as a result of the additional encroachment. Similar detail is required in respect of the low brick walls and acoustic screens (e.g. footing details) to determine the same. N.B. This detail can be provided by way of a written statement rather than details construction plans.**
3. **The detailed survey data collected by CIRQA in respect of the parking assessments they have undertaken at the subject site, which is relied upon and mentioned in their supporting statement to this application.**

Please note: depending on the information provided and the assessment undertaken thereafter (including responses received from anticipated internal and external referrals) it may be likely that another future RFI may be issued. If this arises then I will discuss this with you before issuing any future RFI.

If you require additional time to provide the information, please contact the Authority on the details below as soon as possible to allow for consideration of your request.

Please note failure to provide the requested information may result in refusal of your application.

If you have any other questions regarding your application, please use the contact details below.

Yours sincerely,

Kieran Fairbrother

City of Norwood, Payneham and St. Peters

8366 4560

kfairbrother@npsp.sa.gov.au

Ref: 22ADL-0845



20 April 2023

Kieran Fairbrother
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Dear Kieran

Response to Request for Information (22042866) – 319-327 Payneham Road, Royston Park

Introduction

Thank you for your request for additional information dated 19/01/2023 in relation to the above proposal forming Development Application 22042866. The request sought the following matters:

- An amended Site Plan confirming:
 - The direction of vehicle movements throughout the site.
 - The setback from the south-west corner of the building and the central island.
 - Where waste bins associated with the Hotel are to be stored and collected.
 - Provision of 10 bicycle parking spaces.
 - Provision of 2 accessible car parking spaces.
- General construction details of proposed building work within the Tree Protection Zone's of the regulated/significant trees to determine if tree-damaging-activity may occur.
- Detailed survey data collected by CIRQA.

Response to Additional Information

The following documents have been prepared in response to the request:

- Amended Architectural Plans prepared by Red. Architects (**Appendix A**).

We acknowledge the Kurna People as the Traditional Custodians of the land on which we work and pay respect to Elders past, present and emerging.

H:\Synergy\Projects\22ADL\22ADL-0845 - 319 Payneham Rd, Payneham - Payneham Tavern\Working\URPS Planning Advice\230420_C1_V2_Response to RFI.docx

- Arboricultural Impact Assessment and Development Impact Report prepared by Arborman Tree Solutions (**Appendix B**).
- Correspondence containing Car Parking survey data prepared by CIRQA (**Appendix C**).

It is noted that the provided architectural plans identify minor amendments to the internal configuration of the Hotel. These amendments seek to retain the existing internal layout of the building (amenities and bistro bar) in lieu of the previous internal reconfiguration. Minor alterations to the amenities and bistro bar area are sought within the context of their existing internal envelope. An emergency exit door has been included to each of the respective beer gardens. This has been included on the advice of the building certifier to ensure compliance with the construction code requirements.

The additional documentation and matters raised within the request for information are discussed below.

Direction of Vehicle Movements

The proposal does not seek to alter the direction of vehicle movements through the site.

Access and egress to the site is proposed to be maintained in line with the existing conditions via the vehicle crossovers to Payneham Road.

Internal vehicle arrangements remain unchanged, other than for the narrowing of the internal driveway width adjacent to the southwestern addition and central island. The reduced width is sufficient to maintain access for the anticipated light vehicles traversing the site.

Importantly, vehicle movements will satisfy the following Transport, Access and Parking provisions:

- PO 1.4** *Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.*
- PO 6.1** *Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.*
- PO 6.6** *Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.*

Setback from the south-west corner of the building and the central island

This setback has been confirmed on the Site Plan prepared by Red. Architects. This setback is 3.45 metres.

As a result, the existing two-way vehicle movements around this central island is maintained.

Location of waste storage and collection

The location of the existing and proposed waste storage has been noted on the Site Plan prepared by Red. Architects.

Collection and storage will be retained within the existing loading area associated with the Hotel. This reflects the existing on-site arrangements.

Provision of 10 bicycle parking spaces

10 bicycle parking spaces have been provided within two separate locations to the south of the building. These are identified within the Site and Floor Plan prepared by Red. Architects.

Transport, Access and Parking PO 9.1 is met, which seeks:

PO 9.1 *The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.*

Provision of two accessible car parking spaces

Two compliant car parking spaces for people with disabilities have been proposed adjacent to the western entrance of the hotel.

This retains the number of dedicated car parking spaces prior to the proposed development.

The location of the car parking spaces directly adjacent to the hotels western entrance, satisfies Transport, Access and Parking Performance Outcome (PO) 4.1, which seeks:

PO 4.1 *Development is sited and designed to provide safe, dignified and convenient access for people with a disability.*



Tree Impact

The proposed additions are within proximity to three (3) regulated trees and one (1) significant tree. Arborman Tree Solutions were engaged to undertake an Arboricultural Impact Assessment and provide a Development Impact Report to consider the appropriateness of this encroachment.

The assessment identifies that all four trees are subject to existing Tree Protection Zone (TPZ) encroachment. This proposal will replace existing encroachment within the TPZ.

A summary of the tree assessment is provided below:

Table 1 – Tree Assessment Summary

	Tree 1	Tree 2	Tree 3	Tree 4
Species	<i>Eucalyptus sideroxylon</i> (Mugga or Red Ironbark)	<i>Eucalyptus sideroxylon</i> (Mugga or Red Ironbark)	<i>Corymbia maculate</i> (Spotted Gum)	<i>Corymbia maculate</i> (Spotted Gum)
Status	Significant	Regulated	Regulated	Regulated
Health	Good	Good	Good	Good
Structure	Fair	Good	Good	Good
Form	Good	Good	Fair	Good
Retention Rating	High	High	Moderate	High
Structural Root Zone	3.63 metres	2.88 metres	3.28 metres	3.38 metres
Tree Protection Zone	10.78 metres	7.80 metres	9.24 metres	9.72 metres
Proposed Encroachment	13%	0%	6%	8%



	Tree 1	Tree 2	Tree 3	Tree 4
Development Impact	Low	Low	Low	Low

For trees 2, 3 and 4 the level of replacement encroachment resulting from the proposal ranges from 0% to 8%; this constitutes 'minor encroachment' for the purposes of AS4970. This level of encroachment results in 'No' to 'Low Impact' and additional root investigations are not required nor warranted.

Tree 1 results in replacement encroachment of 13%. AS4970 defines this as 'major encroachment' and identifies relevant factors that should be considered to determine the impact of the encroachment. The Development Impact Report considered these relevant factors and noted:

- *The tree is a mature [sic] that displays good health and vitality, indicating it can tolerate the proposed level of encroachment without noticeable impacts. Healthy and vigorous trees can manage various levels of pruning, demolition of existing structures, changes in soil grade and moisture, soil compaction and other root zone encroachments and are better able to adapt to the new site conditions once the development phase has been completed.*
- *The existing encroachment from the sealed and compacted ground has been in place or used for more than 30 years and was in place before the subject trees achieved maturity or potentially were planted. This would therefore restrict root development in this area due to the poor growing environment created by the encroachment.*
- *Although it is unlikely that any roots will be encountered during the redevelopment phase, low impact methodologies and materials have been recommended to ensure all of the trees on site are not impacted in the proposal.*

The following construction methodologies have subsequently been recommended by Arborman Tree Solutions:

1. If resurfacing is required for the existing carpark, then it shall be omitted from the TPZ of all the trees. Alternatively, the bitumen can be removed and replaced with a compliant cellular confinement system built above the existing grade.
2. Discovered roots which require pruning to facilitate the development for Trees 2, 3 and 4 shall be pruned in accordance with section 4.5.4 AS4970-2009 Protection of trees on development sites – Pruning shall be made with a sharp tool and the final cut made to undamaged wood.



3. Ensure all work requirements/activities in the vicinity of these trees are discussed and designed in consultation with the Project Arborist. i.e.: no machinery operation in the vicinity of the trees without a Tree Protection Plan.
4. A Tree Protection Zone fence is to be erected to ensure access to the main structure is restricted, to prevent accidental damage. The fence is to be installed prior to the commencement of all other site works.
5. If machinery access is required within the TPZ to any newly exposed ground, then ground protection is to be installed in consultation with the Project Arborist to ensure tree roots are not damaged.

With the adoption of the above recommendations, the proposal will not detrimentally impact the health of the trees or result in tree damaging activity. The proponent is amenable to the inclusion of these requirements as a condition of planning consent, if desired by Council.

As no tree damaging activity is sought, the provisions of the Regulated and Significant Tree Overlay are not challenged by this proposal.

Car Parking Survey

The enclosed correspondence dated 15/03/2023 prepared by CIRQA, provides the requested survey data. This survey data was undertaken between 6pm and 9pm on Friday 29/11/ 2019.

This survey data supplements the previous car parking assessment prepared by CIRQA (correspondence dated 22/08/2022) which confirms the parking provision retained on-site will readily accommodate the realistic peak demands associated with the hotel.

Transport, Access and Parking PO 5.1 is met by the proposal.

Conclusion

Additional documentation and amended plans have been prepared to address the information requested within the correspondence dated 19/01/2023. These documents are enclosed and demonstrate the proposal will:

- Retain the existing direction of vehicle movements throughout the site.
- Maintain existing on-site waste storage and collection conditions.
- Retain two car parking spaces for people with disabilities compliant with AS 2890.6:2009.
- Provide for 10 on-site bicycle parks.



- Not result in tree-damaging activity nor detract from the health of the three (3) regulated trees and one (1) significant tree with the implementation of the proposed tree protection measures.
- Retain sufficient car parking spaces to meet the needs of the development.

With the receipt of the amended documentation, we request that the proposal proceed to public notification.

Should you have any queries regarding this application, please do not hesitate to contact me on 08 8333 7999.

Yours sincerely

A handwritten signature in black ink, appearing to read "Scott Twine", with a stylized flourish at the end.

Scott Twine
Senior Consultant

**5.2 DEVELOPMENT NUMBER 23004961 – MINICOZZI (OSMOND TERRACE) PTY LTD –
 114A OSMOND TCE NORWOOD**

DEVELOPMENT NO.:	23004961
APPLICANT:	Minicozzi (Osmond Terrace) Pty Ltd
ADDRESS:	114A OSMOND TCE NORWOOD SA 5067
NATURE OF DEVELOPMENT:	Change of use to specialist medical consulting rooms with associated car parking and landscaping, and the construction of a masonry and metal infill front fence
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Established Neighbourhood Overlays: <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Character Area • Hazards (Flooding) • Heritage Adjacency • Local Heritage Place • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy
LODGEMENT DATE:	7 Mar 2023
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at City of Norwood, Payneham and St. Peters
PLANNING & DESIGN CODE VERSION:	7 Mar 2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Kieran Fairbrother, Senior Urban Planner
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	David Brown, Heritage Advisor Rebecca Van Der Pennen, Traffic Engineer Josef Casilla, Project Officer, Assets

CONTENTS:

APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 5:	Representations
ATTACHMENT 1:	Application Documents	ATTACHMENT 6:	Response to Representations
ATTACHMENT 2:	Subject Land & Locality Map	ATTACHMENT 7:	Internal Referral Advice
ATTACHMENT 3:	Zoning Map	ATTACHMENT 8:	Applicant's Responses
ATTACHMENT 4:	Representation Map		

DETAILED DESCRIPTION OF PROPOSAL:

The application seeks to change the use of the subject land from a dwelling (notwithstanding it has not been used in this manner for a number of years) to consulting rooms, together with a ten-vehicle car park and associated landscaping. In so doing, the application proposes restoration works to the existing building (a local heritage place), as well as the construction of a masonry palisade fence along the front boundary and a post and wire fence along the northern boundary adjacent the creek line.

The proposed hours of operation for the consulting room use are as follows:

- Monday to Friday: 08:00am to 6:00pm
- Saturday: 09:00am to 2:00pm
- Sunday: Closed

BACKGROUND:

In November 2005, an extreme flood event caused water levels within First Creek, Norwood to rise and flood a large number of dwellings, including the dwelling at 114A Osmond Terrace. Following the flood, the Council undertook extensive flood mitigation works to significantly improve the capacity of First Creek, thereby improving the flood protection of nearby dwellings. Since this time, the subject building has remained disused.

In 2019, the same applicant lodged a similar development application (155/594/2019) for a change of use to consulting rooms. At the time, this was a form of non-complying development under the City of Norwood Payneham & St Peters Development Plan (consolidated March 2019). The effect of this was that: the assessment was subject to the highest level of process and consideration in the context that it was not an envisaged form of development; the Council could, at any time, refuse the application; and no appeal rights existed for the applicant in respect of a determination of the application. Development application 155/594/2019 was refused by the CAP because, among other reasons, *"the proposed land use [was] inconsistent with the desired character statement of the zone"*.

Under the Planning & Design Code, there are no longer non-complying forms of development. Accordingly, the application currently before the Panel must be determined on its merits against the relevant policies of the Planning & Design Code.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 114A OSMOND TCE NORWOOD SA 5067

Title ref.: CT
6236/314

Plan Parcel: D110323
AL33

Council: THE CITY OF NORWOOD PAYNEHAM AND
ST PETERS

Shape:	irregular
Frontage width:	approx. 27.4 metres to Osmond Terrace and 2.91m to Brown Street
Depth:	approx. 36 metres along the northern boundary with an additional 19 metres along the southern boundary through to Brown Street
Area:	approx. 1028m ²
Topography:	relatively flat although the dwelling and its surroundings generally sit lower than the adjacent Osmond terrace footpath
Existing Structures:	a large Federation/Arts and Craft style dwelling (local heritage place) constructed circa early-1900s
Existing Vegetation:	nil

The dwelling on the site is listed as a local heritage place, described in a Heritage Survey by Mark Butcher Architects in 1994 as: *“an attractive single storey Federation masonry house with complex hipped roof with feature gables and integral front verandah with side return. Notable for its attractive design and relative intactness... [It] is a good relatively-intact example of a well-built Federation house... It is an attractive building architecturally.”*

Locality:

The locality is characterised by a wide range of dwelling types and styles, including several original detached dwellings with heritage significance, later detached dwellings of various ages and style and medium density infill in the form of residential flat buildings and semi-detached dwellings. The exceptions to this within the locality are the office located to the south at 99 Kensington Road and the Unitarian Church of SA located diagonally opposite the subject site at 99 Osmond Terrace. Notably, the front fence of the property immediately north of the subject land doubles as a bridge parapet and is listed as a local heritage place.

A plan of the subject land and its surrounds is contained in **Attachment 2**.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Fence: Code Assessed - Performance Assessed
Consulting room: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**

Fails to satisfy DPF 1.2 of the Established Neighbourhood Zone
- **LIST OF REPRESENTATIONS**

Given Name	Family Name	Address	Position	Wishes to be heard?
Elizabeth	McCabe	95 Osmond Terrace, Norwood	Opposed	No
Chris	Burns	39 Church Avenue, Norwood	Opposed	No
Sandy	Wilkinson	112 Osmond Terrace, Norwood	Opposed	Yes
David & Jennifer	Griggs	116 Osmond Terrace, Norwood	Opposed	Yes
Patricia	McClure	Tatiara Station, Meningie	Opposed	No
Judith	Brine	114 Osmond Terrace, Norwood	Opposed	Yes

• SUMMARY

The concerns raised by the representors are extensive, but can best be summarised as follows:

- Inappropriate land use in a residential area;
- The diminishing condition of the existing building should not justify the re-use of the building in a commercial manner;
- Potential for a 'domino effect' resulting in more commercial uses along Osmond Terrace;
- Commercial traffic will affect the amenity of the residential area through additional vehicle movements and noise;
- Parking forward of the building will negatively affect the setting and value of the local heritage place;
- Potential hazard created by commercial vehicle movements in and out of the site;
- Concern about vehicles damaging the heritage-listed wall adjacent the driveway crossover;
- Impact on on-street parking availability;
- The floor area is too large;
- No shortage of consulting rooms in Norwood;
- The front fence is not compatible with the associated local heritage place;
- Concerns about stormwater drainage from the site.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

- David Brown, Heritage Advisor
- Rebecca Van Der Pennen, Traffic Engineer
- Josef Casilla, Project Manager, Assets

PLANNING ASSESSMENT

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

Land Use

The Planning & Design Code defines a consulting room as:

“a building or part of a building (not being a hospital) used in the practice of a profession by a medical, veterinary or dental practitioner, or a practitioner in any curative science, in the provision of medical services, mental, moral or family guidance, but does not involve any overnight accommodation other than for animals that are recovering from surgery, medical care or in observation as part of a veterinary practice.”

Performance Outcome 1.1 of the Established Neighbourhood Zone states:

“Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.”

The corresponding Designated Performance Features identifies consulting room as an envisaged land use within the Zone.

Performance Outcome 1.2 of the Zone further states:

“Commercial activities improve community access to services [that] are of a scale and type to maintain residential amenity.”

Performance Outcome 1.4 of the Zone states:

“Non-residential development located and designed to improve community accessibility to services, primarily in the form of:

(a) Small scale commercial uses such as offices, shops and consulting rooms...

In the recent ERD Court decision of *Jahk Enterprises Pty Ltd*¹, the Court held that the phrase “*improve community access*” ‘does not introduce consideration of whether the service is presently available to the community it seeks to serve’ (at [87]). Additionally, at [89] Commissioner Nolan went further, stating ‘the intent of the PO to locate development “*to improve community accessibility*” does not provide for any consideration of its location within the [zone]... the addition of any such use improves community access, even if the use duplicates a service already provided’.

Accordingly, the determination of whether the land use is appropriate in principle on the subject site requires an assessment of whether the use is small scale (PO 1.4), compatible with the established development pattern of the neighbourhood (PO 1.1) and of a scale and type to maintain residential amenity (PO 1.2).

Small scale is not defined in the Planning & Design Code. Continuing with the rationale in *Jahk Enterprises Pty Ltd*, small scale ‘refers to an assessment of its intensity’ (at [95]) by virtue of these Performance Outcomes falling under the heading of ‘Land Use and Intensity’ within the Zone; it is not an assessment of the size and scale of the built form. That being said, the proposed consulting room involves the change of use of an existing building. The gross leasable floor area of the proposed use comprises approximately 205m² and will contain three (3) consulting rooms.

The exact nature of the proposed consulting room use is not clear because the landowner has not secured a tenant. Nonetheless, the Applicant has stated that the intent is to offer the rooms to medical specialists, who typically conduct longer consultations (compared to a general practice). In this respect, the proposed hours of operation for the consulting room use are as follows:

- Monday to Friday: 08:00am to 6:00pm
- Saturday: 09:00am to 2:00pm
- Sunday: Closed

The applicant has not specifically stated the anticipated length of appointments, but has advised a willingness to accept a condition that they be no less than 30 minutes in duration (see **Attachment 8**). This condition, along with the description of the nature of development, will ensure that any approved consulting room use remains that of a specialist medical nature and the use cannot morph into a general medical practice without further development approval being required.

With only three (3) consulting rooms proposed, the hours of operation being typical of a medical consulting room, and appointment lengths restricting the number and frequency of vehicle movements in and out of the site, the proposed land use is considered to be small scale in respect of its intensity.

Interface Considerations

Performance Outcome 2.1 of the Interface Between Land Uses module states:

“Non-residential development does not unreasonably impact the amenity of sensitive receivers... through its hours of operation having regarding to:

¹ *Jahk Enterprises Pty Ltd ATF Jahk Trust v Assessment Panel of the Corporation of the City of Campbelltown* [2023] SAERDC 6.

- (a) *The nature of the development*
- (b) *Measures to mitigate off-site impacts*
- (c) *The extent to which the development is desired in the zone...*

The corresponding DPF, in respect of consulting rooms, considers the following hours of operation to generally be appropriate to satisfy PO 2.1:

*“7am to 9pm, Monday to Friday
8am to 5pm, Saturday”*

Sensitive receiver is defined as, among other things, land uses for residential purposes.

In the context of the subject site and locality, these hours are not considered to automatically satisfy PO 2.1. The subject site is located on a local collector road, not an arterial road, and is surrounded on all sides by residential development within a predominantly residential zone. Accordingly, it is not reasonable for residents of the locality to expect non-residential development that operates from 7am to 9pm, Monday to Friday. Notwithstanding, the proposed hours of operation are more restrictive from those states in DPF 2.1 and are considered reasonable for this locality. The applicant has indicated a willingness to accept a condition that reflects the proposed hours of operation (see **Attachment 8**).

The consulting room will operate on an appointment-only basis with no anticipated noise emissions except by way of vehicle movements into and out of the site, and waste collection.

Performance Outcome 4.1 of the Interface Between Land Uses module states:

“Development that emits noise (other than music) does not unreasonable impact the amenity of sensitive receivers.”

Data collected by the Council in November 2020 (for separate purposes) shows that the southbound lane of Osmond Terrace, between The Parade and William Street, contains an average of 5623 vehicle movements per weekday. Advice from Council’s Manager, Traffic & Integrated Transport suggests that the volumes of traffic between William Street and Kensington Road – the section of Osmond Terrace in which the subject land is located – likely aren’t very different given the large median strip along Osmond Terrace that prevents right-hand turns on William Street.

The number of expected vehicle movements for the proposed use are not considered to noticeably increase the total volumes of traffic on Osmond Terrace.

With respect to vehicle movements within the site, the four spaces adjacent the northern boundary are designated staff parking spaces. Accordingly, the majority of vehicle movements in and out of the site during the operation of the consulting rooms will occur in the front car parking area between the building and Osmond Terrace. This area will be a very low-speed environment, with vehicles not expected to generate noise above and beyond that typical of traffic along Osmond Terrace. Additionally, the dwelling to the south is setback a similar distance from Osmond Terrace as the subject building, meaning no habitable room windows or private open space face directly onto this car parking area. Consequently, the proposed development will maintain residential amenity consistent with PO 2.1 of the Zone.

Performance Outcome 6.2 of the Transport, Access and Parking module states:

“Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.

The application proposes meaningful landscaping along the southern boundary, adjacent the car parking area, consistent with PO 6.2. Additionally, a well-vegetated post and wire fence is proposed adjacent the northern car parking area to minimise any potential visual and noise impacts from the use of this area, consistent with PO 6.2.

Waste Management

The applicant has advised that the consulting room use is expected to generate low volumes of waste akin to a domestic development. Accordingly, the consulting room use will utilise the Council's standard waste service of three bins: waste to landfill, recyclables, and food organics and green organics; as well as collecting medical waste which will be collected by a private contractor on an 'as-needs' basis by a private contractor.

Medical waste collection is able to be facilitated on-site outside of the operating hours of the consulting room and in accordance with the provisions of the *Local Nuisance & Litter Control Act 2016* (SA), being between 7am and 7pm, Monday to Saturday. The Council-provided bins will be stored behind the building and out of sight from the public realm, consistent with Performance Outcome 1.5 of Design in Urban Areas. The collection of these bins will take place from Brown Street (see the Site Plan provided in **Attachment 1**).

Traffic Impact, Access and Parking

Performance Outcome 1.2 of the Transport, Access and Parking module states:

"Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers."

As earlier highlighted, existing volumes of traffic along Osmond Terrace will not be significantly increased as a result of the proposed development, consistent with this Performance Outcome.

Performance Outcome 3.1 of the Transport, Access and Parking module states:

"Safe and convenient access minimises impact or interruption on the operation of public roads."

Performance Outcome 3.3 of the Transport, Access and Parking module states:

"Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use."

The application proposes to utilise the existing 4 metre wide single-width crossover adjacent the northern boundary of the site. Because the site has less than 25 on-site car parking spaces and faces a local road, a 3.5m wide crossover complies with *AS/NZS 2890.1:2004 – Parking facilities: Part 1: Off-street car parking*, which has been confirmed by the Council's Traffic Engineer.

The crossover is not wide enough to accommodate two-way vehicle traffic, but due to the low volume of traffic that the proposed use will generate this is considered acceptable. Further, the applicant's ability to widen the crossover is restricted because of the heritage-listed wall that abuts the existing crossover on the northern side and a mature council street tree on the southern side of the crossover.

The applicant as demonstrated that a B99 design vehicle is able to enter and exit the site in a forward manner, and also able to conduct a three-point turnaround manoeuvre within the car park in the event the car park is fully occupied, consistent with PO 3.1 (above).

Performance Outcome 2.1 of the Transport, Access and Parking module states:

"Sightlines at... crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians."

Performance Outcome 2.2 of the Transport, Access and Parking module states:

“Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.”

The driveway measures 4.8m in width at the property boundary, providing room for pedestrians to safely enter the site on foot without interrupting traffic or being compromised by vehicle movement. Sightlines will be maintained by the increased width in the driveway at the front boundary, as well as by low-level landscaping (no higher than 1.1m) adjacent the car park and front boundary. Both the applicant’s and the Council’s traffic engineers are satisfied that adequate sightlines are provided by the development.

Performance Outcome 5.1 of the Transport, Access and Parking module states:

“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*
- ...*
- (d) the adaptive reuse of a State or Local Heritage Place*

The corresponding Designated Performance Feature states:

“Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using...

- (a) Transport, Access and Parking Table 1 – General Off-Street Car Parking Requirements”*

Table 1 prescribes a rate of four (4) car parking spaces per consulting room. Consequently, the theoretical parking demand generated by three (3) consulting rooms is 12 car parking spaces. The application proposes the provision of 10 car parking space on the site, which includes one (1) accessible car parking space and four (4) designated stacked staff parking spaces. This results in a shortfall of two (2) spaces.

The proposed development comprises the adaptive reuse of a Local Heritage Place and on-street parking is generally available adjacent the site which together justify the shortfall of two (2) on-site car parking spaces.

Heritage, Design & Appearance

Performance Outcome 1.3 of the Established Neighbourhood Zone states:

“Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.”

Performance Outcome 2.1 of the Character Area Overlay states:

“The form of new buildings and structures that are visible from the public realm are consistent with the valued streetscape characteristics of the character area.”

Performance Outcome 3.2 of the Character Area Overlay states:

“Adaptive reuse and revitalisation of buildings to retain local character consistent with the Character Area Statement.”

The proposal involves the adaptive re-use of an existing Local Heritage Place, with no significant building work proposed to the building except for necessary and appropriate heritage restoration works. The existing building is well set back from the front boundary and a car parking area is proposed in this setback area to facilitate the proposed development, which is not typical of the residential character of the neighbourhood or generally complementary to a local heritage place. Notwithstanding, the applicant has submitted an appropriate

landscaping plan that will seek to soften the appearance of the car parking area from the streetscape in a manner intended to complement the residential character and amenity of the neighbourhood, and consistent with the Character Area Statement.

Performance Outcome 1.1 of the Local Heritage Place Overlay states:

“The form of new buildings and structures maintains the heritage values of the Local Heritage Place.”

Performance Outcome 1.2 of the Local Heritage Place Overlay states:

“Massing, scale and siting of development maintains the heritage values of the Local Heritage Place.”

Performance Outcome 1.6 of the Local Heritage Place Overlay states:

“New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.”

As earlier highlighted, the application involves the construction of a car parking area between the building and the primary street boundary, which is at odds with these three Performance Outcomes. The advice received from Council’s Heritage Advisor states that ‘car parking should be behind the face of the Local Heritage Place to preserve its setting and heritage value’ and the proposed car parking area ‘will have a detrimental impact on the heritage value and setting of the Local Heritage Place’.

That being said, the adaptive reuse of this Local Heritage Place (i.e. any change of use to an appropriate non-residential use) is inherently going to require car parking to be positioned between the building and the primary street boundary. There is insufficient space in the area north of the building to construct a sufficient number of car parks to support any non-residential use, given the floor area of the building.

The applicant has provided a comprehensive landscaping plan, and opted for the use of permeable paving throughout the car park, in an attempt to soften the appearance of this car parking area when viewed from the street. Further, none of the car parks are proposed to be covered by a roofed structure of any kind, and so any obscuring of the Local Heritage Place will only occur during the operating hours of the proposed consulting room use when cars are parked in these spaces, leaving views of the Place available during all other hours.

While the implementation of a car parking area between the Local Heritage Place and the primary street boundary has the effect of diminishing the value and setting of the Place, the applicant has demonstrated a reasonable attempt at minimising the impact this has on the streetscape and character of the area by way of a modest, appropriate front fence and a meaningful, established landscaping plan. If the Panel considers granting planning consent to this application, Conditions 2 and 3 have been recommended with the intent of ensuring a balance can be achieved between landscaping softening the appearance of the car parking area and not completely compromising views of the Local Heritage Place.

Performance Outcome 1.5 of the Local Heritage Place Overlay states:

“Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.”

Performance Outcome 7.1 of the Local Heritage Place Overlay states:

“Conservation works to the exterior of a Local Heritage Place match original materials to be repaired and utilise traditional work methods.”

The application proposes comprehensive restoration works to the building’s external walls, verandahs, roof, fascias, windows, downpipes and gutters, as detailed in “Elevations 01” and “Elevations 02” in **Attachment 1**.

Councils' Heritage Advisor has advised that for the most part the proposed restoration works are acceptable and thus consistent with POs 1.5 and 7.1 of the Local Heritage Place. However, with respect to the external walls of the building, the applicant proposes to strip back the existing paint finish and apply a new paint finish in a white accent which Council's Heritage Advisor has advised "does not enhance the heritage value of the Local Heritage Place and should be reconsidered". The advice received is that the preferred outcome for this building would be to have the original red brick re-exposed, rather than repainted. Notwithstanding, repainting the building could be supported if a more suitable colour scheme was proposed that was complementary to the Local Heritage Place. Accordingly, a reserved matter has been recommended to address this concern in the event the Panel determines to grant planning consent to this application.

Performance Outcome 3.4 of the Local Heritage Place Overlay states:

"Fencing and gates closer to a street boundary (other than a laneway) than the street elevation of the associated building are consistent with the traditional period, style and form of the Local Heritage Place."

The application proposes a masonry-pillared and metal infill front fence comprised of white-painted brick pillars and plinths and aluminium blade infill with 69mm spacing between blades allowing views through. Due to the slope of Osmond Terrace, the masonry pillars range from 1.59m tall on the southern end to 1.8m at the north end, with the plinths ranging between 395mm and 600mm in a similar fashion. The aluminium blades will retain a consistent 1.2m height throughout, lining up with the top of the masonry pillars. The final northern pillar will have a 1.8-metre-high automatic sliding gate constructed of aluminium blades which will meet the heritage-listed wall adjacent. This fence is considered to be acceptable and consistent with PO 3.4 (above). Council's Heritage Advisor supports the fence also.

Finally, Performance Outcome 1.1 of the Heritage Adjacency Overlay states:

"Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place."

The adjoining dwelling at 114 Osmond Terrace is a Local Heritage Place, but the proposed development is not considered to dominate, encroach or unduly impact on the setting of this Place consistent with this PO.

Hazards – Flooding

The northern portion of the allotment is partially comprised of First Creek (although this does not form part of the subject site for the proposed development). As a consequence, the site is partially located within both the Hazards (Flooding) Overlay and the Hazards (Flooding – General) Overlay – although only to the extent of the allotment that is comprised of First Creek (see **Attachment 2**). Nonetheless, the application was referred to Council's external hydrological engineer for feedback on the proposal.

Performance Outcome 2.1 of the Hazards (Flooding) Overlay states:

"Development sited and designed to minimise exposure of people and property to unacceptable flood risk."

The application proposes stormwater discharge from the site directly into First Creek via two discharge points, an existing one at the rear of the site and a new one closer to Osmond Terrace. Both discharge points will be fitted with a flap gate to prevent backflow into the site during peak rainfall periods when the water levels in First Creek may be higher than the level of the discharge points, consistent with the advice provided to Council (see **Attachment 7**).

As a result of this proposed arrangement, the site could be subject to flooding during a 1% AEP flood event – not as a result of overflows from First Creek, but from an inability to discharge stormwater from the site into the creek. To overcome this, the application proposes a sealed pump system with a 1,125L capacity that can detain and pump surface stormwater from the site to Osmond Terrace via a third stormwater discharge outlet

in such events. The capacity of the pump has been confirmed by Council's external hydrological engineer as being sufficient to minimise exposure of the site and property to unacceptable flood risk, consistent with PO 2.1 (above).

Finally, Council's external hydrological engineer has advised that the installation of a water quality improvement device for the carpark is not necessary, due to: the relatively small size of the car parking area; the limited number of vehicle movements; and the use of permeable paving.

CONCLUSION

This application has both positive and negative qualities about it. On the one hand, the application seeks the adaptive re-use and revitalisation of a local heritage place that has remained disused for the best part of 18 years. The reuse of the building for non-residential purposes is generally envisaged within the Established Neighbourhood Zone providing the application can demonstrate the land use is able to exist in harmony with surrounding residential uses and without detracting from the residential character and amenity of the neighbourhood. The restoration works proposed to the local heritage place are appropriate and welcomed (subject to further consideration of colours and materials), the proposed front fence will complement the subject building and the extent of landscaping proposed will help maintain the residential character and amenity of the locality. Moreover, the proposed land use is not anticipated to create any interface issues by way of noise emissions, traffic movements or otherwise.

On the other hand, the positioning of a car parking area between the local heritage place and the Osmond Terrace boundary will negatively affect the siting and heritage values of the local heritage place, and will also impede views of the building during operation of the consulting rooms. This is at significant variance with the provisions of the Local Heritage Place Overlay, but, as earlier highlighted, any future non-residential use of this building will inevitably result in the same outcome due to the constraints of the site.

Despite the impacts on the siting and heritage value of the local heritage place, the application, on balance, has merit for the reasons outlined above. Appropriate conditions that limit the hours of operation and length of appointments will ensure that this use can continue to operate into the future without prejudice to the surrounding residential amenity, and similar conditions with respect to the front boundary landscaping seek to mitigate the overall impact that the car parking area will have on the heritage value of the local heritage place.

RECOMMENDATION

Grant Planning Consent

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23004961, by Minicozzi (Osmond Terrace) Pty Ltd is granted Planning Consent subject to the following conditions and reserved matters:

RESERVED MATTERS

Planning Consent

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval:

An amended schedule of colours and materials shall be provided to the satisfaction of the Assessment Manager prior to the issuing of development approval.

CONDITIONS

Planning Consent

Condition 1

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

Condition 2

All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers within the next available planting season after the occupation of the premises to the reasonable satisfaction of the Assessment Manager and such plants, as well as any existing plants which are shown to be retained, shall be nurtured and maintained in good health and condition at all times, with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council or its delegate.

Condition 3

That the plantings specified between the front boundary and the adjacent car park be planted with a minimum planting height of 600mm.

Condition 4

That the plantings along the front boundary be maintained at a height that does not exceed the height of the masonry-pillared front fence.

Condition 5

The hours of operation of the premises shall be restricted to following times:

Monday to Friday: 8am to 6pm

Saturday: 9am to 2pm

Condition 6

Appointments associated with the consulting room use shall not be less than 30 minutes long.

Reason: to ensure the nature and frequency of vehicle movements in and out of the site do not adversely affect the amenity of surrounding sensitive receivers.

Condition 7

All deliveries to the site and waste collection from the site shall be restricted to the following times:

Monday to Saturday: 7am to 7pm

Condition 8

All car parking spaces shall be line marked or delineated in a distinctive fashion, with the marking maintained in a clear and visible condition at all times.

Condition 9

Wheel stopping devices shall be placed at the end of each parking bay so as to prevent damage to adjoining fences, buildings or landscaping to the reasonable satisfaction of the Council or its delegate.

Condition 10

Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.

Condition 11

All refuse and stored materials shall be screened from public view to the reasonable satisfaction of the Assessment Manager.

Condition 12

All stormwater from buildings and paved areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building. In particular, stormwater

discharge from the site shall occur in accordance with the stamped plan herein approved entitled "Proposed Site Layout Plan", prepared by SCA Engineers (Drawing No: 230390-C2/B, dated 01.5.23).

ADVISORY NOTES

Planning Consent

Advisory Note 1

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

Advisory Note 2

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

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

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

Advisory Note 3

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

Advisory Note 4

The Applicant is advised that the property is a Local Heritage Place and that approval must be obtained for any works involving the construction, demolition, removal, conversion, alteration or addition to most building and/or structure (including fencing).

Advisory Note 5

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

Advisory Note 6

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

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

Advisory Note 7

The Applicant is advised that construction noise is not allowed:

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

Advisory Note 8

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

Advisory Note 9

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

Advisory Note 10

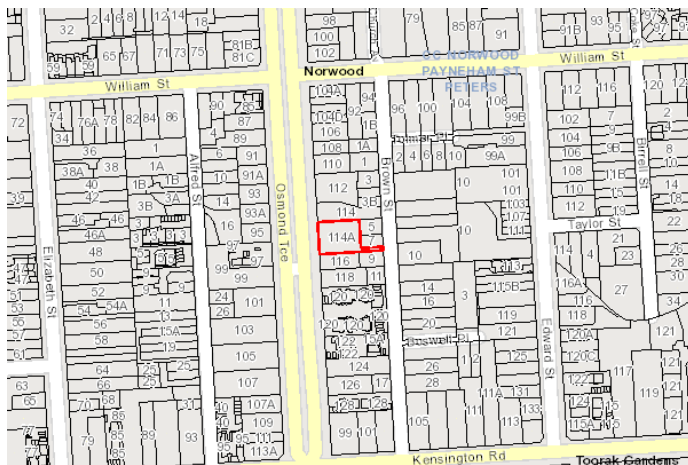
The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

114A OSMOND TCE NORWOOD SA 5067

Address:

Click to view a detailed interactive [SAILIS](#) in SAILIS

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



Property Zoning Details

Zone

Established Neighbourhood

Overlay

Airport Building Heights (Regulated) (*All structures over 45 metres*)

Character Area (*NPSPC6*)

Hazards (Flooding)

Heritage Adjacency

Local Heritage Place (*5861*)

Prescribed Wells Area

Regulated and Significant Tree

Stormwater Management

Traffic Generating Development

Urban Tree Canopy

Local Variation (TNV)

Minimum Frontage (*Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 6m; group dwelling is 18m; residential flat building is 18m*)

Minimum Frontage (*Minimum frontage is 14m*)

Minimum Site Area (*Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 250 sqm; row dwelling is 250 sqm; group dwelling is 250 sqm*)

Minimum Site Area (*Minimum site area is 700 sqm*)

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

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

Development Pathways

- Established Neighbourhood

1. Accepted Development

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

- Air handling unit, air conditioning system or exhaust fan
- Building work on railway land
- Internal building work
- Partial demolition of a building or structure
- Shade sail
- Solar photovoltaic panels (roof mounted)
- Verandah
- Water tank (above ground)
- Water tank (underground)

2. Code Assessed - Deemed to Satisfy

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

- Carport
- Temporary accommodation in an area affected by bushfire
- Verandah

3. Code Assessed - Performance Assessed

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

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

- Ancillary accommodation
- Carport
- Demolition
- Detached dwelling
- Dwelling addition
- Fence
- Group dwelling
- Land division
- Outbuilding
- Residential flat building
- Retaining wall
- Row dwelling
- Semi-detached dwelling
- Tree-damaging activity
- Verandah

4. Impact Assessed - Restricted

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

Property Policy Information for above selection

Part 2 - Zones and Sub Zones

Established Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.
DO 2	Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the 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) Office (f) Recreation area (g) Shop.
<p>PO 1.2</p> <p>Commercial activities improve community access to services are of a scale and type to maintain residential amenity.</p>	<p>DTS/DPF 1.2</p> <p>A shop, consulting room or office (or any combination thereof) satisfies any one of the following:</p> <ul style="list-style-type: none"> (a) it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied: <ul style="list-style-type: none"> (i) does not exceed 30% of the total floor area of the associated dwelling (excluding any garage or carport) or 50m² gross leasable floor area, whichever is the lesser (ii) does not involve the display of goods in a window or about the dwelling or its curtilage (b) it reinstates a former shop, consulting room or office in an existing building (or portion of a building) and satisfies one of the following: <ul style="list-style-type: none"> (i) the building is a State or Local Heritage Place (ii) is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes (c) is located more than 500m from an Activity Centre and satisfies one of the following: <ul style="list-style-type: none"> (i) does not exceed 100m² gross leasable floor area (individually or combined, in a single building) where the site does not have a frontage to a State Maintained Road (ii) does not exceed 200m² gross leasable floor area (individually or combined, in a single building) where the site has a frontage to a State Maintained Road (d) the development site abuts an Activity Centre and all the following are satisfied: <ul style="list-style-type: none"> (i) it does not exceed 200m² gross leasable floor area (individually or combined, in a single building) (ii) the proposed development will not result in a combined gross leasable floor area (existing and proposed) of all shops, consulting rooms and offices that abut the Activity Centre in this zone exceeding the lesser of the following: <ul style="list-style-type: none"> A. 50% of the existing gross leasable floor area within the Activity Centre B. 1000m².
<p>PO 1.3</p> <p>Non-residential development sited and designed to complement the residential character and amenity of the neighbourhood.</p>	<p>DTS/DPF 1.3</p> <p>None are applicable.</p>
<p>PO 1.4</p> <p>Non-residential development located and designed to improve community accessibility to services, primarily in the form of:</p> <ul style="list-style-type: none"> (a) small scale commercial uses such as offices, shops and consulting rooms 	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

<p>(b) community services such as educational establishments, community centres, places of worship, pre-schools, childcare and other health and welfare services</p> <p>(c) services and facilities ancillary to the function or operation of supported accommodation or retirement facilities</p> <p>(d) open space and recreation facilities.</p>							
<p>PO 1.5</p> <p>Expansion of existing community services such as educational establishments, community facilities and pre-schools in a manner which complements the scale of development envisaged by the desired outcome for the neighbourhood.</p>	<p>DTS/DPF 1.5</p> <p>Alteration of or addition to existing educational establishments, community facilities or pre-schools where all the following are satisfied:</p> <p>(a) set back at least 3m from any boundary shared with a residential land use</p> <p>(b) building height not exceeding 1 building level</p> <p>(c) the total floor area of the building not exceeding 150% of the total floor area prior to the addition/alteration</p> <p>(d) off-street vehicular parking exists or will be provided in accordance with the rate(s) specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas to the nearest whole number.</p>						
Site Dimensions and Land Division							
<p>PO 2.1</p> <p>Allotments/sites for residential purposes are of suitable size and dimension to accommodate the anticipated dwelling form and are compatible with the prevailing development pattern in the locality.</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>Development involves the conversion of an existing dwelling into two or more dwellings and the existing dwelling retains its original external appearance to the public road</p> <p>or</p> <p>Allotments/sites for residential purposes accord with the following:</p> <p>(a) 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> <table border="1" data-bbox="831 1218 1522 1346"> <thead> <tr> <th style="text-align: center;">Minimum Site Area</th> </tr> </thead> <tbody> <tr> <td>Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 250 sqm; row dwelling is 250 sqm; group dwelling is 250 sqm</td> </tr> <tr> <td>Minimum site area is 700 sqm</td> </tr> </tbody> </table> <p>and</p> <p>(b) site frontages (or allotment frontages in the case of land division) are not less than:</p> <table border="1" data-bbox="831 1503 1522 1653"> <thead> <tr> <th style="text-align: center;">Minimum Frontage</th> </tr> </thead> <tbody> <tr> <td>Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 6m; group dwelling is 18m; residential flat building is 18m</td> </tr> <tr> <td>Minimum frontage is 14m</td> </tr> </tbody> </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 in (a) or (b) (i.e. there is a blank field or the relevant dwelling type is not listed), then none are applicable and the relevant development cannot be classified as deemed-to-satisfy.</p>	Minimum Site Area	Minimum site area for a detached dwelling is 250 sqm; semi-detached dwelling is 250 sqm; row dwelling is 250 sqm; group dwelling is 250 sqm	Minimum site area is 700 sqm	Minimum Frontage	Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 8m; row dwelling is 6m; group dwelling is 18m; residential flat building is 18m	Minimum frontage is 14m
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Minimum Frontage							
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Minimum frontage is 14m							
<p>PO 2.2</p> <p>Development creating new allotments/sites in conjunction with retention of</p>	<p>DTS/DPF 2.2</p> <p>Where the site of a dwelling does not comprise an entire allotment:</p>						

<p>an existing dwelling ensures the site of the existing dwelling remains fit for purpose.</p>	<ul style="list-style-type: none"> (a) the balance of the allotment accords with the requirements specified in Established Neighbourhood Zone DTS/DPF 2.1, with 10% reduction in minimum site area where located in a Character Area Overlay or Historic Area Overlay (b) if there is an existing dwelling on the allotment that will remain on the allotment after completion of the development it will not contravene: <ul style="list-style-type: none"> (i) private open space requirements specified in Design in Urban Areas Table 1 - Private Open Space (ii) 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 to the nearest whole number. 			
Site coverage				
<p>PO 3.1 Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.</p>	<p>DTS/DPF 3.1 Development does not result in site coverage exceeding: In instances where:</p> <ul style="list-style-type: none"> (a) no value is returned (i.e. there is a blank field), then a maximum 50% site coverage applies (b) more than one value is returned in the same field, refer to the Site Coverage Technical and Numeric Variation layer in the SA planning database to determine the applicable value relevant to the site of the proposed development. 			
Building Height				
<p>PO 4.1 Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.</p>	<p>DTS/DPF 4.1 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="width: 100%; margin-left: 20px; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center; padding: 2px;">Maximum Building Height (Levels)</th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Maximum building height is 1 level</td> </tr> <tr> <td style="padding: 2px;">Maximum building height is 2 levels</td> </tr> </tbody> </table> <ul style="list-style-type: none"> (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"> (c) more than one value is returned in the same field, refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation layer</i> 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. (d) 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 is 2 levels
Maximum Building Height (Levels)				
Maximum building height is 1 level				
Maximum building height is 2 levels				
<p>PO 4.2 Additions and alterations do not adversely impact on the streetscape character.</p>	<p>DTS/DPF 4.2 Additions and alterations:</p> <ul style="list-style-type: none"> (a) are fully contained within the roof space of a building with no external alterations made to the building elevation facing the primary street or (b) meet all of the following: <ul style="list-style-type: none"> (i) do not include any development forward of the front façade building line (ii) where including a second or subsequent building level addition, does not project beyond a 45 degree angle measured from ground level at the building line of the existing building. 			
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 is 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) in all other cases, no DTS/DPF is applicable.
Secondary Street Setback	
<p>PO 6.1</p> <p>Buildings are set back from secondary street boundaries (not being a rear laneway) to maintain the established pattern of separation between buildings and public streets and reinforce streetscape character.</p>	<p>DTS/DPF 6.1</p> <p>Building walls are set back from the secondary street boundary (other than a rear laneway):</p> <ul style="list-style-type: none"> (a) no less than: or (b) 900mm, whichever is greater or (c) if a dwelling on any adjoining allotment is closer to the secondary street, the distance of that dwelling from the boundary with the secondary street. <p>In instances where no value is returned in DTS/DPF 6.1(a) (i.e. there is a blank field), then it is taken that the value for DTS/DPF 6.1(a) is zero.</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>Dwellings do not incorporate side boundary walls where a side boundary setback value is returned in (a) below:</p> <ul style="list-style-type: none"> (a) or (b) where no side boundary setback value is returned in (a) above, and except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on one side boundary and satisfy (i) or (ii) below: <ul style="list-style-type: none"> (i) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height (ii) side boundary walls do not: <ul style="list-style-type: none"> A. exceed 3.2m in height from the lower of the natural or finished ground level B. exceed 8m in length C. when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary D. 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 suburban streetscape character.</p>	<p>DTS/DPF 7.2</p> <p>Dwellings in a semi-detached, row or terrace arrangement are setback from side boundaries shared with allotments outside the development site at least the minimum distance identified in Established Neighbourhood Zone DTS/DPF 8.1.</p>
Side Boundary Setback	

<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 buildings in a way that complements the established character of the locality (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 8.1</p> <p>Other than walls located on a side boundary in accordance with Established Neighbourhood Zone DTS/DPF 7.1, building walls are set back from the side boundary:</p> <ul style="list-style-type: none"> (a) no less than: (b) in all other cases (i.e. there is a blank field), then: <ul style="list-style-type: none"> (i) at least 900mm where the wall is up to 3m (ii) other than for a south facing wall, at least 900mm plus 1/3 of the wall height above 3m (iii) at least 1.9m plus 1/3 of the wall height above 3m for south facing walls.
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 established 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>Other than in relation to an access lane way, buildings are set back from the rear boundary at least:</p> <ul style="list-style-type: none"> (a) 4m for the first building level (b) 6m for any second building level.
Appearance	
<p>PO 10.1</p> <p>Garages and carports are designed and sited to be discrete and not dominate the appearance of the associated dwelling when viewed from the street.</p>	<p>DTS/DPF 10.1</p> <p>Garages and carports facing a street (other than an access lane way):</p> <ul style="list-style-type: none"> (a) are set back at least 0.5m behind the building line of the associated dwelling (b) are set back at least 5.5m from the boundary of the primary street (c) have a total garage door / opening width not exceeding 30% of the allotment or site frontage, to a maximum width of 7m.
<p>PO 10.2</p> <p>The appearance of development as viewed from public roads is sympathetic to the wall height, roof forms and roof pitches of the predominant housing stock in the locality.</p>	<p>DTS/DPF 10.2</p> <p>None are applicable.</p>
Ancillary buildings and structures	
<p>PO 11.1</p> <p>Residential ancillary buildings and structures are sited and designed to not detract from the streetscape or appearance of buildings on the site or neighbouring properties.</p>	<p>DTS/DPF 11.1</p> <p>Ancillary buildings and structures:</p> <ul style="list-style-type: none"> (a) are ancillary to a dwelling erected on the same site (b) have a floor area not exceeding 60m² (c) are constructed, added to or altered so that they are situated at least <ul style="list-style-type: none"> (i) 500mm behind the building line of the dwelling to which they are ancillary or (ii) 900mm from a boundary of the allotment with a secondary street (if the land has boundaries on two or more roads) (d) in the case of a garage or carport, the garage or carport: <ul style="list-style-type: none"> (i) is set back at least 5.5m from the boundary of the primary street (ii) when facing a primary street or secondary street has a total door/opening not exceeding 7m or 30% 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), a length not exceeding 8m unless: <ul style="list-style-type: none"> (i) a longer wall or structure exists on the adjacent site and is situated on the same allotment boundary and (ii) the proposed wall or structure will be built along the same length of boundary as the existing adjacent wall or structure to the same or lesser extent

	<ul style="list-style-type: none"> (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 not exceeding 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 (and not including a gable end), and where located to the side of the associated dwelling, have a wall height or post height no higher than the wall height of the associated dwelling (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: <ul style="list-style-type: none"> (i) a total area as determined by the following table: <table border="1" style="margin: 10px auto; border-collapse: collapse; width: 80%;"> <thead> <tr style="background-color: #2c5e8c; color: white;"> <th style="padding: 5px;">Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th> <th style="padding: 5px;">Minimum percentage of site</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;"><150</td> <td style="padding: 5px;">10%</td> </tr> <tr> <td style="padding: 5px;">150-200</td> <td style="padding: 5px;">15%</td> </tr> <tr> <td style="padding: 5px;">201-450</td> <td style="padding: 5px;">20%</td> </tr> <tr> <td style="padding: 5px;">>450</td> <td style="padding: 5px;">25%</td> </tr> </tbody> </table> (ii) the amount of existing soft landscaping prior to the development occurring. 	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%
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%										
<p>PO 11.2</p> <p>Ancillary buildings and structures do not impede on-site functional requirements such as private open space provision, car parking requirements or result in over-development of the site.</p>	<p>DTS/DPF 11.2</p> <p>Ancillary buildings and structures do not result in:</p> <ul style="list-style-type: none"> (a) less private open space than specified in Design in Urban Areas Table 1 - Private Open Space (b) less on-site car parking than specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas. 										
Advertisements											
<p>PO 12.1</p> <p>Advertisements identify the associated business activity, and do not detract from the residential character of the locality.</p>	<p>DTS/DPF 12.1</p> <p>Advertisements relating to a lawful business activity associated with a residential use do not exceed 0.3m² and mounted flush with a wall or fence.</p>										

Table 5 - Procedural Matters (PM) - Notification

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

Interpretation

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

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

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

Class of Development (Column A)	Exceptions (Column B)
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<p>1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.</p>	None specified.
<p>2. All development undertaken by:</p> <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. 	<p>Except development involving any of the following:</p> <ul style="list-style-type: none"> 1. residential flat building(s) of 3 or more building levels 2. the demolition of a State or Local Heritage Place 3. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
<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) outbuilding (j) pergola (k) private bushfire shelter (l) residential flat building (m) retaining wall (n) shade sail (o) solar photovoltaic panels (roof mounted) (p) swimming pool or spa pool (q) verandah (r) water tank. 	<p>Except development that:</p> <ul style="list-style-type: none"> 1. exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1 or 2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 8m (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. does not satisfy Established Neighbourhood Zone DTS/DPF 1.2 or 2. exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1 or 3. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> (a) the length of the proposed wall (or structure) exceeds 8m (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 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

Airport Building Heights (Regulated) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 Building height does not pose a hazard to the operation of a certified or registered aerodrome.	DTS/DPF 1.1 Buildings are located outside the area identified as 'All structures' (no height limit is prescribed) and do not exceed the height specified in the Airport Building Heights (Regulated) Overlay which applies to the subject site as shown on the SA Property and Planning Atlas. In instances where more than one value applies to the site, the lowest value relevant to the site of the proposed development is applicable.
PO 1.2 Exhaust stacks are designed and sited to minimise plume impacts on aircraft movements associated with a certified or registered aerodrome.	DTS/DPF 1.2 Development does not include exhaust stacks.

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Any of the following classes of development:	The airport-operator company	To provide expert assessment	Development of a class to

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

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Valued streetscape characteristics and development patterns are reinforced through contextually responsive development, design and adaptive reuse that responds to the attributes expressed in the Character 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	
<p>PO 1.1</p> <p>All development is undertaken having consideration to the valued attributes expressed in the Character Area Statement.</p>	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
Built Form	
<p>PO 2.1</p> <p>The form of new buildings and structures that are visible from the public realm are consistent with the valued streetscape characteristics of the character 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 character 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) are consistent with the prevailing characteristics in the character 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 character 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 character area.</p>	<p>DTS/DPF 2.5</p> <p>None are applicable.</p>
Alterations and Additions	

PO 3.1 Additions and alterations do not adversely impact on the streetscape character.	DTS/DPF 3.1 Additions and alterations: (a) are fully contained within the roof space of a building with no external alterations made to the building elevation facing the primary street or (b) meet all of the following: (i) do not include any development forward of the front façade building line (ii) any side or rear extensions are no closer to the side boundary than the existing building (iii) do not involve the construction or alteration of a second or subsequent building level.
PO 3.2 Adaptive reuse and revitalisation of buildings to retain local character consistent with the Character Area Statement.	DTS/DPF 3.2 None are applicable.
Ancillary Development	
PO 4.1 Ancillary development, including carports, outbuildings and garages, complements the character of the area and associated building(s).	DTS/DPF 4.1 None are applicable.
PO 4.2 Ancillary development, including carports, outbuildings and garages, is located behind the building line of the principal building(s).	DTS/DPF 4.2 None are applicable.
PO 4.3 Advertising and advertising hoardings are located and designed to complement the building, be unobtrusive, be below the parapet line, not conceal or obstruct significant architectural elements and detailing, or dominate the building or its setting.	DTS/DPF 4.3 None are applicable.
PO 4.4 Fencing and gates closer to a street boundary (other than a laneway) than the elevation of the associated building are consistent with the traditional period, style and form of the of the associated building.	DTS/DPF 4.4 None are applicable.
Land Division	
PO 5.1 Land division creates allotments that are: (a) compatible with the surrounding pattern of subdivision in the character area (b) of a dimension to accommodate buildings of a bulk and scale that reflect existing buildings and setbacks in the character area.	DTS/DPF 5.1 None are applicable.
Context and Streetscape Amenity	
PO 6.1 The width of driveways and other vehicle access ways are consistent with the prevalent width of existing driveways in the character area.	DTS/DPF 6.1 None are applicable.
PO 6.2 Development maintains the valued landscape pattern and characteristics that contribute to the character area, except where they compromise safety, create nuisance, or impact adversely on existing buildings or infrastructure.	DTS/DPF 6.2 None are applicable.

Character Area Statements

Statement#	Statement
Character Areas affecting City of Norwood, Payneham and St Peters	

Statement#	Statement																
NPSPC6	<p>Residential Character (Norwood) Area Statement (NPSP-C6)</p> <p>The Character Area Overlay identifies localities that comprise valued character attributes. They can be characterised by a consistent rhythm of allotment patterns, building setting and spacing, landscape or natural features and the scale, proportion and form of buildings and their key elements.</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 a Character Area.</p> <p>The preparation of a Contextual Analysis can assist in determining potential additional attributes of a Character Area where these are not identified in the below table.</p>																
	<table border="1"> <tr> <td>Eras, themes and context</td> <td> <p>Residential. Detached (including battleaxe), semi-detached, row and group dwellings. Residential flat buildings.</p> <p>Although the built form character throughout Norwood is relatively varied, there remains a strong theme associated with the original built form, which includes a significant number of Local Heritage Places and buildings constructed before 1940.</p> </td> </tr> <tr> <td>Allotments, subdivision and built form patterns</td> <td> <p>Rectilinear pattern of wide tree-lined major streets, intersected by narrow minor streets, with various eras of development overlaid. Broad mix of allotment sizes and a diversity of residential accommodation options.</p> <p>The regular street grid pattern and the high level of vegetation, including mature street trees and landscaped gardens, are elements that assist in unifying the various eras of built form development in Norwood.</p> </td> </tr> <tr> <td>Architectural styles, detailing and built form features</td> <td> <p>Traditional pre-1940s roof forms, eaves, front verandah treatments, window proportions.</p> <p>A mix of housing styles, including workers cottages, bungalows and villas and a variety of post war dwellings, including walk-up flats, townhouses and a range of contemporary detached, attached and group housing styles. This has, over the years, established a broad mix of allotment sizes and provided a diversity of residential accommodation options, including affordable housing.</p> <p>Some undercroft or underground garages along western side of Osmond Terrace.</p> <p>Semi-detached dwellings often presenting as single dwellings.</p> </td> </tr> <tr> <td>Building height</td> <td>Generally single storey streetscape appearance.</td> </tr> <tr> <td>Materials</td> <td>Varied, traditional materials.</td> </tr> <tr> <td>Fencing</td> <td> <p>Low, open-style fencing that allows connectivity to the street.</p> <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character.</p> <p>Some more solid forms of fencing along arterial roads.</p> </td> </tr> <tr> <td>Setting, landscaping, streetscape and public realm features</td> <td> <p>Distinct rectilinear pattern of wide tree-lined major streets, intersected by narrow minor streets.</p> <p>Some limited advertising and signage which complements scale and architecture of associated buildings.</p> </td> </tr> <tr> <td>Representative Buildings</td> <td><i>[Not identified]</i></td> </tr> </table>	Eras, themes and context	<p>Residential. Detached (including battleaxe), semi-detached, row and group dwellings. Residential flat buildings.</p> <p>Although the built form character throughout Norwood is relatively varied, there remains a strong theme associated with the original built form, which includes a significant number of Local Heritage Places and buildings constructed before 1940.</p>	Allotments, subdivision and built form patterns	<p>Rectilinear pattern of wide tree-lined major streets, intersected by narrow minor streets, with various eras of development overlaid. Broad mix of allotment sizes and a diversity of residential accommodation options.</p> <p>The regular street grid pattern and the high level of vegetation, including mature street trees and landscaped gardens, are elements that assist in unifying the various eras of built form development in Norwood.</p>	Architectural styles, detailing and built form features	<p>Traditional pre-1940s roof forms, eaves, front verandah treatments, window proportions.</p> <p>A mix of housing styles, including workers cottages, bungalows and villas and a variety of post war dwellings, including walk-up flats, townhouses and a range of contemporary detached, attached and group housing styles. This has, over the years, established a broad mix of allotment sizes and provided a diversity of residential accommodation options, including affordable housing.</p> <p>Some undercroft or underground garages along western side of Osmond Terrace.</p> <p>Semi-detached dwellings often presenting as single dwellings.</p>	Building height	Generally single storey streetscape appearance.	Materials	Varied, traditional materials.	Fencing	<p>Low, open-style fencing that allows connectivity to the street.</p> <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character.</p> <p>Some more solid forms of fencing along arterial roads.</p>	Setting, landscaping, streetscape and public realm features	<p>Distinct rectilinear pattern of wide tree-lined major streets, intersected by narrow minor streets.</p> <p>Some limited advertising and signage which complements scale and architecture of associated buildings.</p>	Representative Buildings	<i>[Not identified]</i>
	Eras, themes and context	<p>Residential. Detached (including battleaxe), semi-detached, row and group dwellings. Residential flat buildings.</p> <p>Although the built form character throughout Norwood is relatively varied, there remains a strong theme associated with the original built form, which includes a significant number of Local Heritage Places and buildings constructed before 1940.</p>															
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	Building height	Generally single storey streetscape appearance.															
	Materials	Varied, traditional materials.															
	Fencing	<p>Low, open-style fencing that allows connectivity to the street.</p> <p>Front fencing and side fencing (between the front of a dwelling and the street) and landscaping are important components of streetscape character.</p> <p>Some more solid forms of fencing along arterial roads.</p>															
	Setting, landscaping, streetscape and public realm features	<p>Distinct rectilinear pattern of wide tree-lined major streets, intersected by narrow minor streets.</p> <p>Some limited advertising and signage which complements scale and architecture of associated buildings.</p>															
Representative Buildings	<i>[Not identified]</i>																

Procedural Matters (PM) - Referrals

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

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

Hazards (Flooding) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Impacts on people, property, infrastructure and the environment from high flood risk are minimised by retaining areas free from development, and minimising intensification where development has occurred.

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 Land division is limited to areas where the consequences to buildings and safety are low and can be readily managed or overcome.	DTS/DPF 1.1 None are applicable.
Land Use	
PO 2.1 Development sited and designed to minimise exposure of people and property to unacceptable flood risk.	DTS/DPF 2.1 None are applicable.
PO 2.2 Buildings housing vulnerable people, community services facilities, key infrastructure and emergency services are sited away from flood prone areas to enable uninterrupted operation of services and reduce likelihood of entrapment.	DTS/DPF 2.2 Pre-schools, educational establishments, retirement and supported accommodation, emergency services facilities, hospitals and prisons are not located within the Overlay area.
Flood Resilience	
PO 3.1 Development avoids the need for flood protection works.	DTS/DPF 3.1 None are applicable.
PO 3.2 Development does not cause unacceptable impacts on any adjoining property by the diversion of flood waters or an increase in flood velocity or flood level.	DTS/DPF 3.2 None are applicable.
PO 3.3 Development does not impede the flow of floodwaters through the allotment or the surrounding land, or cause an unacceptable loss of flood storage.	DTS/DPF 3.3 None are applicable.
PO 3.4 Development avoids frequently flooded or high velocity areas, other than where it is part of a flood mitigation scheme to reduce flood impact.	DTS/DPF 3.4 Other than a recreation area, development is located outside of the 5% AEP principal flow path.
PO 3.5 Buildings are sited, designed and constructed to prevent the entry of floodwaters in a 1% AEP flood event where the entry of floodwaters is likely to result in undue damage to, or compromise ongoing activities within, buildings.	DTS/DPF 3.5 Buildings comprise one of the following: (a) a porch or portico with at least 2 open sides (b) a verandah with at least 3 open sides

	<ul style="list-style-type: none"> (c) a carport or outbuilding with at least 2 open sides (whichever elevations face the direction of the flow) (d) any post construction with open sides (e) a building with a finished floor level that is at least 300mm above the height of a 1% AEP flood event.
PO 3.6 Fences do not unreasonably impede floodwaters.	DTS/DPF 3.6 A post and wire fence (other than a chain mesh fence).
Environmental Protection	
PO 4.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building during a 1% AEP flood event to avoid potential environmental harm.	DTS/DPF 4.1 Development involving the storage or disposal of hazardous materials is wholly located outside of the 1% AEP flood plain or flow path.
PO 4.2 Development does not create or aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood.	DTS/DPF 4.2 None are applicable.
Site Earthworks	
PO 5.1 The depth and extent of filling required to raise the finished floor level of a building does not cause unacceptable impact on any adjoining property by diversion of flood waters, an increase in flood velocity or flood level, or an unacceptable loss of flood storage.	DTS/DPF 5.1 None are applicable.
PO 5.2 Driveways, access tracks and parking areas are designed and constructed to minimise excavation and filling.	DTS/DPF 5.2 Filling for ancillary purposes: <ul style="list-style-type: none"> (a) does not exceed 300mm above existing ground level (b) is no more than 5m wide.
Access	
PO 6.1 Development does not occur on land: <ul style="list-style-type: none"> (a) from which evacuation to areas not vulnerable to flood risk is not possible during a 1% AEP flood event (b) which cannot be accessed by emergency services vehicles or essential utility service vehicles during a 1% AEP flood event. 	DTS/DPF 6.1 None are applicable.
PO 6.2 Access driveways and tracks to significant development (i.e. dwellings, places of work, etc.) consist of a safe, all-weather trafficable surface that is accessible during a 1% AEP flood event.	DTS/DPF 6.2 None are applicable.

Procedural Matters (PM) - Referrals

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

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

Hazards (Flooding – General) Overlay

Assessment Provisions (AP)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
DTS/DPF 2.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished ground and floor level not less than: In instances where no finished floor level value is specified, a building incorporates a finished floor level at least 300mm above the height of a 1% AEP flood event.	

Heritage Adjacency Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.	DTS/DPF 1.1 None are applicable.
Land Division	
PO 2.1 Land division adjacent to a State or Local Heritage Place creates allotments that are of a size and dimension that enables the siting and setbacks of new buildings from allotment boundaries so that they do not dominate, encroach or unduly impact on the setting of the Place.	DTS/DPF 2.1 None are applicable.

Procedural Matters (PM) - Referrals

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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that may materially affect the context of a State Heritage Place.	Minister responsible for the administration of the <i>Heritage Places Act 1993</i> .	To provide expert assessment and direction to the relevant authority on the potential impacts of development adjacent State	Development of a class to which Schedule 9

		Heritage Places.	clause 3 item 17 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
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Local Heritage Place Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 The form of new buildings and structures maintains the heritage values of the Local Heritage Place.	DTS/DPF 1.1 None are applicable.
PO 1.2 Massing, scale and siting of development maintains the heritage values of the Local Heritage Place.	DTS/DPF 1.2 None are applicable.
PO 1.3 Design and architectural detailing (including but not limited to roof pitch and form, openings, chimneys and verandahs) maintains the heritage values of the Local Heritage Place.	DTS/DPF 1.3 None are applicable.
PO 1.4 Development is consistent with boundary setbacks and setting.	DTS/DPF 1.4 None are applicable.
PO 1.5 Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.	DTS/DPF 1.5 None are applicable.
PO 1.6 New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.	DTS/DPF 1.6 None are applicable.
PO 1.7 Development of a Local Heritage Place retains features contributing to its heritage value.	DTS/DPF 1.7 None are applicable.

Alterations and Additions	
PO 2.1 Alterations and additions complement the subject building and are sited to be unobtrusive, not conceal or obstruct heritage elements and detailing, or dominate the Local Heritage Place or its setting.	DTS/DPF 2.1 None are applicable.
PO 2.2 Adaptive reuse and revitalisation of Local Heritage Places to support their retention in a manner that respects and references the original use of the Local Heritage Place.	DTS/DPF 2.2 None are applicable.
Ancillary Development	
PO 3.1 Ancillary development, including carports, outbuildings and garages, complements the heritage values of the Local Heritage Place.	DTS/DPF 3.1 None are applicable.
PO 3.2 Ancillary development, including carports, outbuildings and garages, is located behind the building line and does not dominate the Local Heritage Place or its setting.	DTS/DPF 3.2 None are applicable.
PO 3.3 Advertising and advertising hoardings are designed to complement the Local Heritage Place, be unobtrusive, be below the parapet line, not conceal or obstruct heritage elements and detailing, or dominate the building or its setting.	DTS/DPF 3.3 None are applicable.
PO 3.4 Fencing and gates closer to a street boundary (other than a laneway) than the street elevation of the associated building are consistent with the traditional period, style and form of the Local Heritage Place.	DTS/DPF 3.4 None are applicable.
Land Division	
PO 4.1 Land division creates allotments that: (a) maintain the heritage values of the Local Heritage Place, including setting (b) are of a dimension to accommodate new development that reinforces and is compatible with the heritage values of the Local Heritage Place.	DTS/DPF 4.1 None are applicable.
Landscape Context and Streetscape Amenity	
PO 5.1 Individually heritage listed trees, parks, historic gardens and memorial avenues are retained unless: (a) trees / plantings are, or have the potential to be, a danger to life or property or (b) trees / plantings are significantly diseased and their life expectancy is short.	DTS/DPF 5.1 None are applicable.
Demolition	
PO 6.1 Local Heritage Places are not demolished, destroyed or removed in total or in part unless: (a) the portion of the Local Heritage Place to be demolished, destroyed or removed is excluded from the extent of listing that is of heritage value or (b) the structural integrity or condition of the Local Heritage Place represents an unacceptable risk to public or private safety and is irredeemably beyond repair.	DTS/DPF 6.1 None are applicable.
PO 6.2	DTS/DPF 6.2

The demolition, destruction or removal of a building, portion of a building or other feature or attribute is appropriate where it does not contribute to the heritage values of the Local Heritage Place.	None are applicable.
Conservation Works	
PO 7.1 Conservation works to the exterior of a Local Heritage Place (and other features identified in the extent of listing) match original materials to be repaired and utilise traditional work methods.	DTS/DPF 7.1 None are applicable.

Procedural Matters (PM) - Referrals

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

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

Design in Urban Areas

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All Development	
External Appearance	
PO 1.1 Buildings reinforce corners through changes in setback, articulation,	DTS/DPF 1.1 None are applicable.

materials, colour and massing (including height, width, bulk, roof form and slope).	
PO 1.2 Where zero or minor setbacks are desirable, development provides shelter over footpaths (in the form of verandahs, awnings, canopies and the like, with adequate lighting) to positively contribute to the walkability, comfort and safety of the public realm.	DTS/DPF 1.2 None are applicable.
PO 1.3 Building elevations facing the primary street (other than ancillary buildings) are designed and detailed to convey purpose, identify main access points and complement the streetscape.	DTS/DPF 1.3 None are applicable.
PO 1.4 Plant, exhaust and intake vents and other technical equipment are integrated into the building design to minimise visibility from the public realm and negative impacts on residential amenity by: (a) positioning plant and equipment discretely, in unobtrusive locations as viewed from public roads and spaces (b) screening rooftop plant and equipment from view (c) when located on the roof of non-residential development, locating the plant and equipment as far as practicable from adjacent sensitive land uses.	DTS/DPF 1.4 Development does not incorporate any structures that protrude beyond the roofline.
PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form), taking into account the form of development contemplated in the relevant zone.	DTS/DPF 1.5 None are applicable.
Safety	
PO 2.1 Development maximises opportunities for passive surveillance of the public realm by providing clear lines of sight, appropriate lighting and the use of visually permeable screening wherever practicable.	DTS/DPF 2.1 None are applicable.
PO 2.2 Development is designed to differentiate public, communal and private areas.	DTS/DPF 2.2 None are applicable.
PO 2.3 Buildings are designed with safe, perceptible and direct access from public street frontages and vehicle parking areas.	DTS/DPF 2.3 None are applicable.
PO 2.4 Development at street level is designed to maximise opportunities for passive surveillance of the adjacent public realm.	DTS/DPF 2.4 None are applicable.
PO 2.5 Common areas and entry points of buildings (such as the foyer areas of residential buildings) and non-residential land uses at street level, maximise passive surveillance from the public realm to the inside of the building at night.	DTS/DPF 2.5 None are applicable.
Landscaping	
PO 3.1 Soft landscaping and tree planting are incorporated to: (a) minimise heat absorption and reflection (b) maximise shade and shelter (c) maximise stormwater infiltration (d) enhance the appearance of land and streetscapes.	DTS/DPF 3.1 None are applicable.

Environmental Performance	
PO 4.1 Buildings are sited, oriented and designed to maximise natural sunlight access and ventilation to main activity areas, habitable rooms, common areas and open spaces.	DTS/DPF 4.1 None are applicable.
PO 4.2 Buildings are sited and designed to maximise passive environmental performance and minimise energy consumption and reliance on mechanical systems, such as heating and cooling.	DTS/DPF 4.2 None are applicable.
PO 4.3 Buildings incorporate climate responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.	DTS/DPF 4.3 None are applicable.
Water Sensitive Design	
PO 5.1 Development is sited and designed to maintain natural hydrological systems without negatively impacting: (a) the quantity and quality of surface water and groundwater (b) the depth and directional flow of surface water and groundwater (c) the quality and function of natural springs.	DTS/DPF 5.1 None are applicable.
On-site Waste Treatment Systems	
PO 6.1 Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.	DTS/DPF 6.1 Effluent disposal drainage areas do not: (a) encroach within an area used as private open space or result in less private open space than that specified in Design in Urban Areas Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
Car parking appearance	
PO 7.1 Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on streetscapes through techniques such as: (a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure.	DTS/DPF 7.1 None are applicable.
PO 7.2 Vehicle parking areas appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	DTS/DPF 7.2 None are applicable.
PO 7.3 Safe, legible, direct and accessible pedestrian connections are provided between parking areas and the development.	DTS/DPF 7.3 None are applicable.
PO 7.4 Street-level vehicle parking areas incorporate tree planting to provide shade, reduce solar heat absorption and reflection.	DTS/DPF 7.4 Vehicle parking areas that are open to the sky and comprise 10 or more car parking spaces include a shade tree with a mature canopy of 4m diameter spaced for each 10 car parking spaces provided and a landscaped strip on any road frontage of a minimum dimension of 1m.

<p>PO 7.5</p> <p>Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.</p>	<p>DTS/DPF 7.5</p> <p>Vehicle parking areas comprising 10 or more car parking spaces include soft landscaping with a minimum dimension of:</p> <ul style="list-style-type: none"> (a) 1m along all public road frontages and allotment boundaries (b) 1m between double rows of car parking spaces.
<p>PO 7.6</p> <p>Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.</p>	<p>DTS/DPF 7.6</p> <p>None are applicable.</p>
<p>PO 7.7</p> <p>Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.</p>	<p>DTS/DPF 7.7</p> <p>None are applicable.</p>
<p>Earthworks and sloping land</p>	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p> <ul style="list-style-type: none"> (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.
<p>PO 8.2</p> <p>Driveways and access tracks designed and constructed to allow safe and convenient access on sloping land.</p>	<p>DTS/DPF 8.2</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b):</p> <ul style="list-style-type: none"> (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.
<p>PO 8.3</p> <p>Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8):</p> <ul style="list-style-type: none"> (a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development (c) are designed to integrate with the natural topography of the land. 	<p>DTS/DPF 8.3</p> <p>None are applicable.</p>
<p>PO 8.4</p> <p>Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4</p> <p>None are applicable.</p>
<p>PO 8.5</p> <p>Development does not occur on land at risk of landslip or increase the potential for landslip or land surface instability.</p>	<p>DTS/DPF 8.5</p> <p>None are applicable.</p>
<p>Fences and walls</p>	
<p>PO 9.1</p> <p>Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Landscaping is incorporated on the low side of retaining walls that are visible from public roads and public open space to minimise visual impacts.</p>	<p>DTS/DPF 9.2</p> <p>A vegetated landscaped strip 1m wide or more is provided against the low side of a retaining wall.</p>
<p>Overlooking / Visual Privacy (low rise buildings)</p>	
<p>PO 10.1</p>	<p>DTS/DPF 10.1</p>

Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.	Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood-type zone: (a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm (b) have sill heights greater than or equal to 1.5m above finished floor level (c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.
PO 10.2 Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.	DTS/DPF 10.2 One of the following is satisfied: (a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or (b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of: (i) 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or (ii) 1.7m above finished floor level in all other cases
Site Facilities / Waste Storage (excluding low rise residential development)	
PO 11.1 Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.	DTS/DPF 11.1 None are applicable.
PO 11.2 Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.	DTS/DPF 11.2 None are applicable.
PO 11.3 Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.	DTS/DPF 11.3 None are applicable.
PO 11.4 Communal waste storage and collection areas are designed to allow waste and recycling collection vehicles to enter and leave the site without reversing.	DTS/DPF 11.4 None are applicable.
PO 11.5 For mixed use developments, non-residential waste and recycling storage areas and access provide opportunities for on-site management of food waste through composting or other waste recovery as appropriate.	DTS/DPF 11.5 None are applicable.

All non-residential development	
Water Sensitive Design	
PO 42.1 Development likely to result in risk of export of sediment, suspended solids, organic matter, nutrients, oil and grease include stormwater management systems designed to minimise pollutants entering stormwater.	DTS/DPF 42.1 None are applicable.
PO 42.2 Water discharged from a development site is of a physical, chemical and biological condition equivalent to or better than its pre-developed state.	DTS/DPF 42.2 None are applicable.
PO 42.3 Development includes stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure that development does not increase peak flows in downstream systems.	DTS/DPF 42.3 None are applicable.
Wash-down and Waste Loading and Unloading	
PO 43.1 Areas for activities including loading and unloading, storage of waste refuse bins in commercial and industrial development or wash-down areas used for the cleaning of vehicles, plant or equipment are: <ul style="list-style-type: none"> (a) designed to contain all wastewater likely to pollute stormwater within a bunded and roofed area to exclude the entry of external surface stormwater run-off (b) paved with an impervious material to facilitate wastewater collection (c) of sufficient size to prevent 'splash-out' or 'over-spray' of wastewater from the wash-down area (d) are designed to drain wastewater to either: <ul style="list-style-type: none"> (i) a treatment device such as a sediment trap and coalescing plate oil separator with subsequent disposal to a sewer, private or Community Wastewater Management Scheme or (ii) a holding tank and its subsequent removal off-site on a regular basis. 	DTS/DPF 43.1 None are applicable.

Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome (DO)

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

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature								
General Land Use Compatibility									
PO 1.1 Sensitive receivers are designed and sited to protect residents and occupants from adverse impacts generated by lawfully existing land uses (or lawfully approved land uses) and land uses desired in the zone.	DTS/DPF 1.1 None are applicable.								
PO 1.2 Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.	DTS/DPF 1.2 None are applicable.								
Hours of Operation									
PO 2.1 Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to: (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.	DTS/DPF 2.1 Development operating within the following hours: <table border="1" data-bbox="826 1532 1490 2011"> <thead> <tr> <th>Class of Development</th> <th>Hours of operation</th> </tr> </thead> <tbody> <tr> <td>Consulting room</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td>Office</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td> </tr> <tr> <td>Shop, other than any one or combination of the following: (a) restaurant</td> <td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday</td> </tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any one or combination of the following: (a) restaurant	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any one or combination of the following: (a) restaurant	7am to 9pm, Monday to Friday 8am to 5pm, Saturday and Sunday								

	(b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone		
Overshadowing			
PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses in: a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight.	DTS/DPF 3.1 North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.		
PO 3.2 Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in: a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight.	DTS/DPF 3.2 Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following: a. for ground level private open space, the smaller of the following: i. half the existing ground level open space or ii. 35m ² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m) b. for ground level communal open space, at least half of the existing ground level open space.		
PO 3.3 Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account: (a) the form of development contemplated in the zone (b) the orientation of the solar energy facilities (c) the extent to which the solar energy facilities are already overshadowed.	DTS/DPF 3.3 None are applicable.		
PO 3.4 Development that incorporates moving parts, including windmills and wind farms, are located and operated to not cause unreasonable nuisance to nearby dwellings and tourist accommodation caused by shadow flicker.	DTS/DPF 3.4 None are applicable.		
Activities Generating Noise or Vibration			
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.		
PO 4.2 Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including: (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (c) housing plant and equipment within an enclosed structure or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.	DTS/DPF 4.2 None are applicable.		

<p>PO 4.3</p> <p>Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.3</p> <p>The pump and/or filtration system ancillary to a dwelling erected on the same site is:</p> <ul style="list-style-type: none"> (a) enclosed in a solid acoustic structure located at least 5m from the nearest habitable room located on an adjoining allotment or (b) located at least 12m from the nearest habitable room located on an adjoining allotment. 				
<p>PO 4.4</p> <p>External noise into bedrooms is minimised by separating or shielding these rooms from service equipment areas and fixed noise sources located on the same or an adjoining allotment.</p>	<p>DTS/DPF 4.4</p> <p>Adjacent land is used for residential purposes.</p>				
<p>PO 4.5</p> <p>Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5</p> <p>None are applicable.</p>				
<p>PO 4.6</p> <p>Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 4.6</p> <p>Development incorporating music includes noise attenuation measures that will achieve the following noise levels:</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th style="width: 50%;">Assessment location</th> <th style="width: 50%;">Music noise level</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Externally at the nearest existing or envisaged noise sensitive location</td> <td style="padding: 5px;">Less than 8dB above the level of background noise (L_{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)</td> </tr> </tbody> </table>	Assessment location	Music noise level	Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)
Assessment location	Music noise level				
Externally at the nearest existing or envisaged noise sensitive location	Less than 8dB above the level of background noise (L _{90,15min}) in any octave band of the sound spectrum (LOCT10,15 < LOCT90,15 + 8dB)				
Air Quality					
<p>PO 5.1</p> <p>Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>				
<p>PO 5.2</p> <p>Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:</p> <ul style="list-style-type: none"> (a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers. 	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>				
Light Spill					
<p>PO 6.1</p> <p>External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>				
<p>PO 6.2</p> <p>External lighting is not hazardous to motorists and cyclists.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>				
Solar Reflectivity / Glare					
<p>PO 7.1</p> <p>Development is designed and comprised of materials and finishes that do not</p>	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>				

unreasonably cause a distraction to adjacent road users and pedestrian areas or unreasonably cause heat loading and micro-climatic impacts on adjacent buildings and land uses as a result of reflective solar glare.	
Electrical Interference	
<p>PO 8.1</p> <p>Development in rural and remote areas does not unreasonably diminish or result in the loss of existing communication services due to electrical interference.</p>	<p>DTS/DPF 8.1</p> <p>The building or structure:</p> <ul style="list-style-type: none"> (a) is no greater than 10m in height, measured from existing ground level or (b) is not within a line of sight between a fixed transmitter and fixed receiver (antenna) other than where an alternative service is available via a different fixed transmitter or cable.
Interface with Rural Activities	
<p>PO 9.1</p> <p>Sensitive receivers are located and designed to mitigate impacts from lawfully existing horticultural and farming activities (or lawfully approved horticultural and farming activities), including spray drift and noise and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.1</p> <p>None are applicable.</p>
<p>PO 9.2</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing intensive animal husbandry activities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.2</p> <p>None are applicable.</p>
<p>PO 9.3</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing land-based aquaculture activities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.3</p> <p>Sensitive receivers are located at least 200m from the boundary of a site used for land-based aquaculture and associated components in other ownership.</p>
<p>PO 9.4</p> <p>Sensitive receivers are located and designed to mitigate potential impacts from lawfully existing dairies including associated wastewater lagoons and liquid/solid waste storage and disposal facilities and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.4</p> <p>Sensitive receivers are sited at least 500m from the boundary of a site used for a dairy and associated wastewater lagoon(s) and liquid/solid waste storage and disposal facilities in other ownership.</p>
<p>PO 9.5</p> <p>Sensitive receivers are located and designed to mitigate the potential impacts from lawfully existing facilities used for the handling, transportation and storage of bulk commodities (recognising the potential for extended hours of operation) and do not prejudice the continued operation of these activities.</p>	<p>DTS/DPF 9.5</p> <p>Sensitive receivers are located away from the boundary of a site used for the handling, transportation and/or storage of bulk commodities in other ownership in accordance with the following:</p> <ul style="list-style-type: none"> (a) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals to or from any commercial storage facility (b) 300m or more, where it involves the handling of agricultural crop products, rock, ores, minerals, petroleum products or chemicals at a wharf or wharf side facility (including sea-port grain terminals) where the handling of these materials into or from vessels does not exceed 100 tonnes per day (c) 500m or more, where it involves the storage of bulk petroleum in individual containers with a capacity up to 200 litres and a total on-site storage capacity not exceeding 1000 cubic metres (d) 500m or more, where it involves the handling of coal with a capacity up to 1 tonne per day or a storage capacity up to 50 tonnes (e) 1000m or more, where it involves the handling of coal with a capacity exceeding 1 tonne per day but not exceeding 100 tonnes per day or a storage capacity exceeding 50 tonnes but not exceeding 5000 tonnes.
<p>PO 9.6</p> <p>Setbacks and vegetation plantings along allotment boundaries should be incorporated to mitigate the potential impacts of spray drift and other impacts associated with agricultural and horticultural activities.</p>	<p>DTS/DPF 9.6</p> <p>None are applicable.</p>
<p>PO 9.7</p>	<p>DTS/DPF 9.7</p>

<p>Urban development does not prejudice existing agricultural and horticultural activities through appropriate separation and design techniques.</p>	<p>None are applicable.</p>
<p>Interface with Mines and Quarries (Rural and Remote Areas)</p>	
<p>PO 10.1 Sensitive receivers are separated from existing mines to minimise the adverse impacts from noise, dust and vibration.</p>	<p>DTS/DPF 10.1 Sensitive receivers are located no closer than 500m from the boundary of a Mining Production Tenement under the <i>Mining Act 1971</i>.</p>

Out of Activity Centre Development

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO1	The role of Activity Centres in contributing to the form and pattern of development and enabling equitable and convenient access to a range of shopping, administrative, cultural, entertainment and other facilities in a single trip is maintained and reinforced.

Performance Outcomes and Deemed to Satisfy / Designated Performance Outcome Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Non-residential development outside Activity Centres of a scale and type that does not diminish the role of Activity Centres:</p> <ul style="list-style-type: none"> (a) as primary locations for shopping, administrative, cultural, entertainment and community services (b) as a focus for regular social and business gatherings (c) in contributing to or maintaining a pattern of development that supports equitable community access to services and facilities. 	<p>DTS/DPF 1.1</p> <p>None are applicable.</p>
<p>PO 1.2</p> <p>Out-of-activity centre non-residential development complements Activity Centres through the provision of services and facilities:</p> <ul style="list-style-type: none"> (a) that support the needs of local residents and workers, particularly in underserved locations (b) at the edge of Activities Centres where they cannot readily be accommodated within an existing Activity Centre to expand the range of services on offer and support the role of the Activity Centre. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
PO 1.1 Development is integrated with the existing transport system and designed to minimise its potential impact on the functional performance of the transport system.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development is designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive receivers.	DTS/DPF 1.2 None are applicable.
PO 1.3 Industrial, commercial and service vehicle movements, loading areas and designated parking spaces are separated from passenger vehicle car parking areas to ensure efficient and safe movement and minimise potential conflict.	DTS/DPF 1.3 None are applicable.
PO 1.4 Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.	DTS/DPF 1.4 All vehicle manoeuvring occurs onsite.
Sightlines	
PO 2.1 Sightlines at intersections, pedestrian and cycle crossings, and crossovers to allotments for motorists, cyclists and pedestrians are maintained or enhanced to ensure safety for all road users and pedestrians.	DTS/DPF 2.1 None are applicable.
PO 2.2 Walls, fencing and landscaping adjacent to driveways and corner sites are designed to provide adequate sightlines between vehicles and pedestrians.	DTS/DPF 2.2 None are applicable.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/DPF 3.1 The access is: (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
PO 3.2 Development incorporating vehicular access ramps ensures vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic.	DTS/DPF 3.2 None are applicable.
PO 3.3 Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.	DTS/DPF 3.3 None are applicable.
PO 3.4 Access points are sited and designed to minimise any adverse impacts on neighbouring properties.	DTS/DPF 3.4 None are applicable.
PO 3.5	DTS/DPF 3.5

<p>Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.</p>	<p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
<p>PO 3.6 Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).</p>	<p>DTS/DPF 3.6 Driveways and access points:</p> <ul style="list-style-type: none"> (a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided (b) for sites with a frontage to a public road greater than 20m: <ul style="list-style-type: none"> (i) a single access point no greater than 6m in width is provided or (ii) not more than two access points with a width of 3.5m each are provided.
<p>PO 3.7 Access points are appropriately separated from level crossings to avoid interference and ensure their safe ongoing operation.</p>	<p>DTS/DPF 3.7 Development does not involve a new or modified access or cause an increase in traffic through an existing access that is located within the following distance from a railway crossing:</p> <ul style="list-style-type: none"> (a) 80 km/h road - 110m (b) 70 km/h road - 90m (c) 60 km/h road - 70m (d) 50km/h or less road - 50m.
<p>PO 3.8 Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.</p>	<p>DTS/DPF 3.8 None are applicable.</p>
<p>PO 3.9 Development is designed to ensure vehicle circulation between activity areas occurs within the site without the need to use public roads.</p>	<p>DTS/DPF 3.9 None are applicable.</p>
<p>Access for People with Disabilities</p>	
<p>PO 4.1 Development is sited and designed to provide safe, dignified and convenient access for people with a disability.</p>	<p>DTS/DPF 4.1 None are applicable.</p>
<p>Vehicle Parking Rates</p>	
<p>PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</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 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.

Vehicle Parking Areas	
PO 6.1 Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.	DTS/DPF 6.1 Movement between vehicle parking areas within the site can occur without the need to use a public road.
PO 6.2 Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.	DTS/DPF 6.2 None are applicable.
PO 6.3 Vehicle parking areas are designed to provide opportunity for integration and shared-use of adjacent car parking areas to reduce the total extent of vehicle parking areas and access points.	DTS/DPF 6.3 None are applicable.
PO 6.4 Pedestrian linkages between parking areas and the development are provided and are safe and convenient.	DTS/DPF 6.4 None are applicable.
PO 6.5 Vehicle parking areas that are likely to be used during non-daylight hours are provided with sufficient lighting to entry and exit points to ensure clear visibility to users.	DTS/DPF 6.5 None are applicable.
PO 6.6 Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.	DTS/DPF 6.6 Loading areas and designated parking spaces are wholly located within the site.
PO 6.7 On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.	DTS/DPF 6.7 None are applicable.
Undercroft and Below Ground Garaging and Parking of Vehicles	
PO 7.1 Undercroft and below ground garaging of vehicles is designed to enable safe entry and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles.	DTS/DPF 7.1 None are applicable.
Internal Roads and Parking Areas in Residential Parks and Caravan and Tourist Parks	
PO 8.1 Internal road and vehicle parking areas are surfaced to prevent dust becoming a nuisance to park residents and occupants.	DTS/DPF 8.1 None are applicable.
PO 8.2 Traffic circulation and movement within the park is pedestrian friendly and promotes low speed vehicle movement.	DTS/DPF 8.2 None are applicable.
Bicycle Parking in Designated Areas	
PO 9.1 The provision of adequately sized on-site bicycle parking facilities encourages cycling as an active transport mode.	DTS/DPF 9.1 Areas and / or fixtures are provided for the parking and storage of bicycles at a rate not less than the amount calculated using Transport, Access and Parking Table 3 - Off Street Bicycle Parking Requirements.
PO 9.2 Bicycle parking facilities provide for the secure storage and tethering of bicycles in a place where casual surveillance is possible, is well lit and signed for the safety and convenience of cyclists and deters property theft.	DTS/DPF 9.2 None are applicable.
PO 9.3 Non-residential development incorporates end-of-journey facilities for	DTS/DPF 9.3 None are applicable.

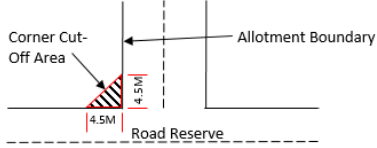
employees such as showers, changing facilities and secure lockers, and signage indicating the location of the facilities to encourage cycling as a mode of journey-to-work transport.	
Corner Cut-Offs	
<p>PO 10.1</p> <p>Development is located and designed to ensure drivers can safely turn into and out 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)
Residential Development	
Detached Dwelling	<p>Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p>
Group Dwelling	<p>Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling.</p> <p>Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.</p> <p>0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.</p>
Residential Flat Building	<p>welling 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>welling 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, 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
Community facility	10 spaces per 100m ² of total floor area.

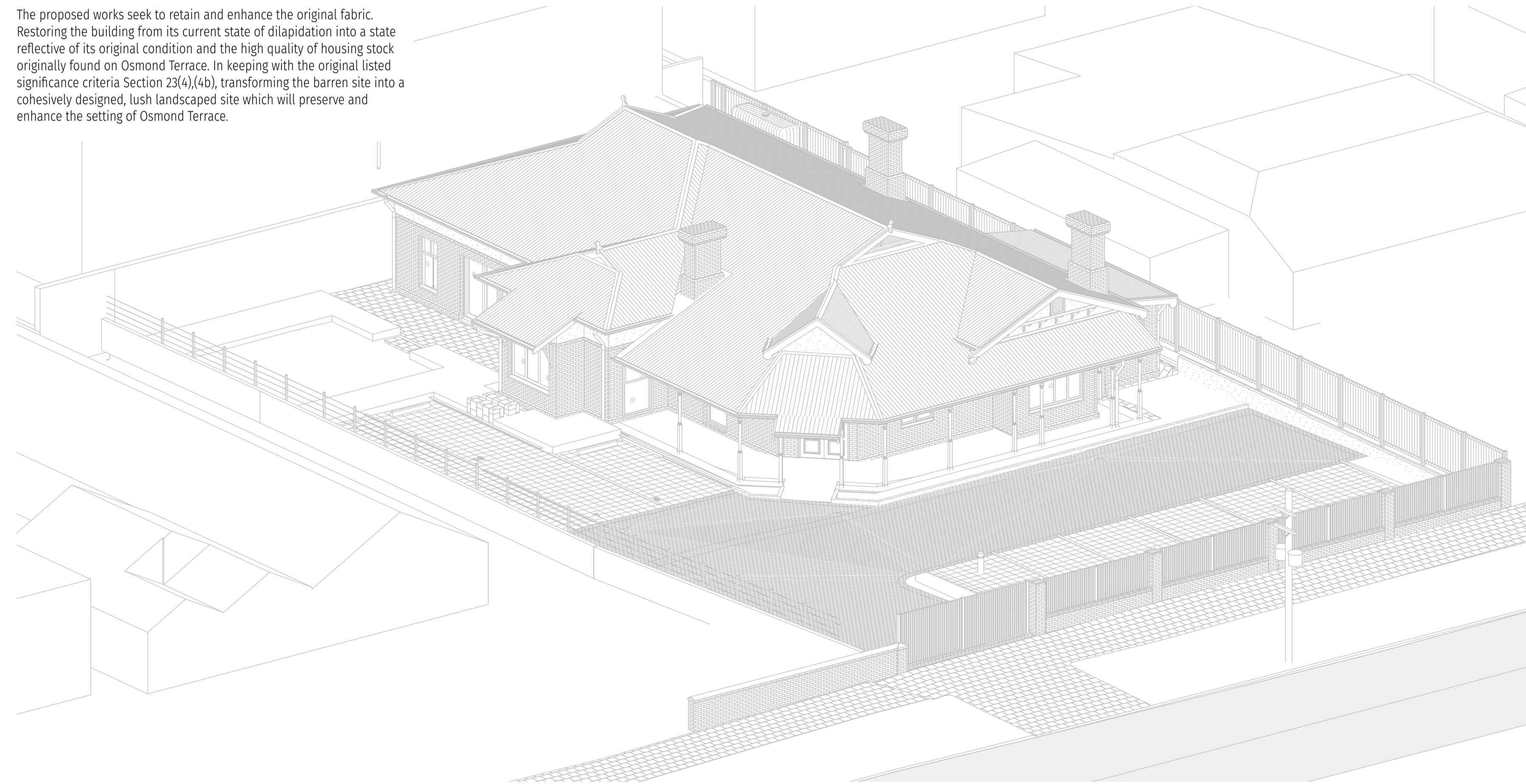
Educational establishment	For a primary school - 1.1 space per full time equivalent employee plus 0.25 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site. For a secondary school - 1.1 per full time equivalent employee plus 0.1 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site. For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any time.
Hall / meeting hall	0.2 spaces per seat.
Library	4 spaces per 100m ² of total floor area.
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)
Health Related Uses	
Consulting room	4 spaces per consulting room excluding ancillary facilities.
Hospital	4.5 spaces per bed for a public hospital. 1.5 spaces per bed for a private hospital.
Recreational and Entertainment Uses	
Cinema complex	.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.

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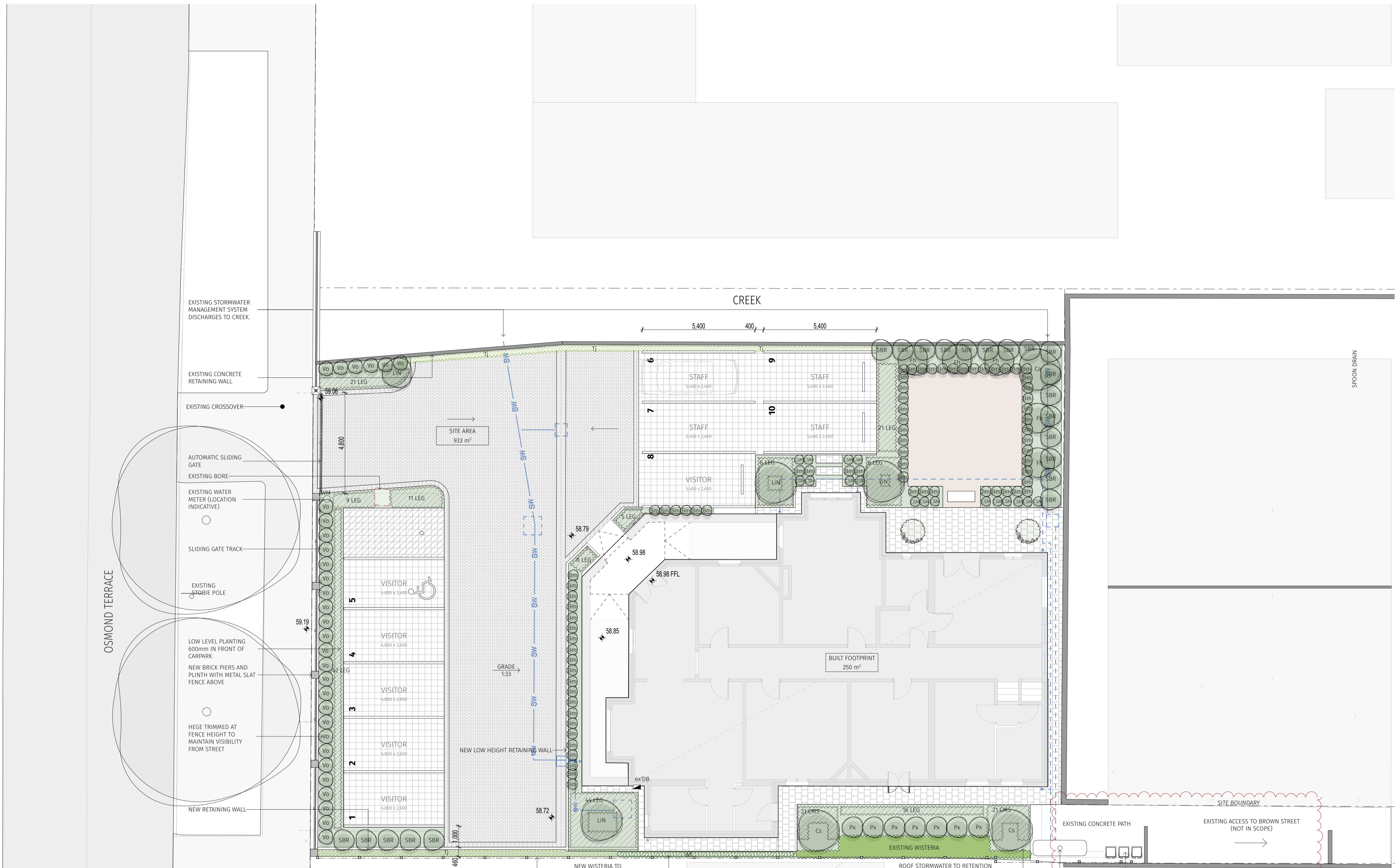
OSMOND TERRACE - RESTORATION AND REFURBISHMENT
21001
114A OSMOND TERRACE NORWOOD SA 5067

19/6/2023

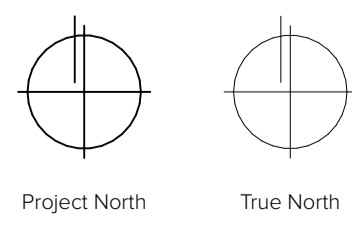
The proposed works seek to retain and enhance the original fabric. Restoring the building from its current state of dilapidation into a state reflective of its original condition and the high quality of housing stock originally found on Osmond Terrace. In keeping with the original listed significance criteria Section 23(4),(4b), transforming the barren site into a cohesively designed, lush landscaped site which will preserve and enhance the setting of Osmond Terrace.



AMENITIES	
ACCESS WC	6
CLEANERS	4
STAFF ROOM	13
STAFF WC	5
STORE	8
	36 m²
CONSULTING	
CONSULTING 01	29
CONSULTING 02	22
CONSULTING 03	21
	72 m²
OFFICE	
OFFICE 01	14
OFFICE 02	17
	31 m²
SHARED SPACE	
ENTRY	14
HALL	33
RECEPTION	27
	74 m²
	213 m²
BUILT FOOTPRINT	
	250
SITE AREA	
	933
	1,183 m²

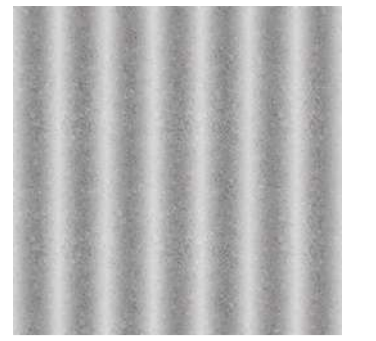
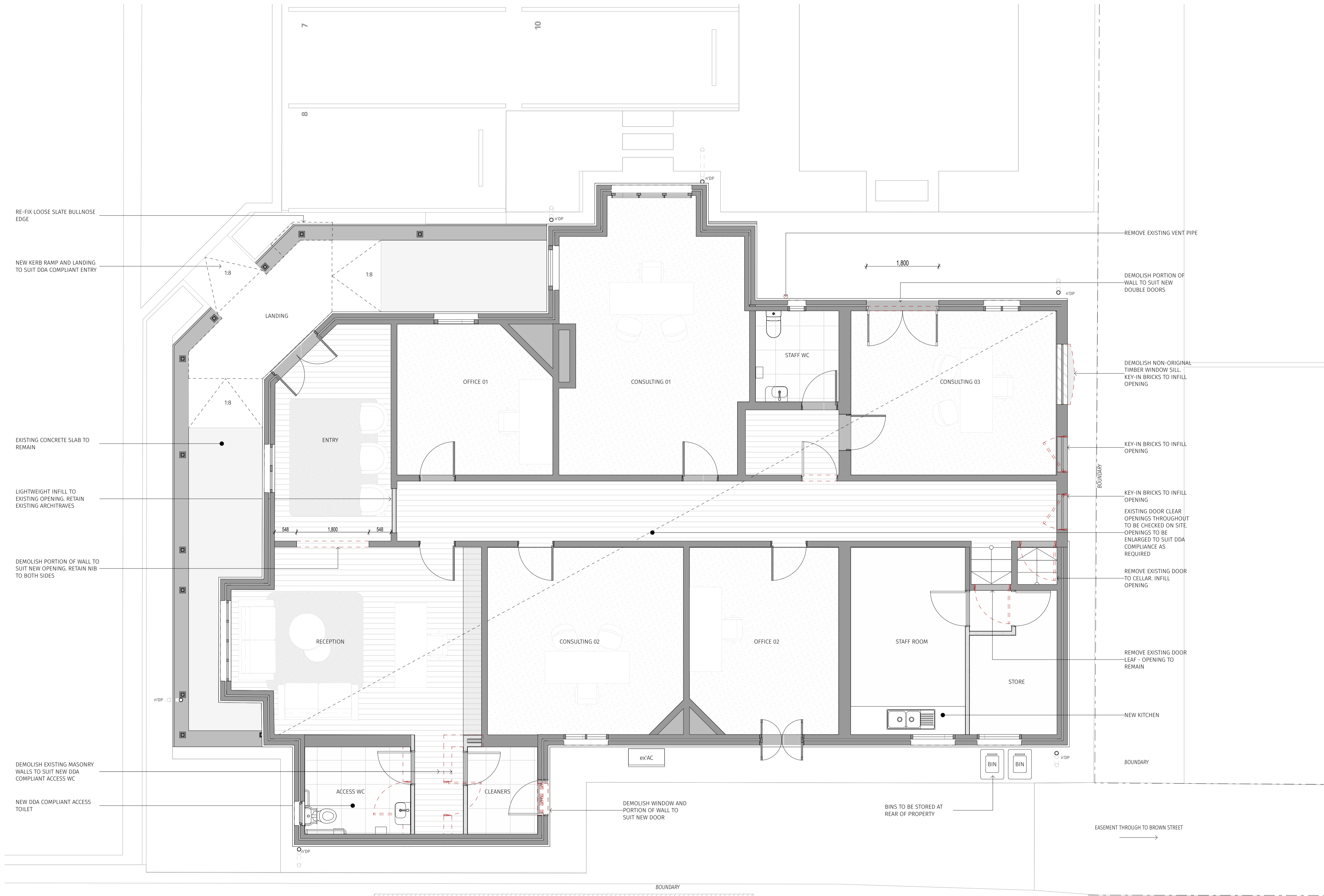


S M F A



CODE	Scientific Name	Common Name
LEG	<i>Liriope 'Evergreen Giant'</i>	Blue Lily Turf
Cs	<i>Camellia sasanqua</i>	.
CSM	<i>Clivia minata 'Shade Master'</i>	Bush Lily Plamnt
Tj	<i>Trachelospermum jasminoides</i>	Star Jasmine
Fh	<i>Ficus hillii</i>	Standardised Fig Tree
Bm	<i>Buxus microphylla</i>	Japanese Bx (Topiary)
Px	<i>Philodendron xandu</i>	.
Vo	<i>Viburnum odoratissimum</i>	Sweet Viburnum
SBR	<i>Syzygium australe 'Big Red'</i>	Lily Pilly Hedge
LiN	<i>Lagerstroemia indica 'Nachez'</i>	Crepe Myrtle
Ca	<i>Cupaniopsis anacardioides</i>	Tuckeroo Tree
MLG	<i>Magnolia 'Little Gem'</i>	.
Wf	<i>Wisteria floribunda</i>	Japanese Wisteria

AMENITIES	
ACCESS WC	6
CLEANERS	4
STAFF ROOM	13
STAFF WC	5
STORE	8
	36 m²
CONSULTING	
CONSULTING 01	29
CONSULTING 02	22
CONSULTING 03	21
	72 m²
OFFICE	
OFFICE 01	14
OFFICE 02	17
	31 m²
SHARED SPACE	
ENTRY	14
HALL	33
RECEPTION	27
	74 m²
	213 m²
BUILT FOOTPRINT	
	250
SITE AREA	
	933
	1,183 m²



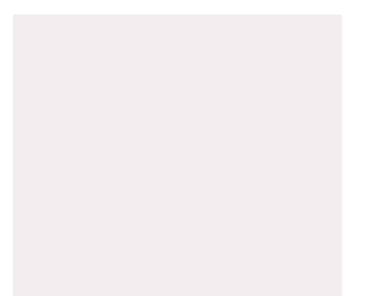
ROOF SHEET
CORRUGATED GALVANISED IRON



FLASHINGS, OGEE GUTTERS, DOWNPIPES
GALVANISED IRON



EXTERNAL TIMBER
HAYMES CONSCIOUS GREY



EXTERNAL MASONRY AND RENDER
HAYMES CHALKY WHITE



METAL FENCE BLADES
WOODLAND GREY

S M F A

TIMBER REPAIR OR REPLACEMENT - GENERAL
CONTRACTOR TO INSPECT TIMBER FOR ROT / DAMAGE. IF LOSS OF INTEGRITY OF AFFECTED TIMBER IS GREATER THAN 10% SCARF TIMBER, OR GREATER THAN 50% REPLACE MEMBER TO MATCH ORIGINAL PROFILE (UNLESS NOTED OTHERWISE). SAND BACK TO SOUND SUBSTRATE, PRIME AND APPLY NEW PAINT FINISH

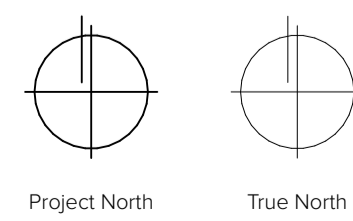
TIMBER REPLACEMENT
NEW TIMBER TO MATCH EXISTING SIZE AND PROFILE (UNLESS NOTED OTHERWISE). PRIME AND APPLY NEW PAINT FINISH

MASONRY REPAIRS
MASONRY REMEDIATION WORKS REQUIRED - REFER DRAWING ANNOTATIONS

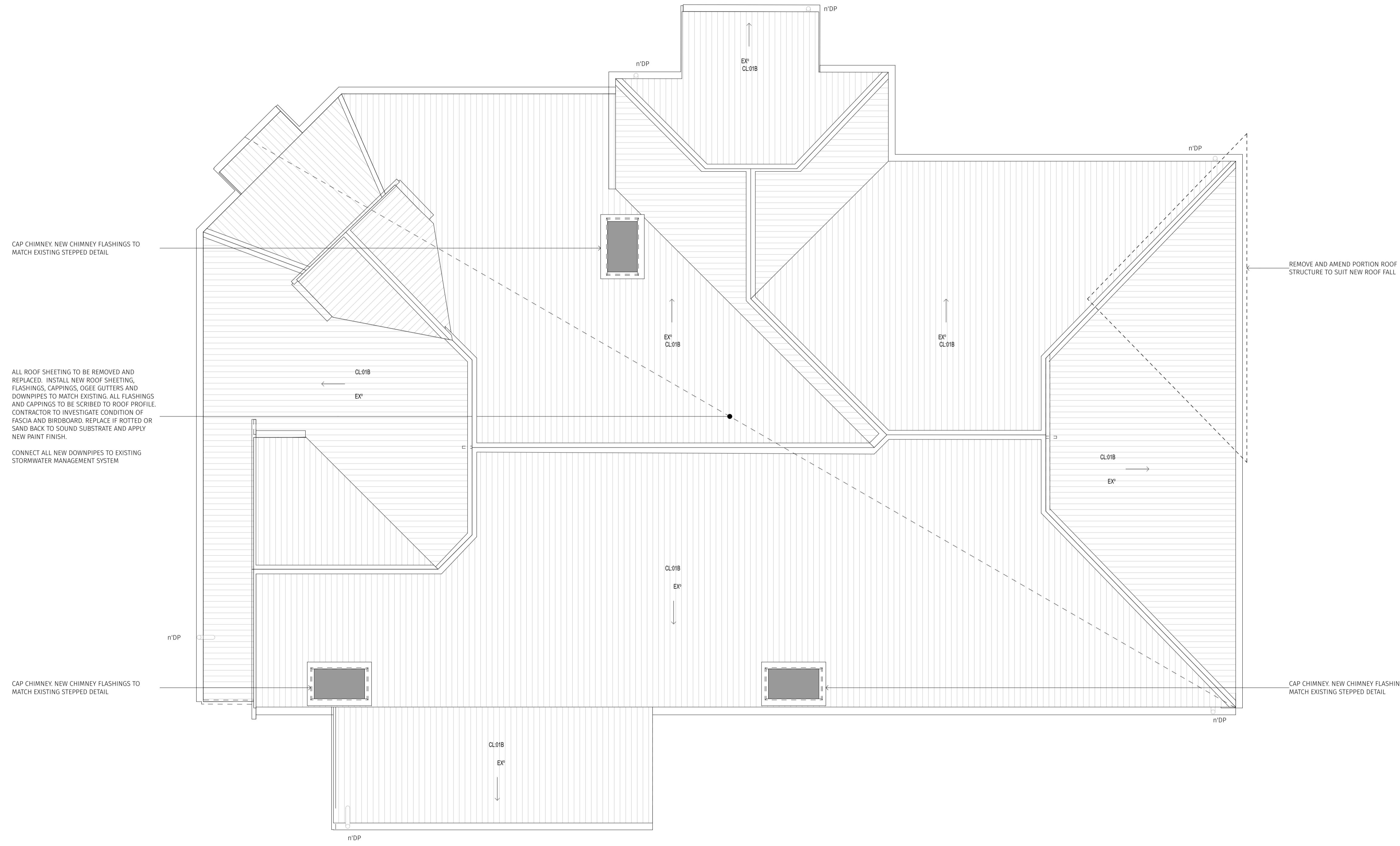
REPOINTING
LOCALLY RAKE OUT CEMENTITIOUS OR DRUMMY MORTAR TO STABLE SUBSTRATE. REPOINT IN LIME RICH MORTAR - REFER SPECIFICATION FOR MORTAR REQUIREMENTS

GLASS
REMOVE AND REPLACE BROKEN GLASS TO MATCH EXISTING

ROOF
REMOVE AND REPLACE EXISTING ROOF. REPLACE WITH NEW CORRUGATED GALVANISED IRON ROOF SHEETING. NEW GALVANISED FLASHING, CAPPINGS, OGEE PROFILE GUTTERS AND DOWNPIPES. ALL FLASHINGS AND CAPPINGS TO BE SCRIBED TO ROOF PROFILE



AMENITIES	
ACCESS WC	6
CLEANERS	4
STAFF ROOM	13
STAFF WC	5
STORE	8
	36 m²
CONSULTING	
CONSULTING 01	29
CONSULTING 02	22
CONSULTING 03	21
	72 m²
OFFICE	
OFFICE 01	14
OFFICE 02	17
	31 m²
SHARED SPACE	
ENTRY	14
HALL	33
RECEPTION	27
	74 m²
	213 m²
BUILT FOOTPRINT	
	250
SITE AREA	
	933
	1,183 m²



CAP CHIMNEY. NEW CHIMNEY FLASHINGS TO MATCH EXISTING STEPPED DETAIL

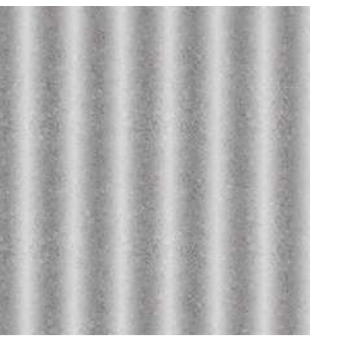
ALL ROOF SHEETING TO BE REMOVED AND REPLACED. INSTALL NEW ROOF SHEETING, FLASHINGS, CAPPINGS, OGEE GUTTERS AND DOWNPIPES TO MATCH EXISTING. ALL FLASHINGS AND CAPPINGS TO BE SCRIBED TO ROOF PROFILE. CONTRACTOR TO INVESTIGATE CONDITION OF FASCIA AND BIRDBOARD. REPLACE IF ROTTED OR SAND BACK TO SOUND SUBSTRATE AND APPLY NEW PAINT FINISH.

CONNECT ALL NEW DOWNPIPES TO EXISTING STORMWATER MANAGEMENT SYSTEM

REMOVE AND AMEND PORTION ROOF STRUCTURE TO SUIT NEW ROOF FALL

CAP CHIMNEY. NEW CHIMNEY FLASHINGS TO MATCH EXISTING STEPPED DETAIL

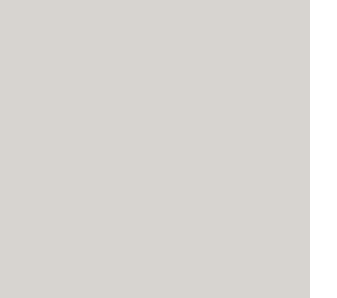
CAP CHIMNEY. NEW CHIMNEY FLASHINGS TO MATCH EXISTING STEPPED DETAIL



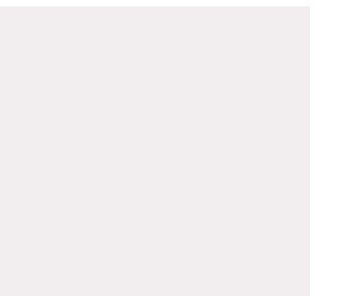
ROOF SHEET
CORRUGATED GALVANISED IRON



FLASHINGS, OGEE GUTTERS, DOWNPIPES
GALVANISED IRON



EXTERNAL TIMBER
HAYMES CONSCIOUS GREY



EXTERNAL MASONRY AND RENDER
HAYMES CHALKY WHITE



METAL FENCE BLADES
WOODLAND GREY

S M F A

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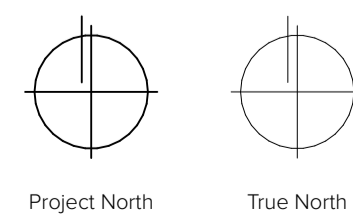
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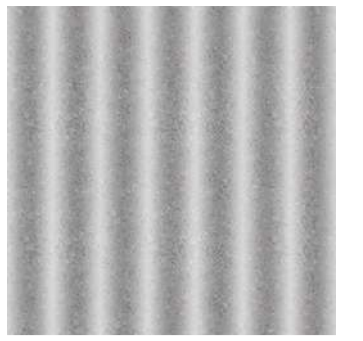
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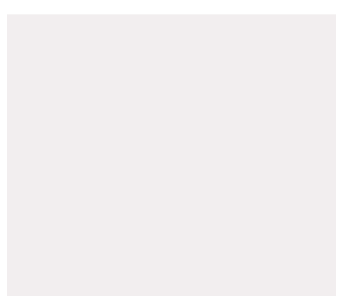
ROOF SHEET
CORRUGATED GALVANISED IRON



FLASHINGS, OGEE GUTTERS, DOWNPIPES
GALVANISED IRON



EXTERNAL TIMBER
HAYMES CONSCIOUS GREY



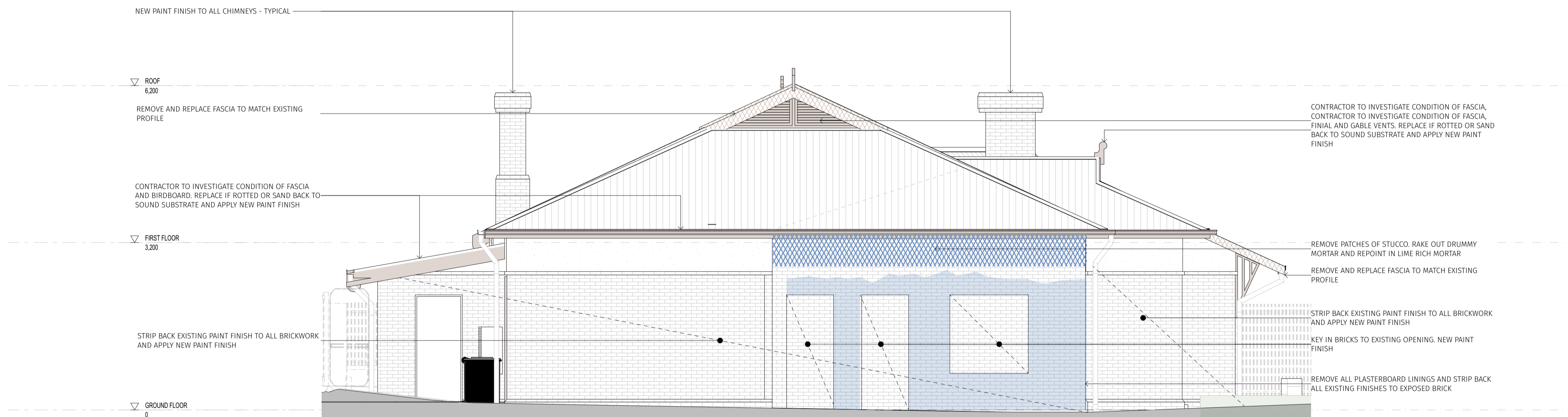
EXTERNAL MASONRY AND RENDER
HAYMES CHALKY WHITE



METAL FENCE BLADES
WOODLAND GREY



ELEVATION E01
1:50



ELEVATION E02
1:50

S M F A

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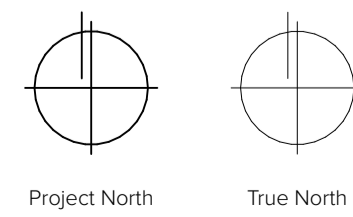
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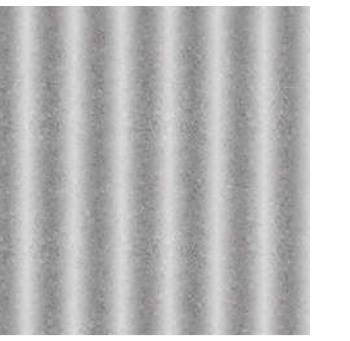
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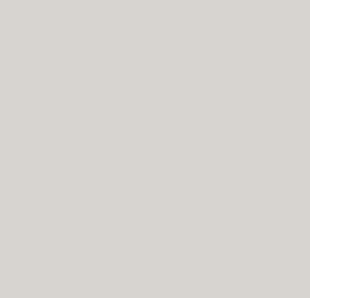




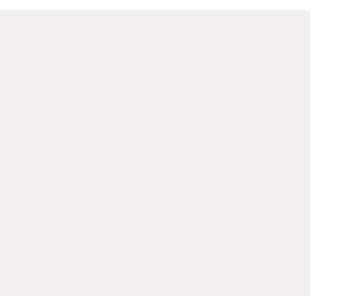
ROOF SHEET
CORRUGATED GALVANISED IRON



FLASHINGS, OGEE GUTTERS, DOWNPIPES
GALVANISED IRON



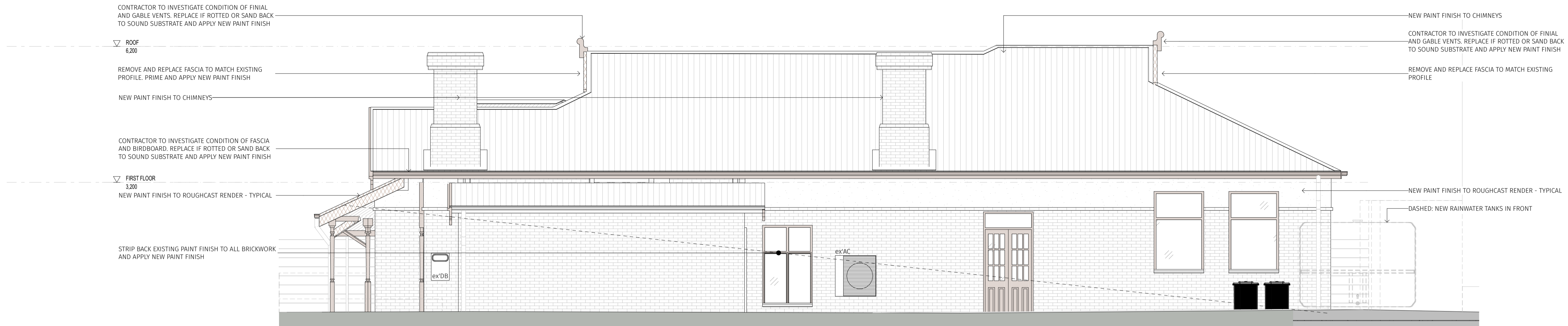
EXTERNAL TIMBER
HAYMES CONSCIOUS GREY



EXTERNAL MASONRY AND RENDER
HAYMES CHALKY WHITE



METAL FENCE BLADES
WOODLAND GREY



ELEVATION E03
1:50



ELEVATION E04
1:50

S M F A

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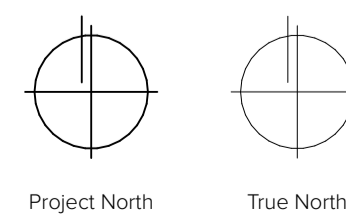
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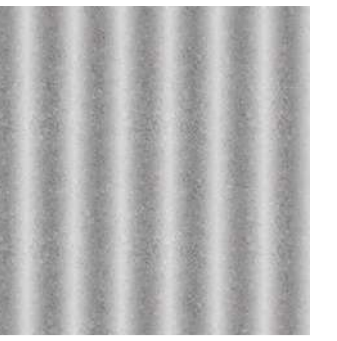
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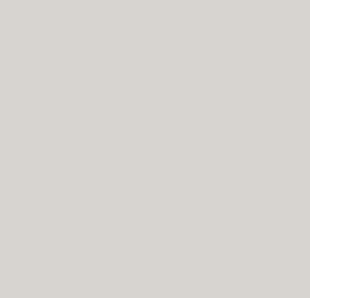




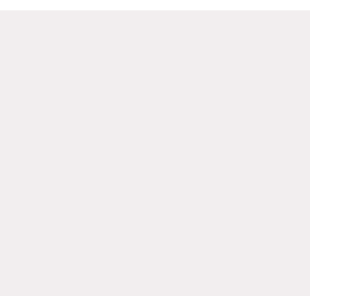
ROOF SHEET
CORRUGATED
GALVANISED IRON



FLASHINGS, OGEE
GUTTERS, DOWNPIPES
GALVANISED IRON



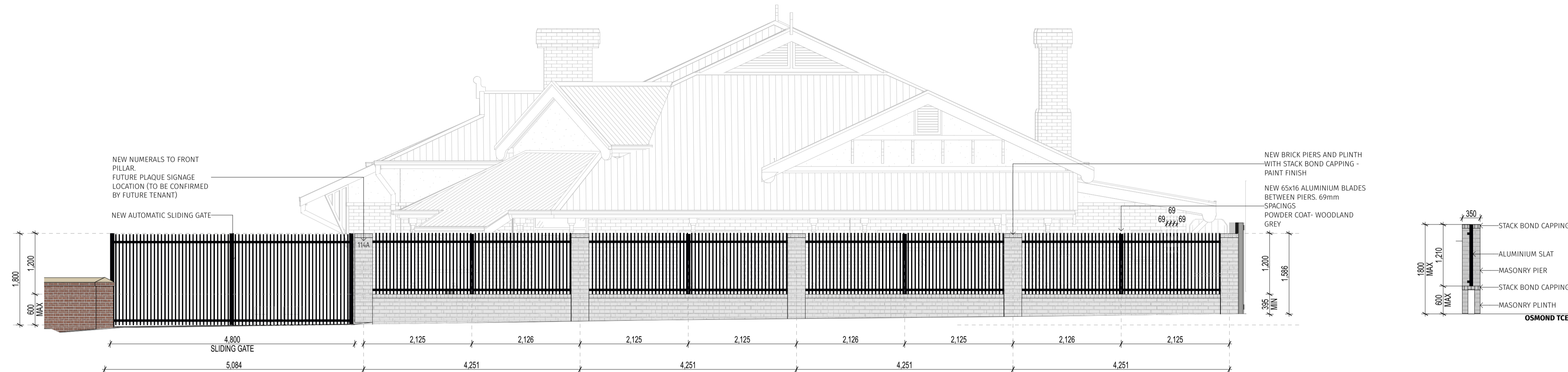
EXTERNAL TIMBER
HAYMES CONSCIOUS
GREY



EXTERNAL MASONRY
AND RENDER
HAYMES CHALKY
WHITE

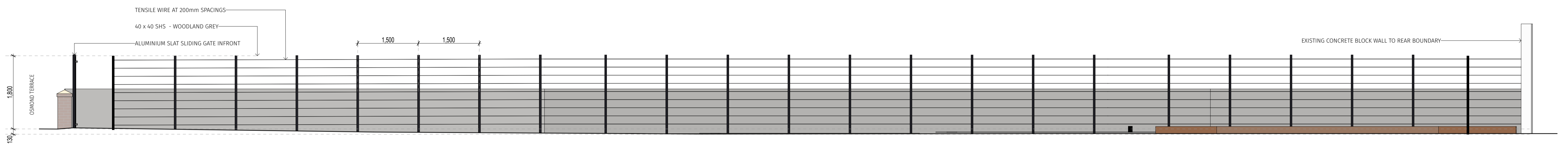


METAL FENCE BLADES
WOODLAND GREY



STREET ELEVATION E01
1:50

FENCE SECTION DETAIL
1:50



NORTHERN FENCE ELEVATION

S M F A

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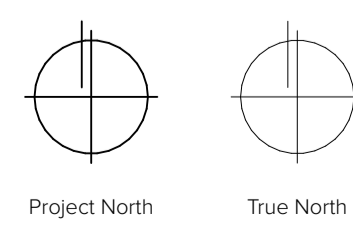
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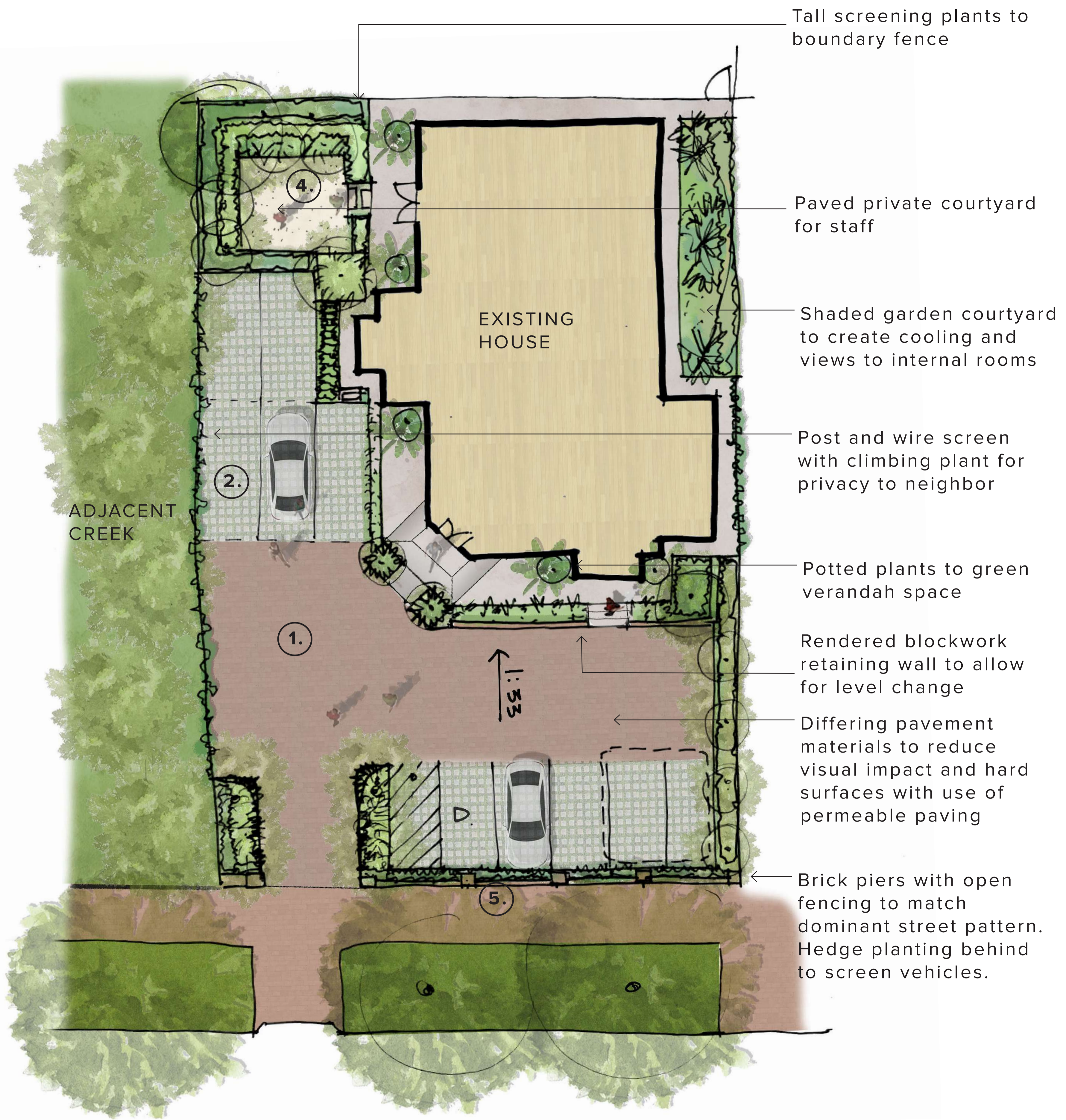
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Materials Legend



1. Red brick paving



2. permeable paving



3. Existing paving



4. Gravel



5. Front fence



6. Boundary fence

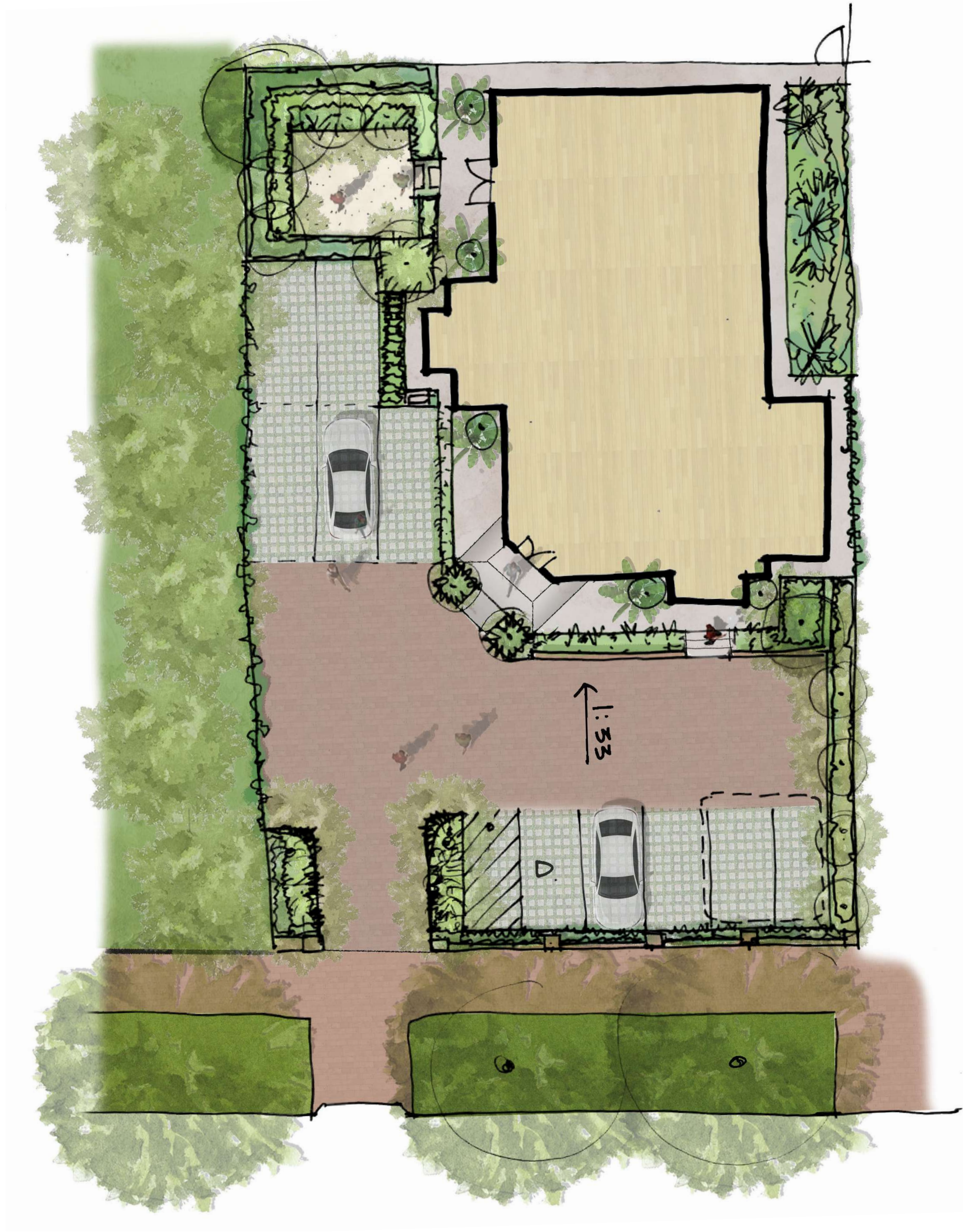


7. Potted plants



8. Garden beds

Planting Palette



Blue Lily Turf
Liriope Evergreen Giant
H:0.5m X S:0.5m



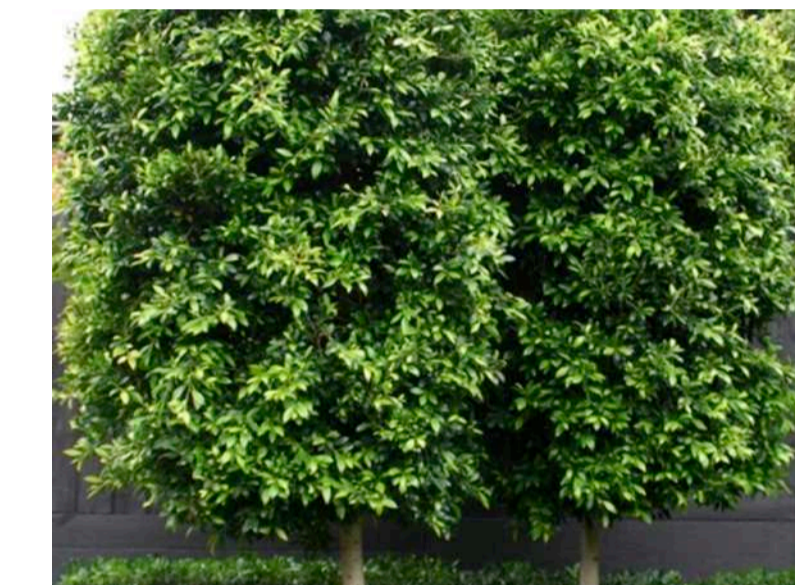
Camellia sasanqua
H:2-3m X S:2m



Bush Lily Plant
Clivia minata 'Shade Master'
H:0.7m X S:0.45m



Star Jasmine
Trachelospermum jasminoides
H:0.5m X S:1m



Standardised Fig tree
Ficus hillii
H:2-4m X S:2-3m



Japanese box (topiary)
Buxus microphylla
H:0.5m X S:0.5m



Philodendron xanadu
H:0.5m X S:1m



Sweet Viburnum
Viburnum odoratissimum
H:2-4m X S:3m



Lily Pilly Hedge
Syzygium australe 'Big Red'
H:0.5m X S:1m



Crepe myrtle
Lagerstroemia indica natchez
H:2-6m X S:2-6m



Tuckeroo Tree
Cupaniopsis anacardioides
H:2-5m X S:5-9m

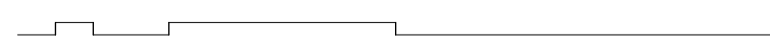
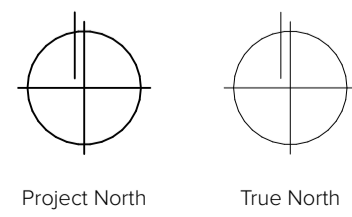


Magnolia 'Little Gem'
H:6m X S:3m



OSMOND TCE STREETSCAPE
ARTISTS IMPRESSION

S
M
F
A



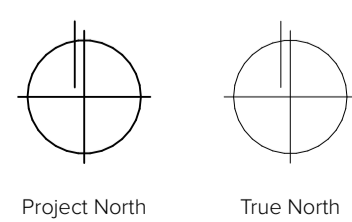
Job No.: 21001	Site Address: 114A OSMOND TERRACE NORWOOD SA 5067	Project Name: 21001 OSMOND TERRACE - RESTORATION AND REFURBISHMENT	Date: 19/6/2023	Drawn: LB	Aprd.: SM	Scale: @ A1	Orig No.: SK109	Drig Issue: PLANNING P4
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3D VISUALISATION SHEET 01



DRIVEWAY INTERFACE
ARTISTS IMPRESSION

S M F A



Job No.: 21001	Site Address: 114A OSMOND TERRACE NORWOOD SA 5067	Project Name: 21001 OSMOND TERRACE - RESTORATION AND REFURBISHMENT	Date: 19/6/2023	Drawn: LB	Apvd.: SM	Scale: @ A1	Drig No.: SK110	Drig Issue: PLANNING P4
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3D VISUALISATION SHEET 02



OSMOND TCE
ARTISTS IMPRESSION



CARPARK PERMEABLE PAVING
ARTISTS IMPRESSION

LEGEND

—Sewer—	Ø100 CLASS SN4 PVC PIPE WITH SOLVENT WELDED JOINTS FOR SEWAGE WATER	TK99.61	EXISTING TOP OF KERB LEVEL		ETSA PIT/CABLE
—Roof/W—	Ø100 CLASS SN4 PVC PIPE WITH SOLVENT WELDED JOINTS FOR ROOF WATER	RW99.61	TOP OF RETAINING WALL LEVEL		TELSTRA SERVICES
—Surface/W—	Ø100 CLASS SN4 PVC PIPE WITH SOLVENT WELDED JOINTS FOR SURFACE WATER	BRW99.61	BOTTOM OF RETAINING WALL LEVEL		STOBIE POLE
—Pump—	Ø40 uPVC PUMP CHAMBER DISCHARGE PIPE	PS9.61	NEW PAVEMENT LEVEL		"ACO" DRAIN K200s WITH GALVANISED GRATE (150kN)
	PUMP CHAMBER AS SPECIFIED		GAS METER		PAVING BY OWNER
100.456	EXISTING SURFACE SPOT LEVEL		STORMWATER INSPECTION POINT		PERMEABLE CARPARK PAVING
WT99.46	EXISTING WATER TABLE LEVEL		STORMWATER Ø90 PVC GRATE		CARPARK PAVING
	600x600 JUNCTION BOX		600 GRATED SUMP (U.N.O)		600mm WIDE CONCRETE SPOON DRAIN
		•dp	Ø90 DOWNPIPE		RETAINING WALL/KERB
					SPREADER DRAIN

NOTES:

1. All downpipe connections are to be Ø90 uPVC and are to be provided with cleaning eyes.
2. All Stormwater pipes shall be as noted.
3. All Stormwater pipes shall be laid as per AS 3500 to achieve minimum cover and grade U.N.O. If cover can not be achieved encase pipe in 100 thick concrete.
4. Sumps, gratings & MH's shall be 300sq (UNO) with walls & floors of 100 thick concrete, reinforced with SL72 fabric central + an approved cover/grate & frame.
5. Where sumps/grates or the like are cast into a concrete slab, provide 2-N12 crack control bars at the corners of such cast-in items. Bars are to be 1000 long and tied to the top layer of slab reinforcement.
6. Bedding and back-filling around stormwater pipes shall conform to AS 3725-1989.
7. Bedding sand for stormwater pipes shall be coarse, free flowing pit sand, with a plasticity index less than 5. The material shall be clean with 100% passing the 6.7mm sieve and not greater than 10% passing a 0.075mm sieve. It shall have a minimum compacted depth of 75mm.
8. Boundary Locations are based on fences/stakes only. It is recommended that an identification survey be done to establish true boundaries.
9. Provide 40mm thick lagging to all pipe penetrations through footing beams.
10. Concrete is to be rendered watertight by ensuring the following:
 - a. Having a water/cement ratio of 0.50.
 - b. Adding XYPEX ADMIX C-1000NF at the rate of 1 part per 100 by weight of cement as per manufacturer's recommendation.
11. " tank " Denotes 3000litre combination detention/retention tank. In accordance with the amended requirements of the BCA ensure tank water is
 - i) Plumbed to at least a water closet and either the laundry cold or hot water service.
 - ii) The inlet and overflow of the tank must be fitted with mosquito-proof, non degradable screens formed from Ø0.315mm material and have a minimum of 6x7 openings sqcm.

Amend	Date	Description
A	14.4.23	Issued for planning approval

SCA
ENGINEERS
SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
T:08 83310126 E:office@scaengineering.com.au

RESTORATION + REFURBISHMENT OF BUILDING AT 114A OSMOND TERRACE, NORWOOD FOR MINICOZZI (OSMOND TCE) P/L

Title:	CIVIL ENGINEERING DETAIL – 1	
Design:	JC	Scale: SHOWN
Drawn:	JC	Dwg No:
Date:	APR 23	230390-C1

Hatching denotes approximate 47.5m² area of carpark utilized as part of the surface stormwater detention system, providing ~1635litres of storage.

Existing 700 high flood protection wall along the creek.

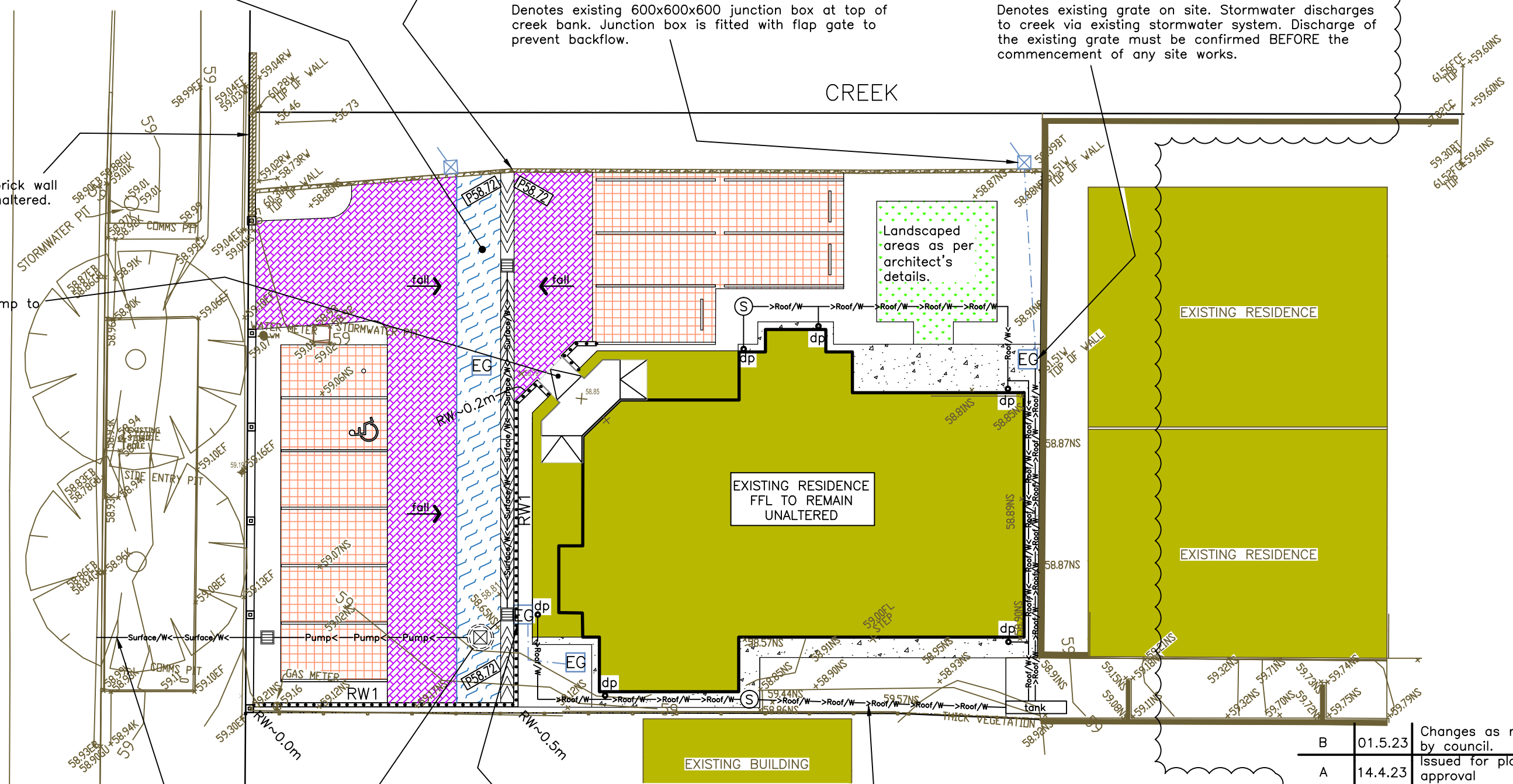
Denotes existing 600x600x600 junction box at top of creek bank. Junction box is fitted with flap gate to prevent backflow.

Denotes existing grate on site. Stormwater discharges to creek via existing stormwater system. Discharge of the existing grate must be confirmed BEFORE the commencement of any site works.

Existing heritage listed brick wall over creek to remain unaltered.

New entrance access ramp to architect's details.

OSMOND TERRACE



All stormwater outlet pipes discharging to kerb & gutter are to be in accordance with council standard.

Existing grate to be relocated/reinstalled to spoon drain as shown.

Roof stormwater to detention/retention tank via stormwater sealed system as shown.

Pump:
 Pit = ø1000 x 1600D DAP11 polyethylene pump pit (1125 litre capacity)
 Pump = Dual "Global Pump" GPV40-75
 Alarm = Audio and visual pump failure alarm
 Cover = HSGI (Heavy duty, Cast iron gas-tight cover) with concrete surround
 Pump installation + pit construction to be in accordance with manufacturer's specification. Refer to www.globalpumps.com.au.

Amend	Date	Description
B	01.5.23	Changes as requested by council.
A	14.4.23	Issued for planning approval

SCA ENGINEERS PTY LTD
 SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
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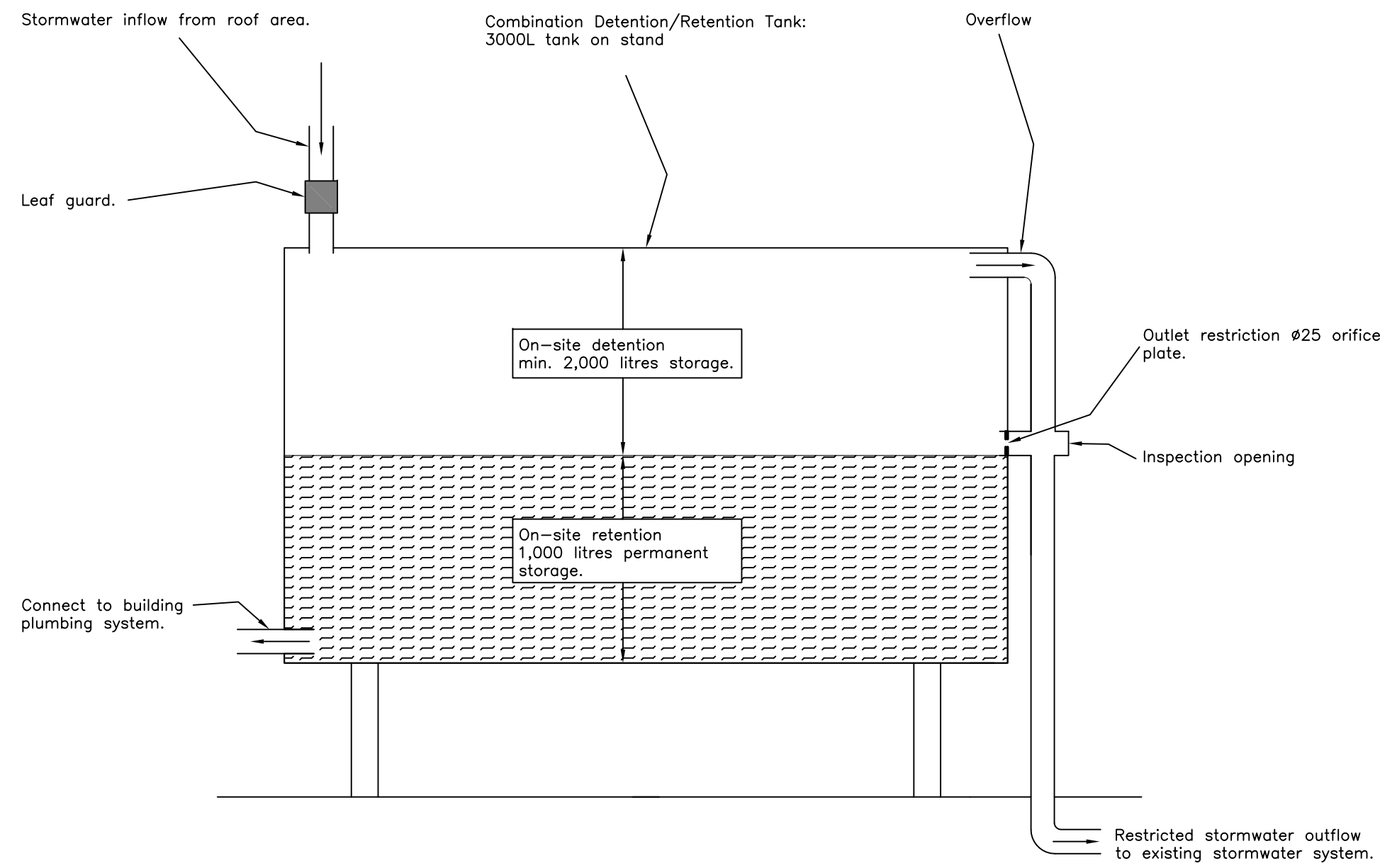
RESTORATION + REFURBISHMENT OF BUILDING AT 114A OSMOND TERRACE, NORWOOD FOR MINICOZZI (OSMOND TCE) P/L

Title:	CIVIL ENGINEERING DETAIL - 2	
Design:	JC	Scale: SHOWN
Drawn:	JC	Dwg No:
Date:	APR 23	230390-C2/B

PROPOSED SITE LAYOUT PLAN
 1:200 @ A3

In accordance with Council and BCA requirements, ensure:

- i) Water from rainwater tank to be plumbed to at least a water closet and either the laundry cold or hot water service.
- ii) The inlet and overflow of the tank must be fitted with mosquito-proof, non-degradable screens formed from $\phi 0.315\text{mm}$ material and have a minimum of 6x7 openings per cm^2 .
- iii) Other plumbing requirements associated with this re-use system (ie mains backup and isolation) to be in accordance with standard compulsory stormwater re-use requirements in the building code.
- iv) All elements of the stormwater collection and re-use system to be installed and fully operational prior to the occupancy of a dwelling.



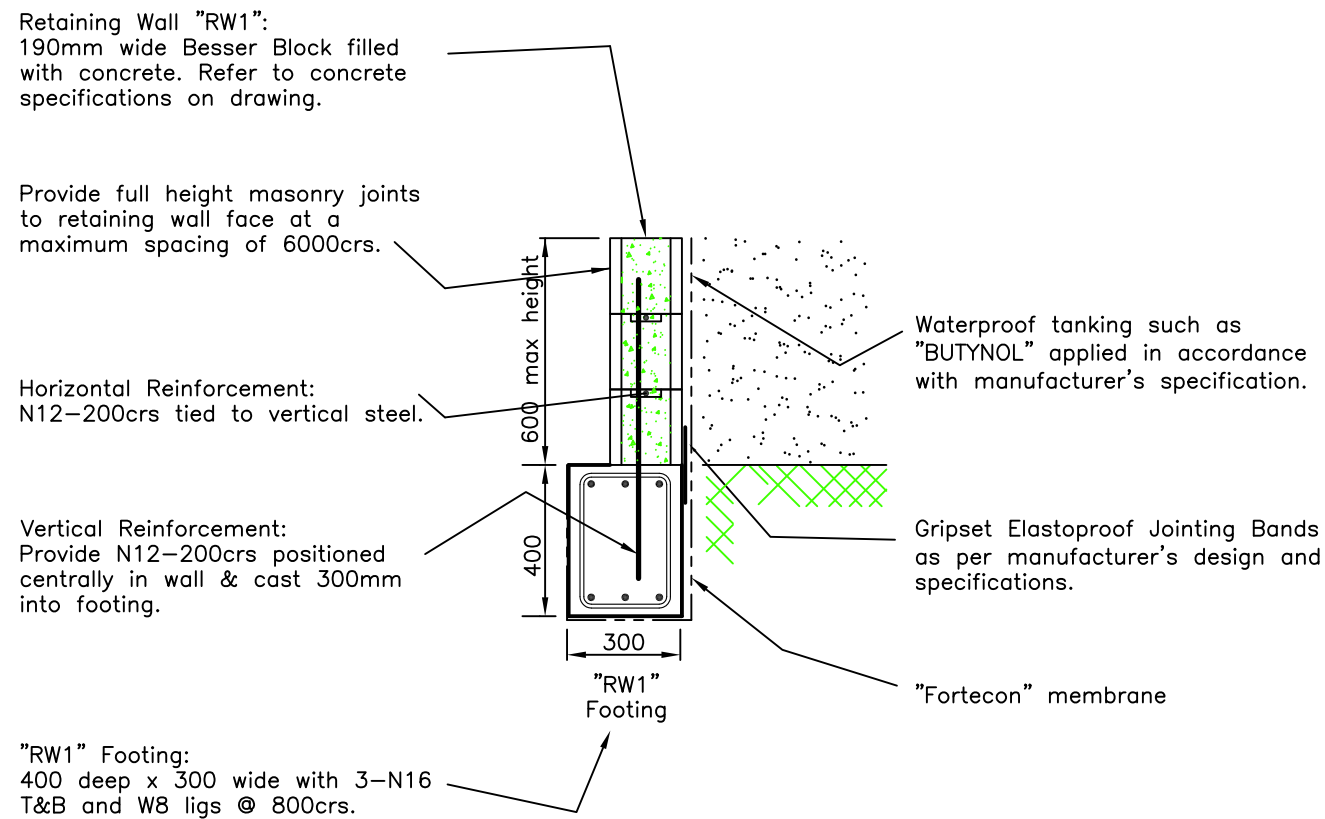
COMBINATION DETENTION/RETENTION WATER TANK DETAIL
NTS

A	14.4.23	Issued for planning approval
Amend	Date	Description

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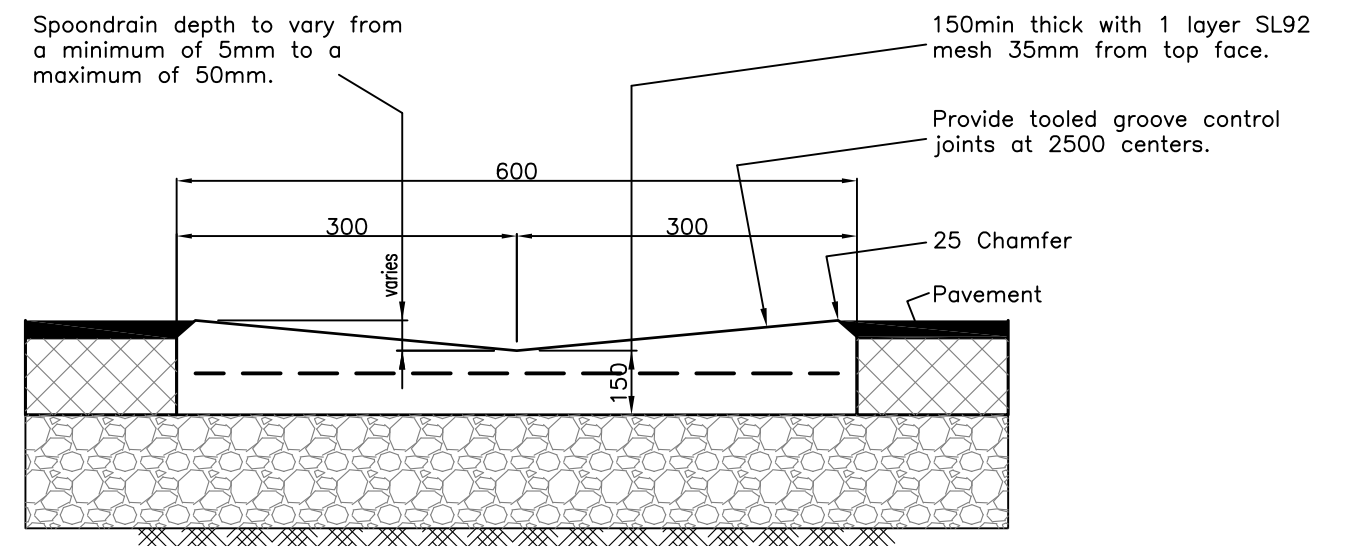
RESTORATION + REFURBISHMENT OF BUILDING AT 114A OSMOND TERRACE, NORWOOD FOR MINICOZZI (OSMOND TCE) P/L

Title:	CIVIL ENGINEERING DETAIL - 3	
Design:	JC	Scale: SHOWN
Drawn:	JC	Dwg No:
Date:	APR 23	230390-C3



BESSER BLOCK RETAINING WALL "RW1" DETAILS

1:20 @ A3



SPOON DRAIN DETAIL

1:10 @ A3

CHARACTERISTIC CONCRETE STRENGTHS

Location	Strength	Grade	Sump	Max Aggregate
Footing beams + piers	25 MPa	N25	80mm	20mm
Infill to retaining wall cores	40 MPa	N40	250mm	7mm

* Ensure all footing beams are continuously trenched and founded a minimum 200mm into firm, natural ground. This requirement may mean that some footings will need to be excavated deeper than the nominated depths.

Amend	Date	Description
A	14.4.23	Issued for planning approval

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ENGINEERS
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RESTORATION + REFURBISHMENT OF BUILDING AT 114A OSMOND TERRACE, NORWOOD FOR MINICOZZI (OSMOND TCE) P/L

Title: CIVIL ENGINEERING DETAIL - 4	
Design: JC	Scale: SHOWN
Drawn: JC	Dwg No:
Date: APR 23	230390-C4

STRUCTURAL CIVIL AUSTRALIA

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ENGINEERING

DOCUMENTATION

Issue 02

Date: 01 May 2023
Project: Proposed restoration and refurbishment to existing building
Site: 114a Osmond Terrace, Norwood
Owner: Minicozzi (Osmond Tce) P/L

Job No: 230390
Designer: Stallard Meek Flightpath Architects

STRUCTURAL CIVIL AUSTRALIA

PTY LTD ACN 097 648 201 ABN 210 976 482 01

SUITE 3, 76 OSMOND TERRACE NORWOOD SOUTH AUSTRALIA 5067

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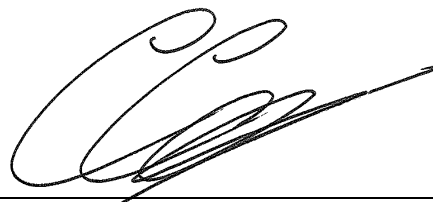
Section 1. Stormwater Management Plan

This report has been prepared exclusively for the above mentioned Client. No part of the document shall be used by any third party without the prior written approval of Structural Civil Australia Pty Ltd.

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Document Register

Issue	Date	Author	Review	Distribution
01	14 Apr 23	JC	CC	Client
02	01 May 23	JC	CC	Client



C. Caruso
BE, MIE (Aust), CPEng, NPER (156970), RPEQ (9630)
for and on behalf of
STRUCTURAL CIVIL AUSTRALIA PTY LTD

STRUCTURAL CIVIL AUSTRALIA

PTY LTD ACN 097 648 201 ABN 210 976 482 01

SUITE 3, 76 OSMOND TERRACE NORWOOD SOUTH AUSTRALIA 5067

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SECTION 1

STORMWATER

MANAGEMENT PLAN

General Details:

Date: 01 May 2023
Project: Proposed restoration and refurbishment to existing building
Site: 114a Osmond Terrace, Norwood
Owner: Minicozzi (Osmond Tce) P/L
Job No: 230390
Architect: Stallard Meek Flightpath Architects

ENGINEERING CALCULATION	Project:	Proposed restoration and refurbishment to existing building	Job:	230390
	Address:	114a Osamond Terrace, Norwood	Date:	12-Apr-23
			Des:	JC
			Page:	C- 1

STORMWATER DETENTION DESIGN (AS3500)

1.0 Design Rainfall Intensity Data, (mm/hr) (Table 1)

IFD Design Rainfall Intensity (mm/hr) rainfall was based on the actual rainfall intensity for **Norwood**

Latitude: **34.88 (S)** Longitude **138.53 (E)** Issued: **06/04/2022**

(Bureau of Meterology, <http://www.bom.gov.au>) - Design Rainfall Data System (2016)

Table 1

Table 1A (Refer to Figure 1)

Duration	Annual Exceedance of Probability, AEP (%)							ARI (yrs)	
	63.2	50	20	10	5	2	1		
5 min	51.1	58	82	100	120	149	174	50	1.44
10 min	37	42.2	59.8	73.2	87.5	109	126	20	4.48
15 min	29.8	34	48.2	59	70.6	87.5	102	18.13	5
20 min	25.3	28.8	40.9	50.1	59.9	74.3	86.6	10	9.49
25 min	22.2	25.3	35.8	43.8	52.4	65.2	75.9	9.52	10
30 min	19.9	22.6	32	39.2	46.9	58.3	68	5	20
45 min	15.5	17.6	24.8	30.3	36.3	45.2	52.7	2	50
60 min	12.9	14.6	20.5	25.1	30.1	37.4	43.7	1	100
-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-

2.0 Design Areas (Table 2)

Area (m ²)	Pre-Development	Post-Development
Total Area, A _{total}	1183.0	1183.0
Roof Area, A _{roof}	250.0	250.0
Unroofed Impervious Area, A _{imper}	70.0	261.0
Unroofed Pervious Area, A _{per}	863.0	672.0

3.0 Design Run-off Coefficients (Table 3)

	Pre-Development		Post-Development		
	1 in 5 yr ARI		1 in 100 yr ARI		
	Area (m ²)	Coefficient	Area (m ²)	Coefficient	(Council requirement)
Roof Area	250.0	1.00	250	1.00	C 5.4.6, AS3500.3
Unroofed Impervious Area	70	0.90	261	0.90	C 5.4.6, AS3500.3
Unroofed Pervious Area	863	0.10	672	0.12	Refer below
Total Area	1183		1183		
Equivalent Runoff Coefficient		0.33		0.48	Appendix K3.3.2 (1)
Equivalent Area, ΣCA =	396		566		Appendix K3.3.2 (1)

For paved pervious area

$$C_p = m (0.0133^{10} I_{60} - 0.233)$$

where m = factor dependent on the design ARI

C 5.4.6, AS3500.3

$^{10}I_{60}$ = rainfall intensity for a 60-min suration and ARI of 10 years (mm/hr)
but if less than 25, adopt 25 or
greater than 70, adopt 70.

ENGINEERING CALCULATION	Project:	Proposed restoration and refurbishment to existing building	Job:	230390
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4.0 Pre-Development Flow

Design average recurrence interval;	ARI	=	5	years	
Annual Exceedance Probability;	AEP	=	20	%	(Table 1A)
Time duration;	T	=	5	minutes	
Rainfall intensity;	I _F	=	82.00	mm/hr	(Table 1)
Equivalent Area;	CA	=	396		(Table 3)
Flow rate;	Q _F	=	$\sum CA \cdot I_F / 3600$		(Clause 5.4.8, AS3500.3)
		=	9.01	L/s	
Therefore restricted maximum design outflow;					
	Q _{max}	=	9.01	L/s	

5.0 Post-Development Flow

Design average recurrence interval;	ARI	=	100	years	
-------------------------------------	-----	---	-----	-------	--

Table 4

Post-Development flow

Duration (min)	Intensity, I ₁₀₀ (mm/hr)	Flow, Q ₁₀₀ (L/s)	Design Flow, Q _{max} (L/s)	Flow Difference, Q _d (L/s)	Required Detention, V (L)
5	174.0	13.10	9.01	4.09	1226
10	126.0	9.48	9.01	0.47	284
15	102.0	7.68	9.01	0.00	0
20	86.6	6.52	9.01	0.00	0
25	75.9	5.71	9.01	0.00	0
30	68.0	5.12	9.01	0.00	0
45	52.7	3.97	9.01	0.00	0
60	43.7	3.29	9.01	0.00	0

From Table 4,

Critical stormwater duration;	T _{Cr}	=	5.00	min	(Table 4)
Required total detention volume;	V _{max}	=	1226	Litre	(Table 4)
Required surface stormwater detention volume;	V _{surface}	=	$V_{max} \times (A_{pervious} / A_{total})$		
		=	270	Litre	
Required roof stormwater detention volume;	V _{roof}	=	$V_{max} \times (A_{roof} / A_{total})$		
		=	259	Litre	

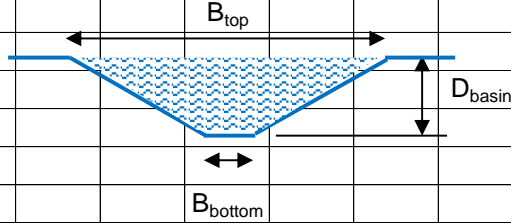
Table 5

	Duration (min)	Intensity, I ₁₀₀ (mm/hr)	Max Flow, Q ₁₀₀ (L/s)	Restricted Flow, Q _{max} (L/s)
Roof Area	5	174.0	12.08	2.00
Unroofed Impervious Area	5	174.0	11.35	7.01
Unroofed Pervious Area	5	174.0	3.93	Not restricted
Total Area (sum)			27.37	9.01 < Q _{max}

ENGINEERING CALCULATION	Project:	Proposed restoration and refurbishment to existing building	Job:	230390
	Address:	114a Osamond Terrace, Norwood	Date:	12-Apr-23
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6.0 Surface Stormwater Detention System

Elect to detain $V_{surface}$ in **carpark surface detention basin system:**



Percentage of detained surface stomwater;	P	=	38.24	%	
Design surface stormwater detention volume;	V_{dsurf}	=	$V_{surface} \times P$		(Page C-2)
	V_{dsurf}	=	103	Litre	
Design length of detension basin;	L_{basin}	=	23.7	m	
Design top width of detension basin;	B_{top}	=	4.0	m	
Design bottom width of detension basin;	B_{bottom}	=	0.60	m	(spoon drain width)
Trial depth of basin;	D_{basin}	=	0.06	m	
Design area of detension basin;	A_{basin}	=	0.07	m^2	
Design basin detention volume;	V_{basin}	=	$A_{basin} * L_{basin}$		
		=	1635	Litre	> V_{dsurf}
					Adequate.

7.0 Roof Stormwater Detention System

Elect to detain V_{roof} using **1 x 3000** litre tanks, each with **2000** litre detention.

Required roof stormwater detention volume;	V_{roof}	=	259	Litre	(Page C-2)
Number of tanks;	n	=	1		
Design roof stormwater detention volume;	V_{Droof}	=	2000	Litre	> V_{roof}
					Adequate.

Maximum design outflow for roofed area;	Q_{mroof}	=	2.00	L/s	(Table 5)
Maximum design outflow for each tank;	Q_{tank}				

Rainwater Detention Tank orifice parameters:

Orifice coefficient;	m_o	=	0.6		Clause 8.4.4.2, AS3500.1
Orifice diameter;	d_o	=	TBC	mm	Clause 8.4.4.2, AS3500.1
Orifice area;	A_o	=	$\pi * d^2 / 4$	m^2	Clause 8.4.4.2, AS3500.1
Water head to orifice;	h_o	=	1.00	m	Clause 8.4.4.2, AS3500.1
Maximum restrained flow through orifice plate;	Q_{om}	=	$m_o * A_o * \sqrt{(2gh_o)}$		Clause 8.4.4.2, AS3500.1
		=	Q_{mroof}		

Trial orifice diameter of discharge outlet;	d_o	=	25	mm	
Design outflow for roof area;	Q_o	=	1.30	L/s	< Q_{mroof}
					Adequate.

Elect to use the following rainwater tanks:

1 x 3000 litre tanks, each with **2000** litre detention, with **25** mm dia. orifice of discharge outlet.

ENGINEERING CALCULATION	Project:	Proposed restoration and refurbishment to existing building	Job:	230390
	Address:	114a Osamond Terrace, Norwood	Date:	27-Apr-23
			Des:	JC
			Page:	C- 4

8.0 Flood event management

- Council requires the system is able to hold the stormwater up to 6 hrs in a 1% AEP event as surface water will not be able to discharged by gravity to the creek during flood event.
- The runoff from the roof will be able to discharged to the creek under gravity via a separate seal system. Therefore, only surface water will be considered in the flooding design.
- Pump will be installed to discharge the stormwater to Osmond Terrace while flood event is occurred.
- The carpark surface detention basin system will also contribute to storwater storage during flood event.

Check pump system:

Table 6 Rainfall intensity for 1% AEP event

Duration (min)	Intensity, I_{100} (mm/hr)	Flow, Q_{100} (L/s)	Max Flow during 6hrs flood; Q_{max6}	=	13.10 L/s
5	174.0	13.10	Global Water GPV40-75	Q_{pump}	= 6.50 L/s
10	126.0	9.48	Flow difference;	Q_d	= 6.60 L/s
15	102.0	7.68	Required total detention		
20	86.6	6.52	volumn;	V_{req}	= 1979 L
25	75.9	5.71	Required surface stormwater		
30	68.0	5.12	detention volume;	$V_{surface}$	= $V_{req}(A_{pervious} / A_{total})$
45	52.7	3.97			= 436.7 L
60	43.7	3.29	Trial to use;		
120	28.4	2.14	Global Water DAP11	Capacity	= 1125 L
180	21.4	1.61	pump pit		
270	16.0	1.20	Additional capacity from		
360	12.9	0.97	capark basin detention;	V_{basin}	= 1635 L

Therefore, total detention capacity from pump system;

$$V_{total} = \text{Capacity} + V_{basin} > V_{surface}$$

= 2760 L

Adequate.

ENGINEERING CALCULATION	Project:	Proposed restoration and refurbishment to existing building	Job:	230390
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Australian Rainfall and Runoff terminology

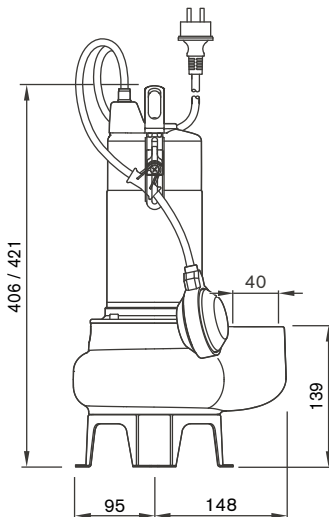
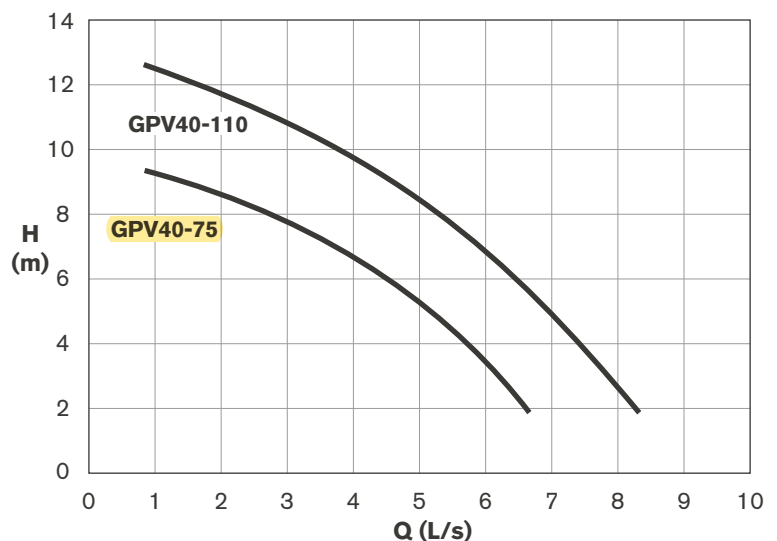
Frequency Descriptor	EY	AEP (%)	AEP (1 in x)	ARI	Uses in Engineering Design
Very frequent	12				Water sensitive urban design
	6	99.75	1.002	0.17	
	4	98.17	1.02	0.25	
	3	95.02	1.05	0.33	
	2	86.47	1.16	0.50	
	1	63.2	1.58	1.00	
Frequent	0.69	50.00	2	1.44	Stormwater/pit and pipe design
	0.5	39.35	2.54	2.00	
	0.22	20.00	5	4.48	
	0.2	18.13	5.52	5.00	
	0.11	10.00	10.00	9.49	
Infrequent	0.05	5.00	20	20.0	Floodplain management and waterway design
	0.02	2.00	50	50.0	
	0.01	1.00	100	100	
Rare	0.005	0.50	200	200	
	0.002	0.20	500	500	
	0.001	0.10	1000	1000	
	0.0005	0.05	2000	2000	
Extremely Rare	0.0002	0.02	5000	5000	Design of high-consequence infrastructure (eg major dams)
			↓		
Extreme			PMP		

Figure 1. Australian Rainfall and Runoff Terminology

Ideal for pumping effluent, stormwater run-off and contaminated drainage water in light commercial applications, particularly where there is the likelihood of solids or stringy material.


Technical data

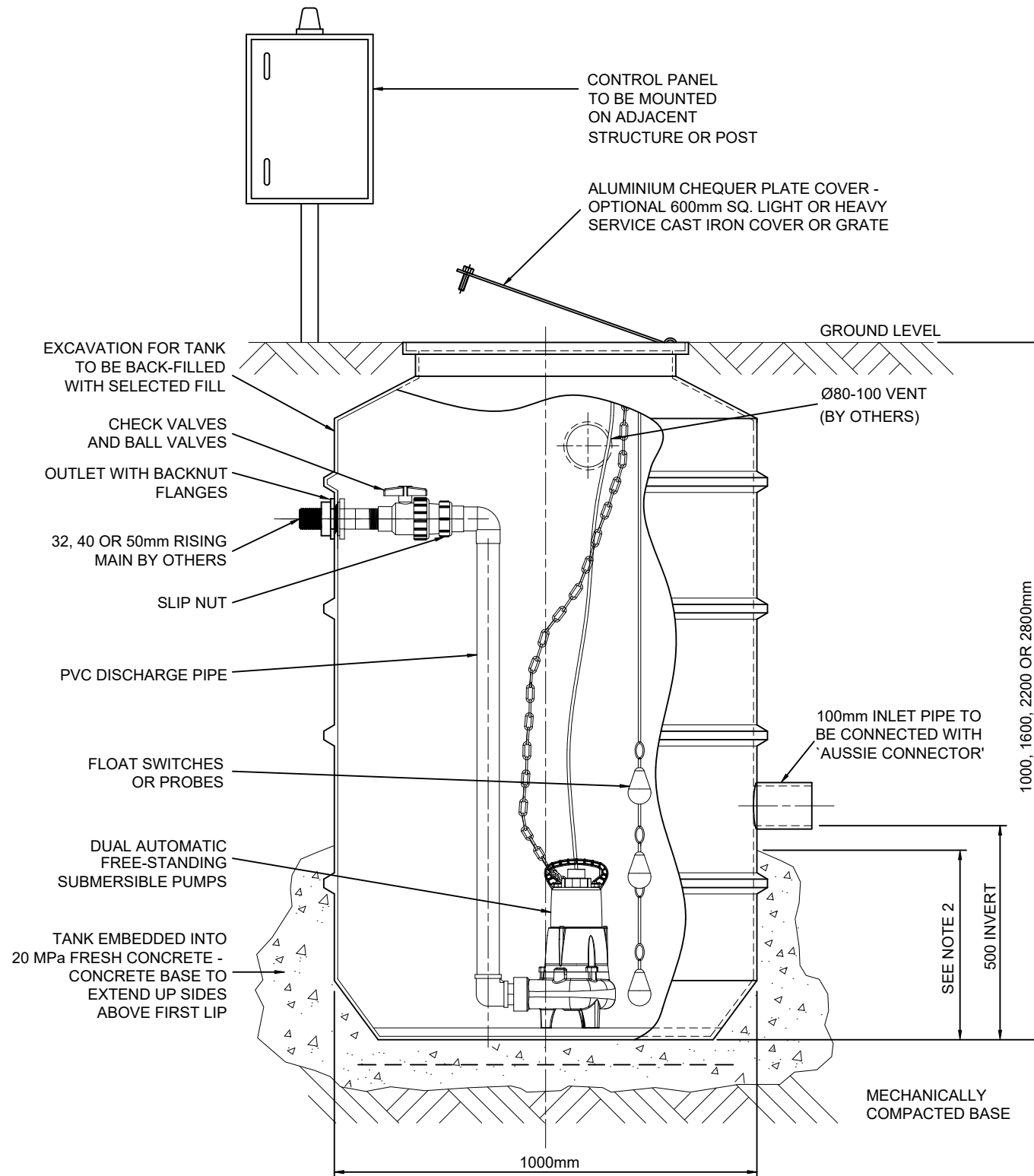
Model GPV	40-75	40-110
Outlet (mm)	40 BSP	
Max flow rate (L/s)	6.5	8.3
Max head (m)	10	13.5
Max liquid temperature (°C)	40	
ø Solids (mm)	40	
Power (kW)	0.75	1.1
Current (A)	4.6	7
Voltage (V)	240	
Speed (RPM)	2900	
Casing	Epoxy electro coated cast iron	
Impeller	Stainless vortex	
Motor housing	Stainless steel	
Protection	IP68	
Cable details	10 m length, H07 RN-F	
Weight (kg)	13.7	15.7

Dimensions (all measurements mm)

Performance curve


GLOBAL WATER 'DRAINACE'TM

Ø1000mm POLYETHYLENE PUMP STATION

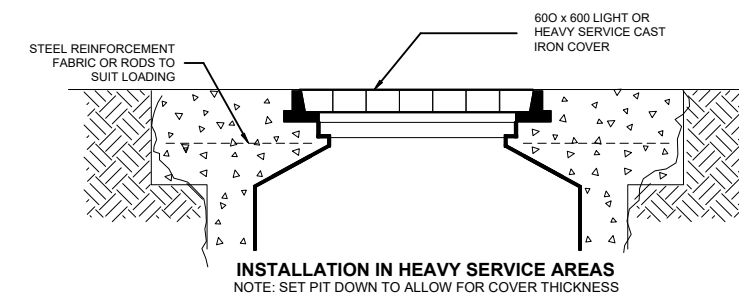
Ø32mm, Ø40mm and Ø50mm DUAL SUBMERSIBLE PUMPS



PIT MODEL	NOMINAL DEPTH	TOTAL CAPACITY	TANK/LID WEIGHT
DAP 06	1000mm	650 LTS	50 Kgs
DAP 11	1600mm	1125 LTS	66 Kgs
DAP 16	2200mm	1600 LTS	82 Kgs
DAP 20	2800mm	2075 LTS	98 Kgs

INSTALLATION NOTES:

1. Tank construction is 8mm polyethylene manufactured in accordance with strict quality control procedures.
2. Compact a 100mm sand bed to a finished depth 100mm deeper than tank depth. Bed tank down in fresh concrete and pour additional concrete around sides to cover first rib. If bottom of tank is below maximum ground water level, consult ballast chart to confirm extent of ballast required. Concrete to be continued to top of tank on all installations within the foundations of a building. When using cast iron load-bearing cover, tie cover in with surrounding concrete or support cover by continuing concrete up sides to top of tank. Note - Set top of tank below ground level to allow for thickness of cast iron cover.
3. Vent and conduit penetrations to be made as close as possible to top of tank and at right angles to tank wall. Vent to be sealed through tank wall with 'Uniseal'. Electrician to install 3 x 50mm conduits in a straight line from tank to control panel, sealed through tank wall using plain to screwed adaptors. Use long radius bends not elbows, and cover conduits up wall or controller stand with appropriate mechanical protection.
4. Electrician to connect pumps and level probes/floats, and seal cables inside conduit with silicon to prevent gases venting into pump controller. Check for adequate power supply before commencing installation.
5. Before connecting power supply to pump controller, check all connections and relays for any misplacement that may have occurred during transport. When commissioning, set overloads to pump nameplate amps. Record voltage and running current whilst pump is under load. **IMPORTANT:** On three phase units, direction of rotation must be physically sight checked by lifting pump.
6. Set high-level alarm float 100mm above start switch/ probe. Note: Specify if pump and float cables need to be longer than the standard 10m.
7. Tank to be regularly cleaned by hand-held hose, and pump and alarm operation checked. In high grease applications, tank should be degreased on a regular basis by a waste removal contractor. Pump to be removed for service on approximately a 12 monthly cycle.



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Ø32mm - Ø50mm DUAL STORMWATER OR SEWAGE PUMPS - FREE STANDING

Drn.	E.S.		Scale	Drg. No.	Rev
Ckd.	D.B.		NTS	PE-02	H
Ref	K.S.				

Consultant Traffic Engineers
ABN 67 093 665 680

204 Young Street
Unley SA 5061

P: 08 8271 5999

E: mail@philweaver.com.au

File: 23-022

20 February 2023

Mr Nic Minicozzi
MLP Services

By email: admin@mlpservices.com.au

Dear Mr Minicozzi,

PROPOSED CHANGE OF USE – 114a OSMOND TERRACE, NORWOOD – PARKING AND ACCESS ASSESSMENT

We refer to our recent discussions with respect to the proposed change of use on the above site from a detached dwelling to a 'consulting room' land use.

As requested, we have undertaken the following review of the traffic and parking related aspects of the subject development.

EXISTING SITUATION

The subject site is located on the eastern side of Osmond Terrace, Norwood, with pedestrian site access also available via minor frontage to Brown Street.

The subject land is located within an *Established Neighbourhood Zone*.

The subject site currently accommodates a detached residential dwelling in the south-eastern corner of the site, which is 'Local Heritage Listed'.

Vehicular access to the subject site is currently provided via a single-width crossover on Osmond Terrace offset approximately 1.5m from the northern boundary of the subject site. We have been advised that the brick wall to the immediate north of the access point is also heritage listed. One of the two street trees adjacent to the subject site is located on the southern side of this existing access point.

Osmond Terrace is a local collector roadway under the care and control of the City of Norwood Payneham and St Peters, with a default 50km/h speed limit.

Adjacent to the subject site, Osmond Terrace comprises a 40m wide road reserve, with the northbound and southbound carriageways separated by an approximately 11m wide central median. This median extends across the frontage of the subject site resulting in site access being restricted to left turn entry and exit movements only. U-turn opportunities are provided within the median to both the north and immediate south of the subject land.

The northbound and southbound carriageways of Osmond Terrace within the locality of the subject site each accommodate a dedicated traffic lane, a bicycle lane, and a kerbside parking lane. Adjacent to the subject site, the duration of stay within the kerbside parking lane is unrestricted.

In the most recent five-year reporting period (2017 to 2021, inclusive), there have been no recorded road crashes in the adjoining southbound carriageway of Osmond Terrace in the locality of the subject site.

Aerial imagery of the subject site and adjacent locality is provided in *Figure 1* below.



Figure 1: Subject site and surrounding locality

PROPOSED CHANGE OF USE

The proposed development is identified on a series of plans prepared by SMFA (Job No 2300X), including a Carpark Layout (Drg No. SK101, Issue 02) dated 24 January 2023 reproduced in *Figure 2* below.

The proposed change of use of the subject land will maintain the existing local heritage listed building, accommodating three medical consulting rooms within this building.

The proposed consulting rooms would be operational within the following opening hours:

- Monday to Wednesday - 8.00am to 6.00pm
- Thursday - 8.00am to 9.00pm
- Friday - 8.00am to 5.00pm
- Saturday - 9.00am to 2.00pm
- Sunday - Closed

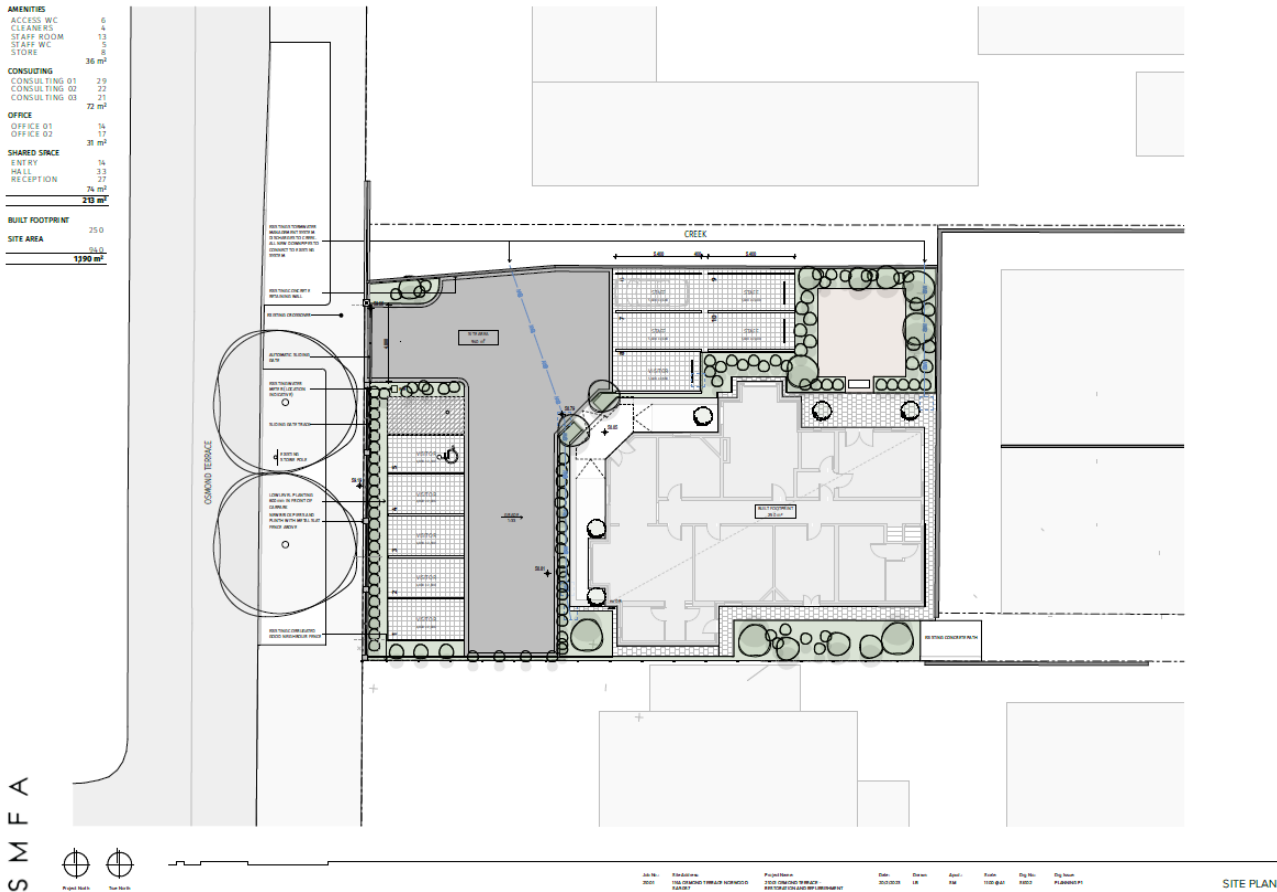


Figure 2: SMFA Site Plan including proposed car parking layout

We understand that the proposed development is anticipated to generate only low volumes of waste akin to a domestic or similar small-scale non-residential development. General waste will continue to be collected on-street by existing waste collection services via Brown Street at the rear of the site. Any medical waste associated with the proposed land use, such as sharps, may need to be collected infrequently by a specialist contractor. Typically such services would be undertaken by a small van which could be readily accommodated on site

An on-site car parking area will be provided in the currently vacant area to the west and north of this existing building. This car parking area will provide 10 spaces, including two pairs of tandem staff parking spaces and one accessible parking space with an adjoining shared area.

The design of the proposed on-site car parking area will satisfy the requirements of *AS/NZS 2890.1:2004* and *AS 2890.6:2009*, providing:

- an internal driveway aisle width opposite car parking spaces of at least 5.8m,
- car parking space lengths of 5.4m, including Spaces 1 to 4 in the form of 4.8m clear spaces with provision for 0.6m low-level (<150mm) kerb / landscaping overhang,
- typically 2.6m wide (User Class 3) car parking spaces, with the exception of the 2.4m wide employee (User Class 1A) and accessible (User Class 4) parking spaces,
- 0.3m clearances from the on-site car parking spaces to adjoining physical obstructions such as boundary fencing, and
- a 1.0m aisle extension at the southern end of the car parking area to enable reversing movements from Space 1.

The provision of tandem parking is considered appropriate for use by staff only. It is noted that the provision of a total of four (staff) tandem parking spaces is particularly appropriate for the proposed 3-consulting room facility on the basis of one car parking space for each of the three consultants and one administrative staff member.

The existing vehicular crossover near the northern boundary of the site will continue to provide access to the subject land. There will therefore be no change to the existing on-street car parking capacity adjacent to the subject site as a result of the proposed development. This crossover is not able to be widened due to the adjoining heritage fence on the northern side and the street tree on the southern side.

This approximately 3.5m wide existing single-width crossover will therefore continue to accommodate both site entry and exit movements. Such an access point width would satisfy the requirements of *Table 3.2* of *AS/NZS 2890.1:2004* for such a 'Category 1' access facility (User Class 3 facility with less than 25 on-site car parking spaces and a local, i.e., non-arterial, road frontage). In particular, it is noted that potential delays to traffic on Osmond Road associated with such a single-width access arrangement would be minimised given the median location adjacent to the subject site does not permit right turn site entry or exit movements.

A 4.8m wide gate will be installed along the site frontage at the site access point, and shall remain open during the opening hours of the proposed consulting rooms.

We understand that the heritage fence on the northern side of the access point cannot be altered. However sight lines for pedestrian safety shall be accommodated on the southern side of the access point through the proposed slat fencing and limiting adjoining landscaping to no more than 1.1m in height.

The proposed development would accommodate forward site entry and exit movements. *Figure 3* below identifies that a B99 design vehicle would be able to undertake an on-site 3-point turnaround movement even in the event that the proposed on-site car parking area is fully occupied, while *Figures 4 and 5* identify B99 forward site entry and exit movements, respectively, via the existing unchanged crossover.

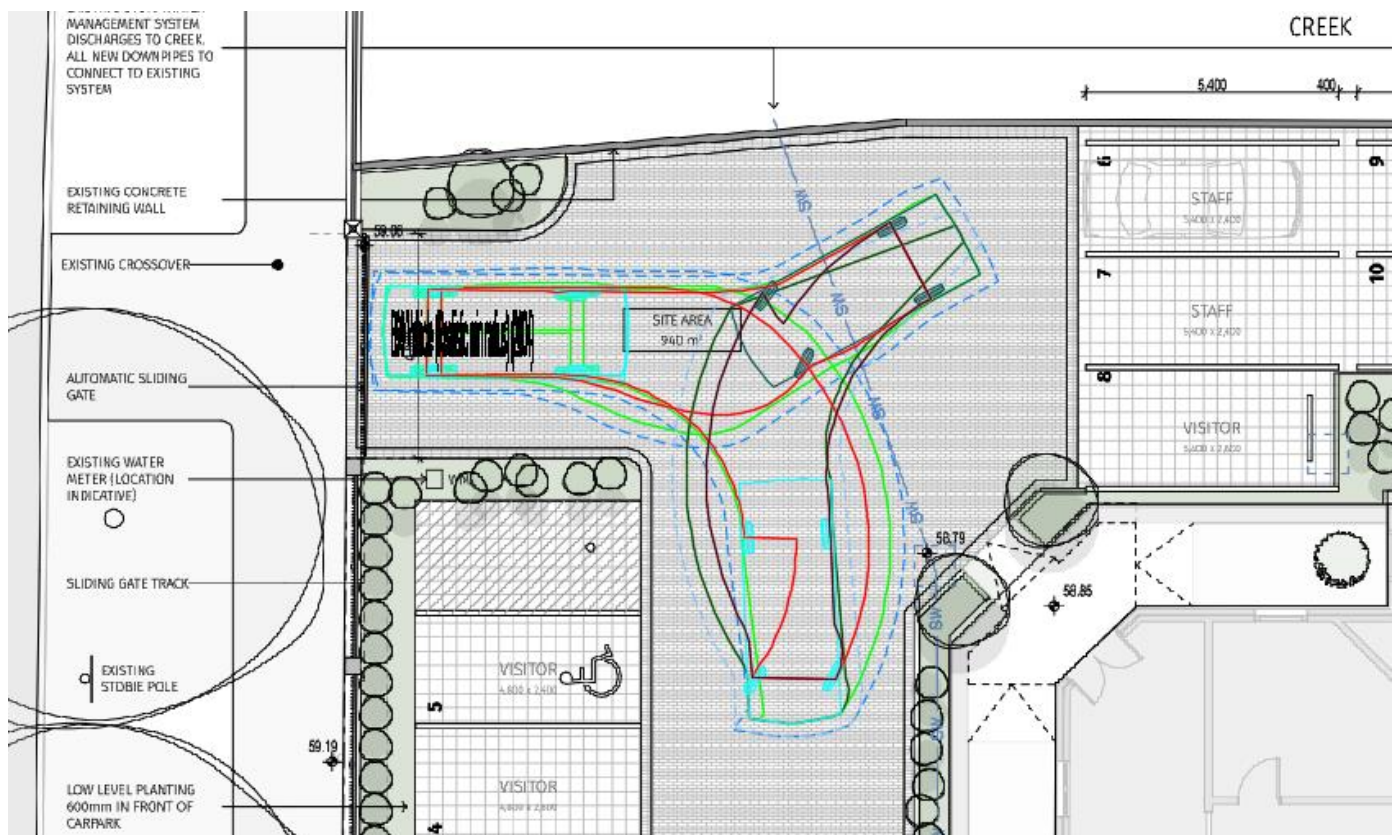


Figure 3: B99 on-site 3-point turnaround

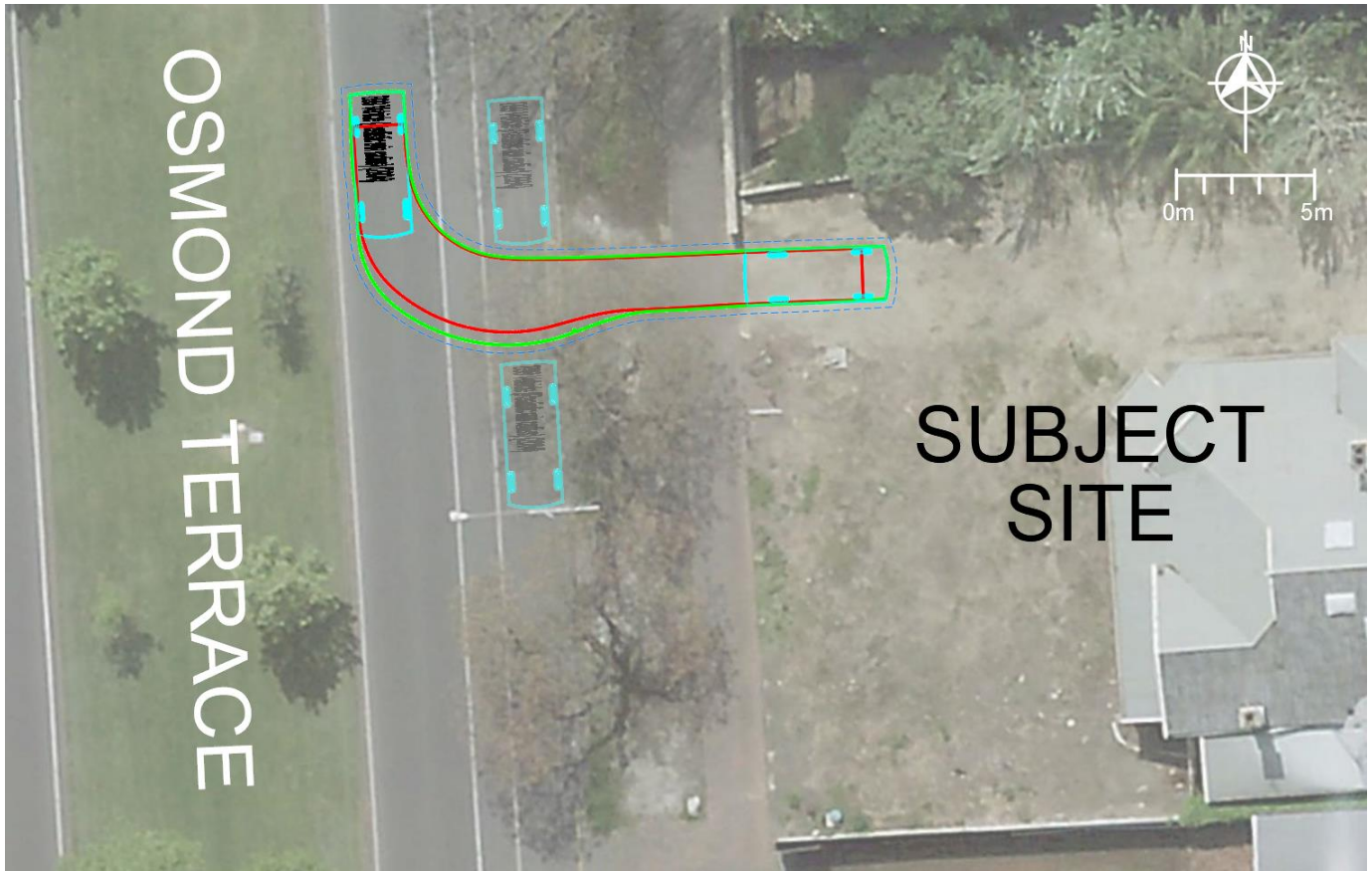


Figure 4: B99 forward site entry movement

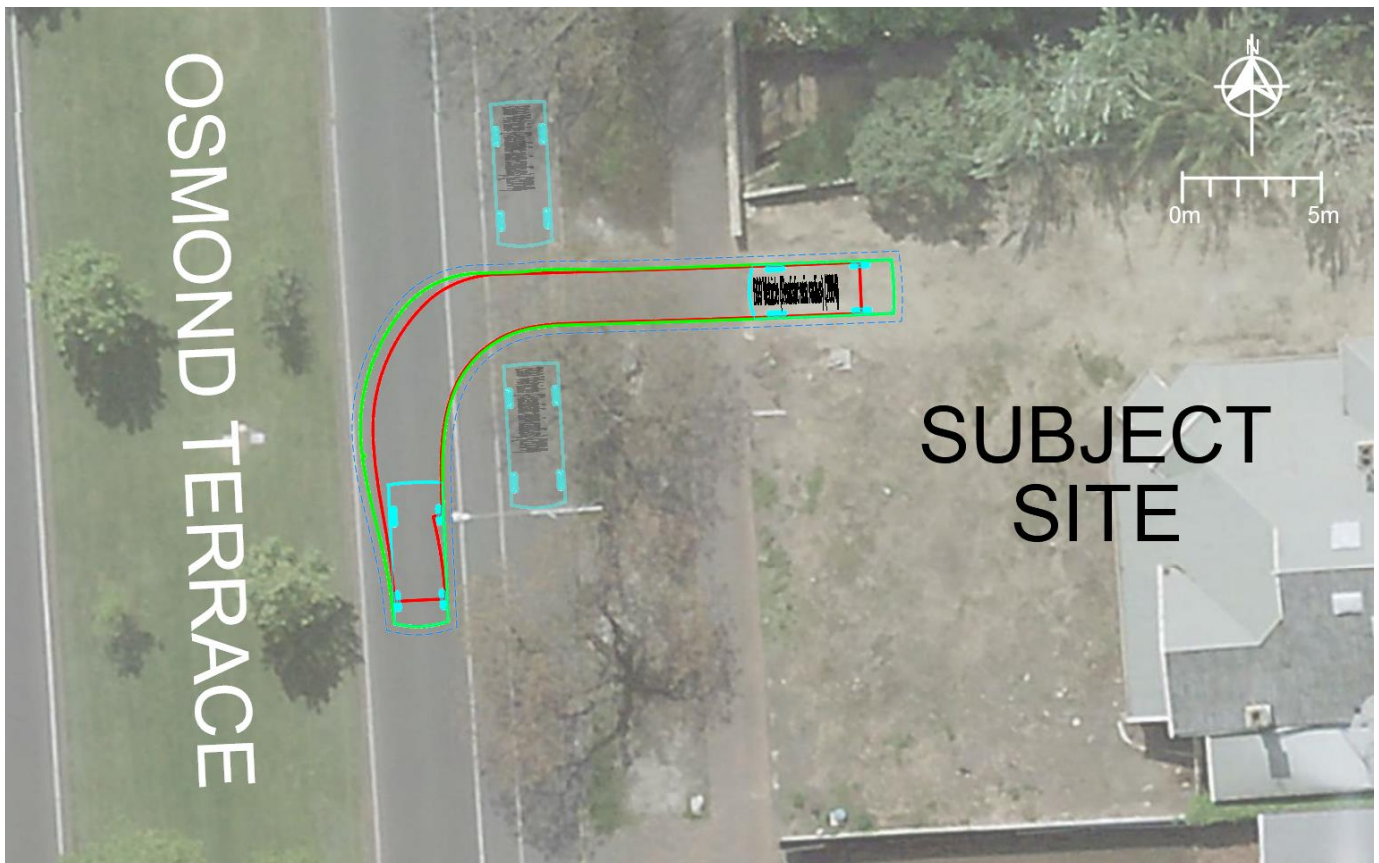


Figure 5: B99 forward site exit movement

COUNCIL COMMENTS

Mr Geoff Parsons, Manager Development Assessment, City of Norwood Payneham & St Peters, provided preliminary advice in relation to a previous version of the proposed development which then contemplated an 'office' land use. This preliminary advice included the following comments titled 'Car Parking':

A number of the provisions of the Code speak to the maintenance of streetscape appearance and character and the importance of locating garages (and by default, driveways etc.) behind the principle façade of buildings to minimise their impact.

In this context, locating a substantial car parking area between the building frontage and the street is not consistent with the established pattern of development and is concerning. It is suggested that angled parking should instead be considered (subject to appropriate turning movements etc.) along the northern boundary of the site, with a turn-a-round area in between the dwelling and street. This would maximise the opportunities for landscaping of the site frontage and minimise the visual impact of these parking areas.

Investment in a heritage style fence along the road frontage may also assist in minimising any visual impacts associated with parking areas (subject to suitable design etc.).

Car parking amounts should be provided in accordance with the requirements of the Code, but the Council may be prepared to consider lesser amounts of parking if a lesser amount can be suitably justified and that justification is supported by Council's Manager Traffic and Integrated Transport.

In relation to the above preliminary comments, we note that:

- Approximately only 7.1m of width is available between the northern boundary of the site and the closest adjoining building face. Such a width is insufficient to allow angled car parking (including associated driveway aisle) compliant with the dimensional requirements of the relevant off-street parking standard along the northern site boundary,
- Even in the event that the above arrangement was achievable, it is considered that a turnaround area between the site frontage and the existing built form would not be a practical turnaround location as such a facility would be needed at the eastern end of this blind-aisle car parking area and not adjacent to the site entry. There is insufficient space at the eastern end of the site for a turnaround facility,
- Heritage style fencing along the frontage of the subject site is now proposed as part of the development application in order to minimise visual impact associated with the on-site parking area,
- Additional landscaping has been provided in the parking area at the front of the site, and
- An assessment of the car parking requirements associated with the proposed consulting room development is provided below.

PARKING ASSESSMENT

Table 1 - General Off Street Car Parking Requirements within the *Transport Access and Parking Overlay* of the *Planning and Design Code* identifies car parking requirements for consulting room developments of 4 spaces per consulting room.

The proposed 3-room consulting room development would therefore require 12 on-site car parking spaces. The proposed 10-space on-site car parking area would therefore result in a theoretical shortfall of two on-site car parking spaces.

However in relation to vehicle parking rates, *Performance Outcome 5.1* of the *Transport Access and Parking Overlay* identifies (**emphasis** added):

Attachment 1

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

- 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.*

It is therefore considered that the proposed 10 on-site car parking spaces is appropriate for the subject development, given:

- The proposed development comprises adaptive reuse of a Local Heritage Place,
- There is ample unrestricted on-street car parking capacity in the locality of the site. In particular, there will remain three on-street spaces on Osmond Terrace directly adjacent to the subject site. These three spaces would therefore fully accommodate the 2-space on-site shortfall directly adjacent to the subject land, and
- An appropriately provision of one on-site accessible car parking space will be fully accommodated on-site.

On-site bicycle parking is not required within the *Established Neighbourhood Zone*. For reference, the required bicycle parking spaces for a consulting room otherwise located in a 'designated area' would be for "1 space per 20 employees plus 1 space per 20 consulting rooms for customers". For the estimated 4 staff associated with the proposed 3-consulting room land use, this would equate to a requirement for zero (0.35 rounded) spaces.

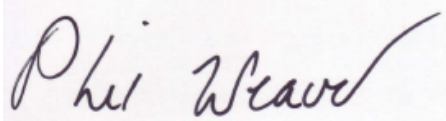
In any event, it is noted that there would be ample opportunity to accommodate on-site bicycle parking if such a demand presents itself. For example, within the paved areas on the southern side of the building, in the north-eastern corner of the site, or potentially internally within the building for staff parking.

SUMMARY AND CONCLUSIONS

In summary, we consider that the proposed development will:

- Provide a design standard which is appropriate and meets the requirements of the relevant Australian Standards for off-street parking areas, and
- Provide an appropriate quantity of on-site parking for the proposed land use which includes the adaptive reuse of a local heritage place, supplemented by unrestricted on-street car parking availability directly adjacent to the subject site.

Yours sincerely,



Phil Weaver
Phil Weaver and Associates Pty Ltd

Norwood 1742 001



Town Planning
Development Advice
Strategic Management

21 February 2023

Mr Geoff Parsons
Manager Development Assessment
City of Norwood Payneham & St Peters
PO Box 204
KENT TOWN SA 5071

Dear Geoff,

**DEVELOPMENT APPLICATION – MINICOZZI (OSMOND TERRACE) PTY LTD –
CHANGE OF USE TO CONSULTING ROOMS & ASSOCIATED WORKS – 114A
OSMOND TERRACE, NORWOOD**

I refer to the Development Application by Minicozzi (Osmond Terrace) Pty Ltd that seeks planning consent to change the use of an existing building from a dwelling to consulting rooms together with associated works to provide car parking, a front fence and landscaping on land at 114A Osmond Terrace, Norwood.

I am engaged by the Applicant to provide my town planning opinion in relation to this proposal having regard to the existing condition of the land, surrounding development within the locality and the relevant provisions of the Planning & Design Code, for your consideration when assessing this proposal.

In summary, this proposal seeks an economic use for this building, a local heritage place, which has languished for many years since November 2005 when it was inundated by flood waters from First Creek and in doing so will provide for its renovation and conservation into the future. It has not been used as a dwelling since 2005.

1. PROPOSAL

The proposal as depicted on the plans prepared by Stallard Meek Flightpath Architects is for the conservation and renovation of this former dwelling for use as three (3) consulting rooms with associated facilities including a reception area, office administration, staff lunch room and toilets.

While the external form is not to be altered, required renovations and repairs will be undertaken to conserve and enhance the appearance of this heritage building as specified on the proposal plans, together with internal fit out works to use the existing room layout in the manner nominated.

Ten (10) car parking spaces are to be provided on the land in the manner shown, set behind a new front fence and hedge to Osmond Terrace. The presentation of this parking area is to be enhanced with an extensive landscaping proposal which includes not only a front hedge but permeable paving.

Phillip Brunning & Associates

ABN 40 118 903 021

26 Wakeham Street
Adelaide SA 5000
0407 019 748
phil@phillipbrunning.com



While a specific tenant has not been nominated as yet, it is intended to offer these rooms to medical specialists for consulting use. It is my understanding that medical specialists conduct their practice on an appointment only basis, typically for longer consult periods at a significantly lesser frequency than general practice.

I also understand that medical specialists attend to their patients in hospital and premises elsewhere for a proportion of the day and schedule appointments within their rooms accordingly. To this end, specialist consulting is typically a far less intensive activity than general practice.

In terms of consulting times, the following is proposed:

- Monday to Wednesday 8.00 AM to 6.00 PM
- Thursday 8.00 AM to 9.00 PM
- Friday 8.00 AM to 5.00 PM
- Saturday 9.00 AM to 2.00 PM
- Sunday Closed

There may of course be occasional out of hours use for office administration, cleaning and the like. Waste collection would be undertaken by private contractor not prior to 7.00 AM or later than 10.00 PM. It is my understanding that medical specialists do not require a licence from the Environment Protection Authority.

2. LAND & LOCALITY

The land is more particularly described as Allotment 33 in Deposited Plan 110323 within the Hundred of Adelaide as recorded in Certificate of Title Volume 6159 Folio 892. The land has an area of some 1032 square metres with a 27.18 metre frontage to Osmond Terrace and a 2.91 metre frontage to Brown Street.



Existing improvements on the land comprise a single storey building previously used as a dwelling sited well back from the Osmond Terrace frontage. As will be discussed below, this property is listed as a local heritage place and forms part of a group of Victorian and Edwardian houses along this section of Osmond Terrace.





Land to the rear (formerly part of this property) was developed in 2016 with two, double storey dwellings fronting Brown Street. This local heritage property therefore does not enjoy a rear garden as such. Remaining space to the north and front of this building is presently in a poor, if not neglected state.

First Creek runs along the northern boundary of the land flowing in an east west direction, with a concrete flood protection wall constructed along the southern alignment following the 2005 flood event. First Creek passes under Osmond Terrace via a culvert under a heritage listed wall.

As noted above, the eastern side of Osmond Terrace is characterised by a series of Victorian and Edwardian houses interposed with new buildings of varying design quality including two storey flat buildings to the south and the single storey house to the north set adjacent Frist Creek.

The western side of Osmond Terrace is characterised by more recent side by side two storey town house development together with a number or remnant buildings form the above mentioned period. A notable exception to this otherwise residential use is Unitarian House at 99 Osmond Terrace, diagonally opposite the subject land.

This locality, which is predominantly Osmond Terrace focused, enjoys a high level of amenity derived from the existing building stock (save for certain exceptions), the spacious nature of this boulevard with its mature avenue of street trees and grassed central median, generous on-street parking and proximity to The Parade.

Other notable exceptions from the otherwise residential nature of this locality include the Hungarian Club further to the north along Osmond Terrace and the dwelling converted for use as offices at the corner with Kensington Road to the south. I also note several consulting rooms uses along Edward Street to the east.

Adaptive re-use of residential buildings for other purposes is not unprecedented in this locality including Windermere as a nursing house and Warinilla House for the delivery of drug and alcohol rehabilitation services, both of which have since been converted back to residential use.

The most recent adaptation of local heritage place for a non-residential use is the child care centre that now occupies the Federation mansion house and grounds at 123 Kensington Road (corner with Edward Street) having been previously used over recent years as a residence and office.

3. Planning & Design Code

The land on which this consulting room use is proposed is located within the Established Neighbourhood Zone of the South Australian Planning & Design Code (the Code), the relevant version for assessment purpose being 2022.3 which was in effect at the date of lodgement of this application on 21 February 2023.

The land is also subject to several Overlays for which specific policy is expressed.

- [Airport Building Heights \(Regulated\) \(All structures over 45 metres\)](#)
- [Character Area \(NPSPC6\)](#)
- [Hazards \(Flooding\)](#)
- [Heritage Adjacency](#)
- [Local Heritage Place \(5861\)](#)
- [Prescribed Wells Area](#)
- [Regulated and Significant Tree](#)
- [Stormwater Management](#)
- [Traffic Generating Development](#)
- [Urban Tree Canopy](#)

Local Variation to policy, expressed as Technical Numerical Variations (TNV) are provided in relation to minimum site area and frontage for various forms of residential dwellings, maximum building height. These TNVs are however not in my view relevant to the assessment of this proposal is for a change in the use of land.

In addition, the Code sets out General Development Policies with respect to a wide range of subjects and considerations including that in relation to:

- [Advertisements](#)
- [Design](#)
- [Design in Urban Areas](#)
- [Interface between Land Uses](#)
- [Out of Centre Development](#)
- [Transport Access and Parking](#)

On my reading of the Code, a proposal for change of use to consulting rooms (with associated works) is a class of development to be '*performance assessed*' and is to be assessed on its merits, as contemplated by Section 107 of the Planning, Development and Infrastructure Act 2016 (the Act).

Policies are comprised of Desired Outcomes (DOs) and Performance Outcomes (POs). In order to assist in the interpretation of performance outcomes, in some cases the policy includes a standard outcome expressed as a Designated Performance Feature (DPF) which will generally meet the corresponding performance outcome.

Part 1 of the Code – Rules of Interpretation clarifies that...

A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies.

While satisfaction of a Designated Performance Feature may not be mandatory, the extent of departure from the measure provided, typically expressed in quantitative terms, needs to be carefully considered by the planning authority with the *significance of any departure depending on the circumstances of the matter at hand*¹.

4. ASSESSMENT CONSIDERATIONS

The following matters are considered relevant in the assessment of this proposal.

4.1 Land Use

The proposed use of land is appropriately classified as *consulting rooms*, as per the meaning of such provided at *Part 7 – Land Use Definitions* of the Code.

Means a building or part of a building (not being a hospital) used in the practice of a profession by a medical, veterinary or dental practitioner, or a practitioner in any curative science, in the provision of medical services, mental, moral or family guidance, but does not involve any overnight accommodation other than for animals that are recovering from surgery, medical care or in for observation as part of a veterinary practice.

PO 1.1 for the Established Neighbourhood Zone seeks *predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood*. The associated DPF specifically identifies *consulting rooms* as an envisaged or appropriate use.

Notwithstanding this broad support for consulting rooms as a use of land within the Established Neighbourhood Zone, PO 1.2 clarifies that *commercial activities improve community access to services are of a scale and type to maintain residential amenity*, with the associated DPF going on to provide for 4 specific scenarios for compliance:

A shop, consulting room or office (or any combination thereof) satisfies any one of the following:

- a) *it is located on the same allotment and in conjunction with a dwelling where all the following are satisfied:*
 - i. *does not exceed 30% of the total floor area of the associated dwelling (excluding any garage or carport) or 50m² gross leasable floor area, whichever is the lesser*
 - ii. *does not involve the display of goods in a window or about the dwelling or its curtilage*
- b) *it reinstates a former shop, consulting room or office in an existing building (or portion of a building) and satisfies one of the following:*
 - i. *the building is a State or Local Heritage Place*
 - ii. *is in conjunction with a dwelling and there is no increase in the gross leasable floor area previously used for non-residential purposes*
- (c) *is located more than 500m from an Activity Centre and satisfies one of the following:*
 - i. *does not exceed 100m² gross leasable floor area (individually or combined, in a single building) where the site does not have a frontage to a State Maintained Road*
 - ii. *does not exceed 200m² gross leasable floor area (individually or combined, in a single building) where the site has a frontage to a State Maintained Road*
- d) *the development site abuts an Activity Centre and all the following are satisfied:*
 - i. *it does not exceed 200m² gross leasable floor area (individually or combined, in a single building)*
 - ii. *the proposed development will not result in a combined gross leasable floor area*

¹ PARKINS V ADELAIDE HILLS COUNCIL ASSESSMENT MANAGER [2022] SAERDC 12, 1 August 2022

(existing and proposed) of all shops, consulting rooms and offices that about the Activity Centre in this zone exceeding the lesser of the following:

- A. 50% of the existing gross leasable floor area within the Activity Centre
- B. 1000m².

PO 1.4 goes onto to say that *non-residential development located and designed to improve community accessibility to services, primarily in the form of:*

- a) *small scale commercial uses such as offices, shops and consulting rooms*
- b) *community services such as educational establishments, community centres, places of worship, pre-schools, childcare and other health and welfare services*
- c) *services and facilities ancillary to the function or operation of supported accommodation or retirement facilities*
- d) *open space and recreation facilities.*

As noted above, a proposal is not rendered inappropriate should it not satisfy a specific DPF provided by the Code (DPF 1.2 in this case). Rather, the planning authority ought to turn its mind as to whether the proposal will meet the performance outcome in the circumstance. In other words, will the policy intent be met?

It is clear on my reading that the Code does provide for complementary non-residential uses within the Established Neighbourhood Zone, such as consulting rooms that improve community access to services, provided they are compatible with established development and maintain residential amenity.

The fundamental or overarching planning test in this regard is the level of impact arising from the proposed use which of course will be influenced by a range of factors including the circumstance or context in which the use is proposed. This to my mind is at the heart of *performance based* assessment.

DPF 1.2 provides the planning authority with specific locational scenarios and floor area measures to assist in determining what might be appropriate in terms of the size and location of consulting rooms within the Established Neighbourhood Zone, that if met, render the proposal automatically acceptable (at least in land use terms).

This is not to say that there may not be other scenarios where consulting rooms are acceptable. I do not read this policy as limiting the circumstances under which consulting rooms may be considered, but rather providing the planning authority with guidance to assist judgements with respect to scale, if not location.

With respect to scale, the proposed consulting rooms will be 213 m², marginally larger than the 200 m² gross leasable floor area measure otherwise provided for by DPF 1.2 in locations abutting (which presumably means within 500 m of) an Activity Centre (the Urban Corridor Main Street Zone) – scenario (d) which this is.

Such a minor divergence from this measure will in my view be of little if any practical consequence in terms of the potential for externalities arising. The additional floor area proposed is more so a function of the existing building size than the accommodation required for three medical specialists proposed.

In many respects, the accommodation proposed is rather generous for three medical specialists providing both consulting space (where patients are seen) and a private office for each practitioner, in addition to a large reception waiting area for patients and generous staff and back of house facilities.

By comparison to the medical consulting rooms on The Parade (Norwood Village Medical Centre) which offers general practice, specialists, diagnostics, dental, physio and other allied health services, that which is proposed on Osmond Terrace is small scale and will be conducted at a significantly lesser intensity.

I also think it appropriate to consider the nature and intensity of other non-residential land uses established in this zone including the child care centre at the corner of Kensington Road and George Street which in my view presents a far greater potential for impact on character and amenity than might the proposed development.

Similarly, educational establishments (primary and/or secondary schools) within residential areas typically operate at a far greater scale and intensity of use than the consulting rooms proposed in this instance. Equally, a proposal for a shop up to 1000 m² may be considered on its merits within a residential area such as this.

Notwithstanding that the proposed consulting rooms do not wholly satisfy the quantitative measures set out in the 4 specific scenarios provided at DPF 1.2, the planning authority may reasonably, and I say appropriately, accept that which is now proposed as satisfying the stated performance outcome.

4.2 Character & Amenity

The Desired Outcomes for the Established Neighbourhood Zone seek:

DO1 A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.

DO2 Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

Although this proposal is not for a residential use, the consulting room activity is to be conducted within a dwelling form to be retained that is entirely consistent with and contributes to the residential streetscape character of this locality save for the provision of car parking in the front garden area.

While somewhat uncharacteristic of the traditional presentation of front gardens, there are nonetheless examples along Osmond Terrace where vehicles are parked on paved areas to the front of buildings visible from the public realm, with varying degrees of landscape screening and in some cases, little to none.

I provide this observation not so much as justification for the proposed car parking arrangement but to demonstrate the practical reality that this section Osmond Terrace, indeed Osmond Terrace as a whole does not present as a pristine traditional streetscape in so far as there are notable exceptions as identified above.

To enhance the visual presentation of the parking area proposed to the front of the building and the streetscape character more generally, the proposal includes a comprehensive landscape design incorporating a hedge set behind the front fence, specimen trees and low-level plantings.

In combination with the level of this parking area relative to the adjacent footpath and carriageway of Osmond Terrace, vehicles will not be visually prominent when viewed from the public realm and certainly not to an extent that would have a profound visual impact on the predominant streetscape character.

I also note that the existing driveway crossover is to be utilised to access this parking area, which if secured with gates when not in use will afford a further level of screening from the public realm. The Applicant would be prepared to accept a condition requiring these gates to be closed when the premises are not in use.

The following policies are expressed for the Character Area Overlay.

DO1 Valued streetscape characteristics and development patterns are reinforced through contextually responsive development, design and adaptive reuse that responds to the attributes expressed in the Character Area Statement.

- PO 3.2 Adaptive reuse and revitalisation of buildings to retain local character consistent with the Character Area Statement.*
- PO 6.1 The width of driveways and other vehicle access ways are consistent with the prevalent width of existing driveways in the character area.*
- PO 6.2 Development maintains the valued landscape pattern and characteristics that contribute to the character area, except where they compromise safety, create nuisance, or impact adversely on existing buildings or infrastructure.*

With reference to the Character Area Statement provided for the Residential Character (Norwood) Area (NPSP – C6) I note that the proposal retains and reuses an original building that contributes to streetscape character, does not involve new building work other than for a front fence of an appropriate design, nor subdivision.

Accordingly, the proposal does not, in my view, offend the Character Area Statement.

General Development Policies under the heading *Interface between Land Uses*, provide further guidance with respect to assessing the manner in which proposed non-residential uses may be experienced by sensitive residential receivers with respect to hours of operation, noise generation and other considerations.

Performance Outcome 2.1 with respect to hours of operation seek:

- PO 2.1 Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:*
- a) the nature of the development*
 - b) measures to mitigate off-site impacts*
 - c) the extent to which the development is desired in the zone*
 - d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land.*

The proposal satisfies the associated DPF which provides for the following hours.

<i>Consulting Room</i>	<i>7.00 AM to 9.00 PM</i>	<i>Monday to Friday</i>
	<i>8.00 AM to 5 PM</i>	<i>Saturday</i>

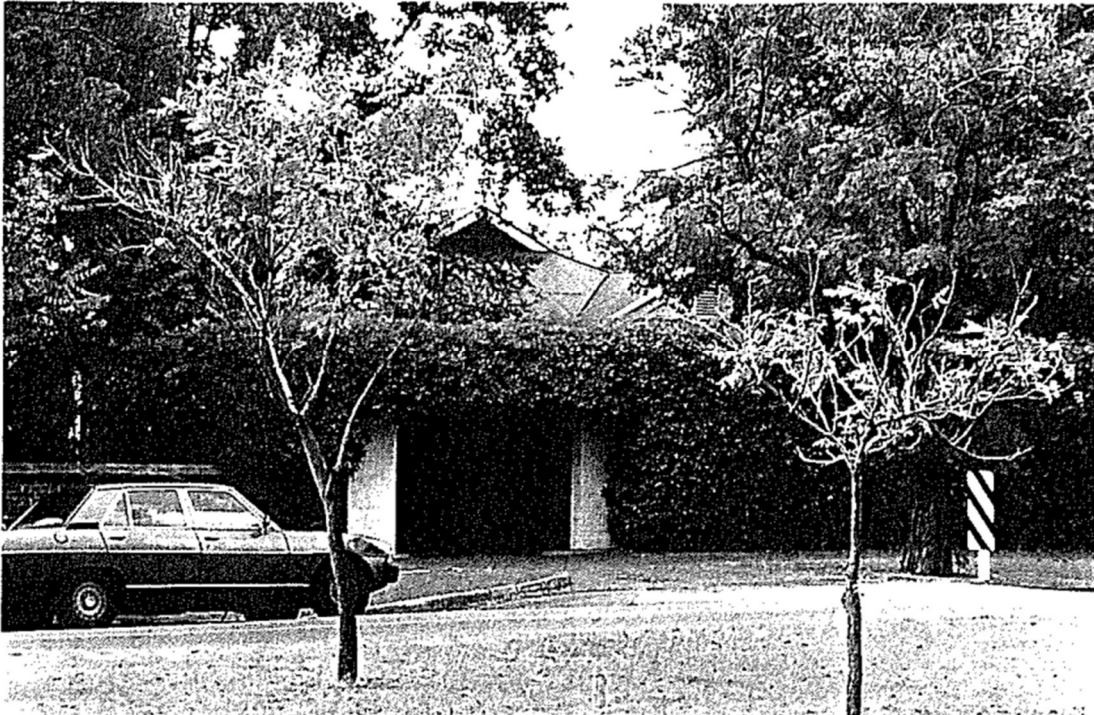
In terms of activities conducted within these hours of use, the potential for off site impacts (determinable from beyond the land) will be limited to noise arising from the use of vehicles coming and going from the car park which is unlikely to beyond background noise levels arising from vehicles passing along Osmond Terrace itself

Outside of these ‘business hours’ the proposed development will have no impact on the amenity of this locality. As a percentage of the week, the proposed use would be conducted only 34% (57 hours) and not used during the evening and weekends when the activities associated with the surrounding dwellings are in higher usage.

4.3 Heritage

As noted above, this property is identified by the Code as a Local Heritage Place, having been carried forward from the Development Plan which is now revokes. It is understood that this listing was informed by the 1995 Heritage Review undertaken by Mark Butcher Architects, which described the property as:

‘an attractive single storey Federation masonry house with complex hipped roof with feature gablets and integral front verandah with side return, set in a mature garden behind a wonderful Pittosporum hedge. Appears to be in good condition for its age.’



The above photograph included in this survey demonstrates the point I make above with respect to the screening effect afforded by tall hedge and a tall portico structure over the driveway. At the time of this survey, the facade of the building and its front garden area was not visible from Osmond Terrace.

The hedge and portico were removed consequent upon the 2005 flood.

The following provisions for the Local Heritage Place Overlay are relevant in the consideration of this proposal noting that additions and/or alterations are not proposed to this building with the extent of new work being limited to a new front fence and paving associated with driveways and parking areas.

DO1 Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

PO 1.7 Development of a Local Heritage Place retains features contributing to its heritage value.

PO 2.2 Adaptive reuse and revitalisation of Local Heritage Places to support their retention in a manner that respects and references the original use of the Local Heritage Place.

PO 7.1 Conservation works to the exterior of a Local Heritage Place (and other features identified in the extent of listing) match original materials to be repaired and utilise traditional work methods.

On any objective review, it is apparent that the adaptive reuse of this building for consulting rooms will not detract from or compromise the heritage and cultural value of this place, nor its original features. Rather, it will enable the renovation and conservation of this building as specifically provided for by DO 1 and PO 2.2.

In so far as the building will not be used as a residence, it will continue to reference its original use as a dwelling and may indeed be reverted to such use into the future depending on the preference of the owner. The works that are proposed will not frustrate such an outcome and in this regard respects its original use.

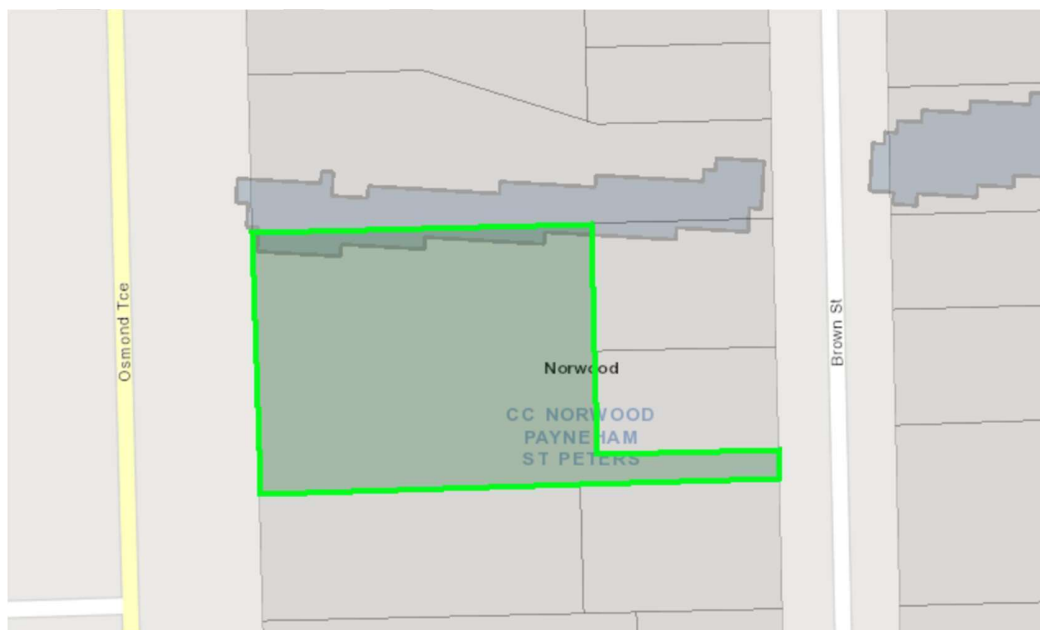
I also note that the grounds originally associated with this building have been significantly reduced as a result of the town house development to Brown Street. This is not an uncommon occurrence within the locality, with a similar development undertaken to the rear of 112 Osmond Terrace.

This reduction in the grounds has diminished the property's desirability as a large family residence with the space remaining being to the front and side of the building, with little or no privacy afforded. Some opportunity does exist for a small courtyard to the north side of the building.

I expect that if this property were to be used as a dwelling at some point in the future that the residents would benefit from the front fence and hedge now proposed to Osmond Terrace as part of this proposal, in much the same manner as other properties along Osmond Terrace have adapted to changed circumstance.

4.4 Flood Hazard Potential

The Code identifies portion of this land (that immediately adjacent the channel of First Creek) as being potentially subject to inundation from flood waters. It is understood that this extent is based on flood mapping undertaken by Tonkin Consulting subsequent to the major event in 2005.



Whereas the building was inundated in the 2005 to a depth of up to 700 mm above floor level, subsequent flood mitigation works including maintenance and upgrade of the channel through which the First Creek flows have been undertaken that has substantively reduced the risk and extent of flooding in a 1 in 100 year event.

These flood mitigation works include the concrete wall constructed by my client along the southern edge of the channel following the 2005 flood event. This wall has a height of approximately a metre, which if it performs in the manner intended, will afford the building suitable protection from flood waters.

I make the observation that if additional flood protection were to be required by the planning authority this would require extensive intervention into the original fabric of the building including raising internal floor and external verandah levels, consequent modification to ceiling height and roof structure and window openings.

Such works would effectively require the building to be demolished and rebuilt.

4.5 Access & Parking

While I defer to the expert opinion expressed by Mr Phil Weaver in relation to access and parking matters, I make the following observations with reference to relevant provisions of the Code. More particularly, those set out under the heading Transport, Access & Parking within the General Development Policy section.

Dealing first with access to the car parking area, I note that the existing driveway to Osmond Terrace is to be utilised. Notwithstanding its limited width and proximity to an existing street tree it will nonetheless provide for safe and convenient movement of vehicles to and from the land.

As discussed in Mr Weaver's report, given the limited volume and frequency of vehicle movements the existing driveway will suffice, with suitable sight distance afforded to exiting motorists so as not to conflict with pedestrians passing along the footpath. There is to be no disruption to on-street parking arrangements.

It is my view that proposal satisfies the following provisions.

PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.

DPF 3.1 The access is

- a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land*

PO 3.3 Access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development or land use.

PO 3.4 Access points are sited and designed to minimise any adverse impacts on neighbouring properties.

PO 3.5 Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.

DPF 3.5 Vehicle access to designated car parking spaces satisfy (a) or (b):

- a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land*

PO 3.8 Driveways, access points, access tracks and parking areas are designed and constructed to allow adequate movement and manoeuvrability having regard to the types of vehicles that are reasonably anticipated.

Table 1 - General Off-Street Car Parking Requirements identifies a rate of 4 spaces per consulting room excluding ancillary facilities. Given three consulting rooms, the Code seeks provision of 12 car parking spaces for use in conjunction with this activity, inclusive of one space for a person with a disability.

As an aside and notwithstanding compliance with the above parking rate, I note that Performance Outcome 5.1 enables the planning authority to accept a lesser provision in specified circumstances which in this instance would include the availability of on-street parking and the adaptive reuse of a local heritage place.

Subsequent policy provisions speak to the design layout and function of car parking areas, including considerations in relation to minimising off site impacts (disturbance), landscaping, fencing, lighting and use by service vehicles. On my review the proposal may perform adequately in each respect.

5. CONCLUSION

On the basis of the above assessment, I am of the view that the proposal is in suitable conformity with relevant provisions of the Planning & Design Code so as to warrant planning consent. To the extent that it may depart from certain quantitative measures, no serious planning externalities are anticipated.

I would encourage the planning authority to consider the key planning merits of this proposal mindful that the property has languished for over 17 years in an unoccupied and deteriorating state with no immediate prospect of the building being reverted to residential use:

- the adaptive re-use of this heritage building for an economic activity that would facilitate its restoration and long term conservation;
- the low intensity nature of the proposed use which is specifically provided for in this location with minimal potential for off-site impacts; and
- the community benefit of improved access to specifically medical services that supplements and complements that within activity centres.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD



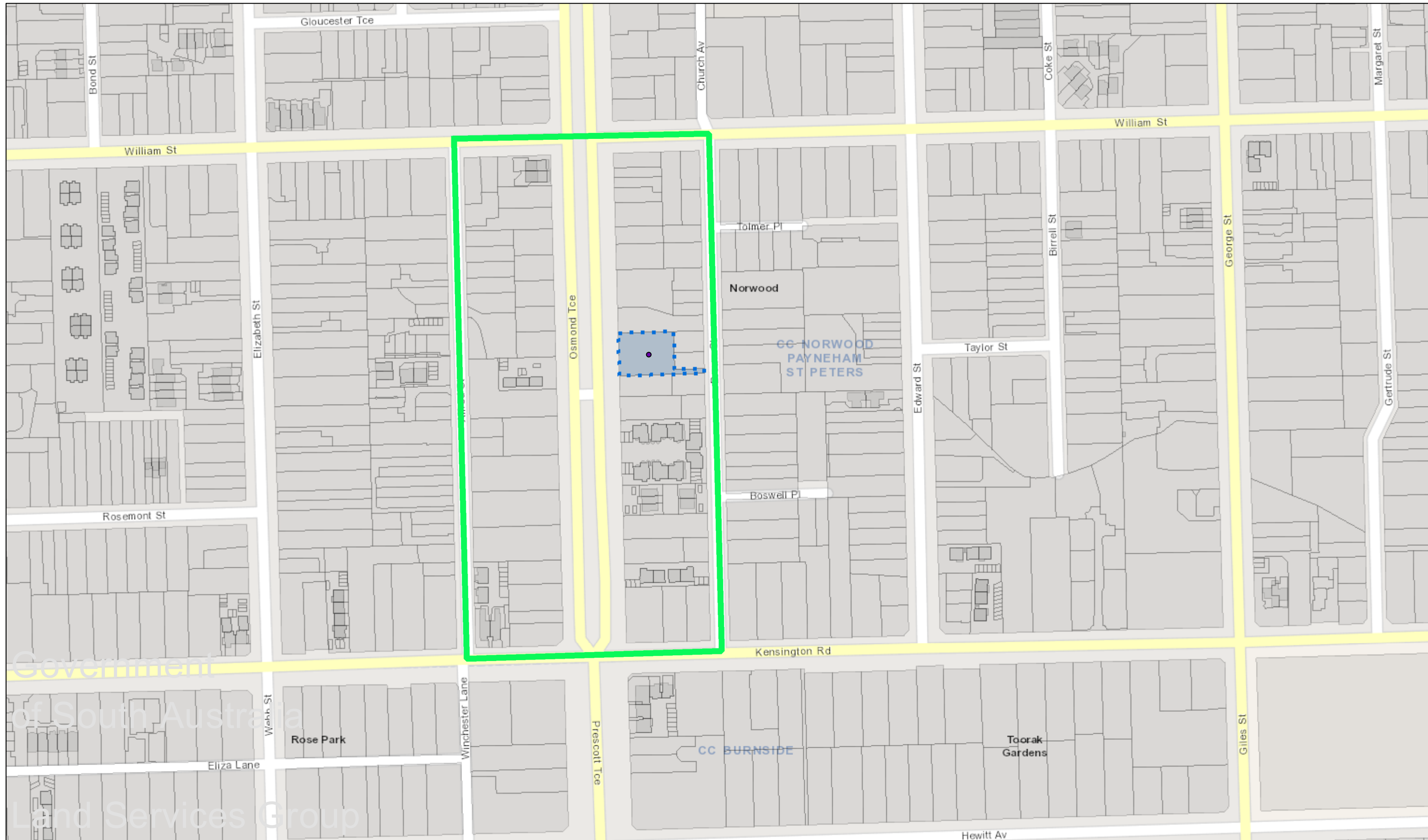
PHILLIP BRUNNING RPIA

Registered Planner
Accredited Professional – Planning Level 1, 2 & 3

SAPPA Report

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

Subject Land Map



Spatial Application of Hazards (Flooding) Overlay



Government
of South Australia

Land Services Group

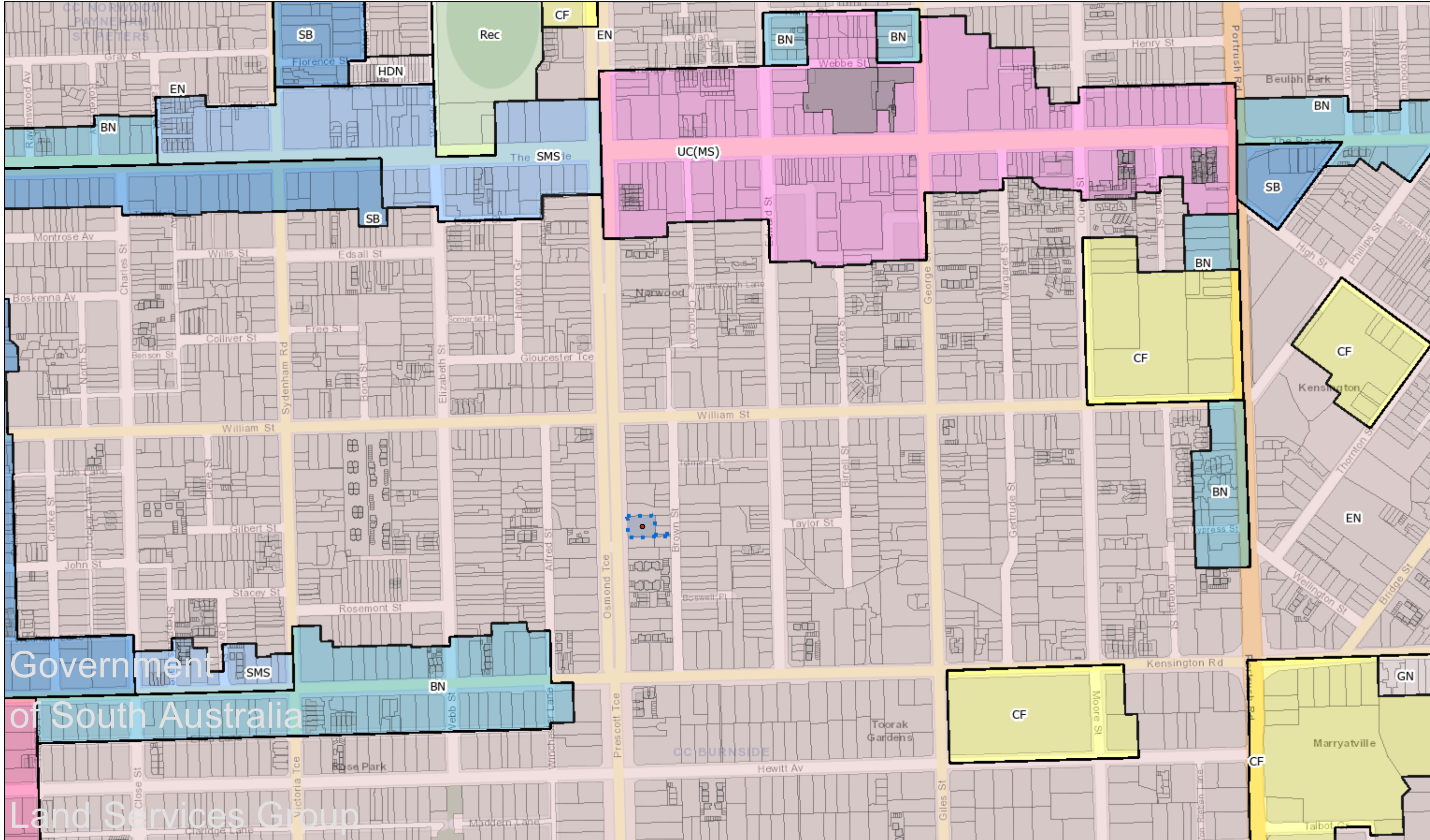
SAPPA Report

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

Zoning Map

LEGEND:

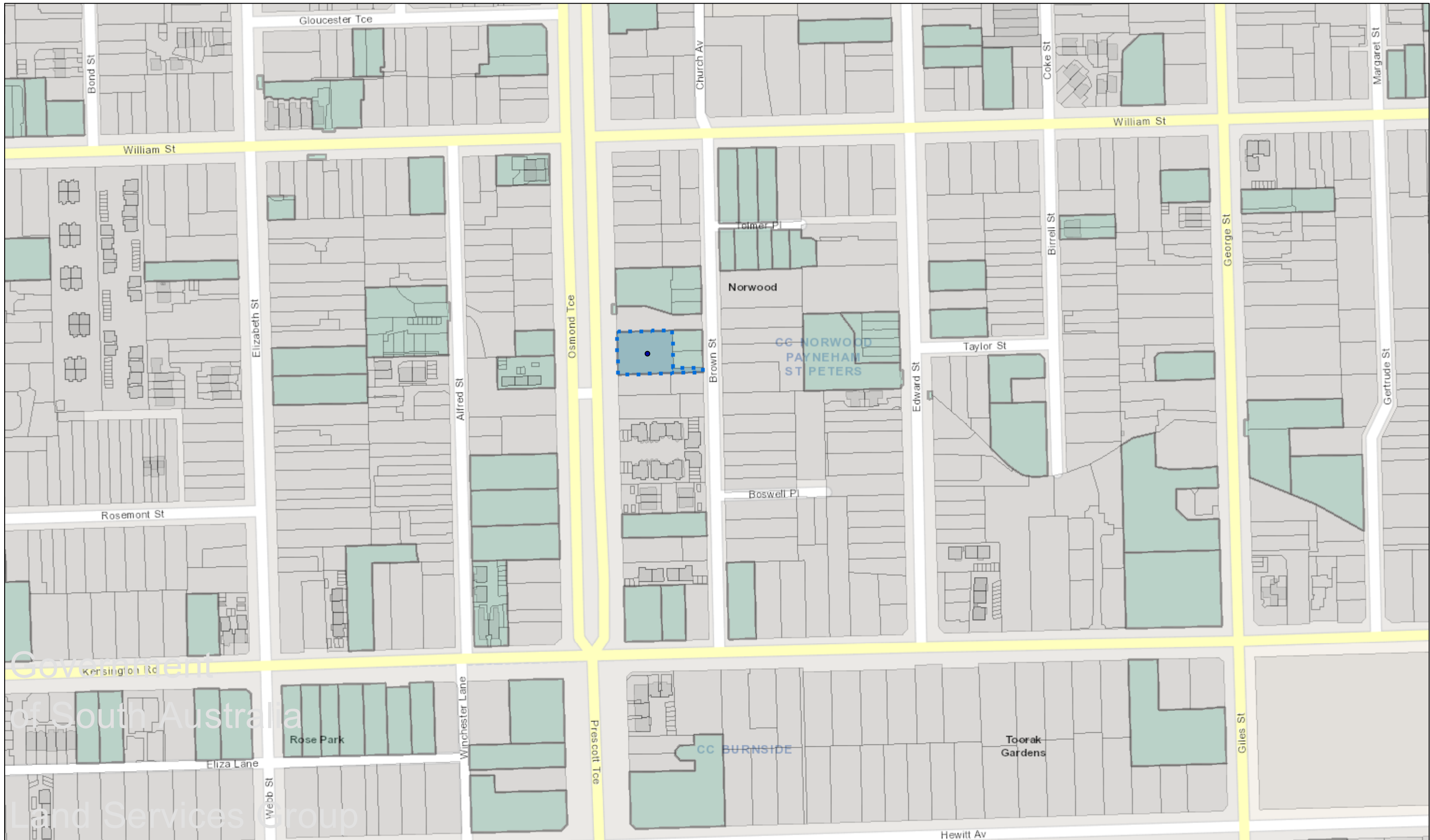
- EN Established Neighbourhood
- BN Business Neighbourhood
- CF Community Facilities
- UC(MS) Urban Corridor (Main Street)
- SB Suburban Business
- SMS Suburban Main Street



Government
of South Australia
Land Services Group

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

Local Heritage Overlay Map



SAPPA Report

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

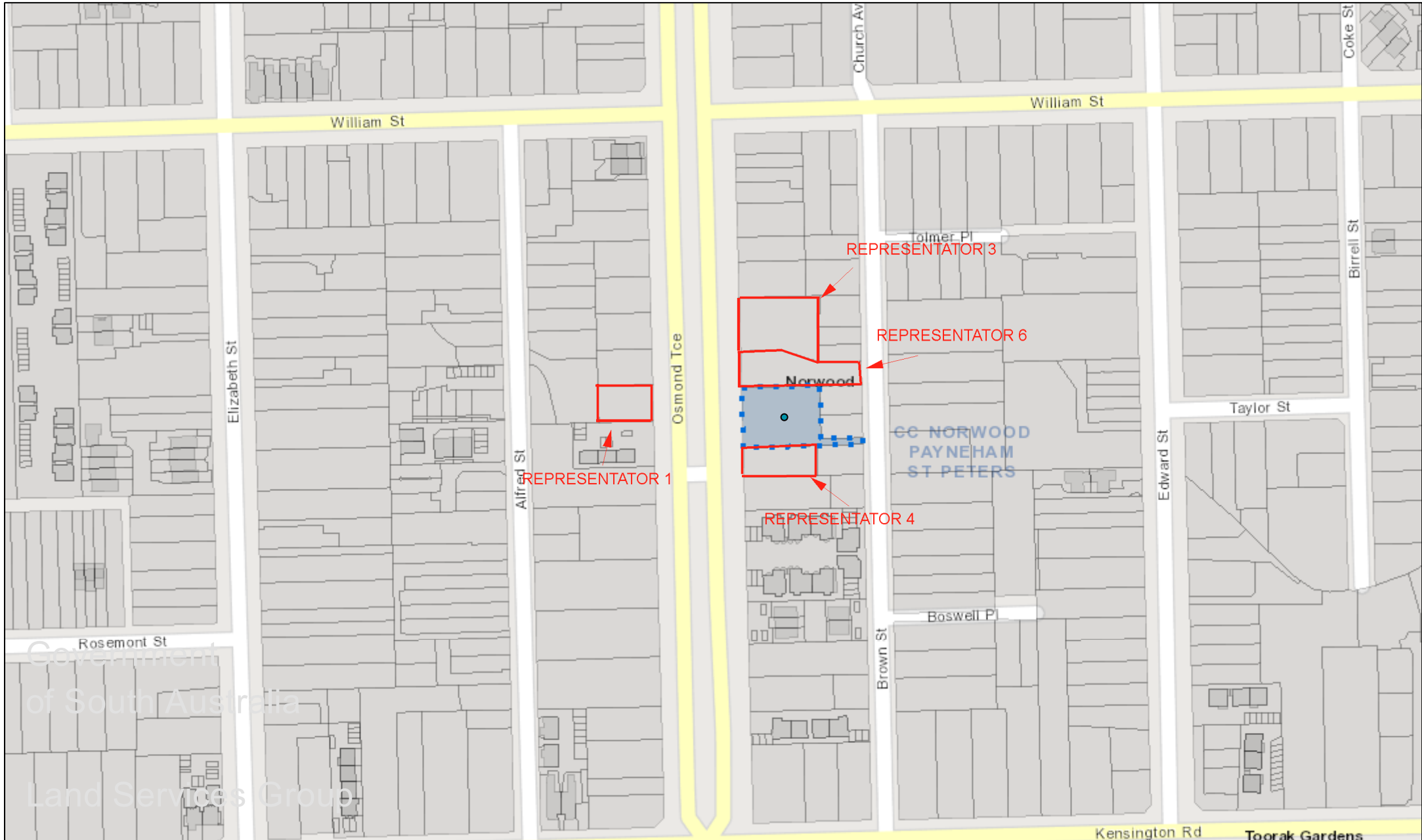
Representation Map

Attachment 4

Date created:
June 14, 2023

Out of Map Area:

Representor 2 - 39 Church Ave, Norwod
Representor 5 - Tatiara Station, Meningie



Details of Representations

Application Summary

Application ID	23004961
Proposal	Change of use to consulting rooms with associated car parking and landscaping, and the construction of a masonry and metal infill front fence
Location	114A OSMOND TCE NORWOOD SA 5067

Representations

Representor 1 - ELIZABETH MCCABE

Name	ELIZABETH MCCABE
Address	95 OSMOND TERRACE NORWOOD SA, 5067 Australia
Submission Date	11/05/2023 06:51 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

The change of use will set a precedent and is not in character for a residential area. I purchased this property because of the lovely street and neighbourhood. This part of Osmond Terrace is quiet and not as busy. I believe it will add to traffic congestion and noise.

Attached Documents

Representor 2 - Chris Burns

Name	Chris Burns
Address	39 Church Avenue NORWOOD SA, 5067 Australia
Submission Date	23/05/2023 12:51 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

I own a property on Osmond Tce which I purchased last year due to its prestigious address and exclusivity. Aside from current commercial properties that sit on Osmond Tce, which have been in use for several years, I would prefer the residential exclusivity to remain similar to Victoria Avenue, Unley Park. The parking on the front of the property will largely detract from the aesthetics of the premium strip and as such I ask that this be taken into consideration with respect to this application. The home on the site, albeit in a dilapidated state, is largely grand and in line with the heritage nature of Osmond Tce and it would be a pity not to have this restored back to its original condition and use it as a grandly home.

Attached Documents

Representor 3 - Sandy Wilkinson

Name	Sandy Wilkinson
Address	112 Osmond Terrace NORWOOD SA, 5067 Australia
Submission Date	24/05/2023 02:53 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	REFER TO ATTACHED REPRESENTATION

Attached Documents

2023.05.24-114A-Osmond-Terrace-AO-submission--1226415.pdf

~~6 March 2020~~ 24 May 2023

Sandy & Robyn Wilkinson
112 Osmond Terrace,
Norwood SA 5067

~~Mark Thomson~~ Geoff Parsons
MANAGER, DEVELOPMENT ASSESSMENT
City of Norwood, Payneham & St. Peters

Per email: developmentassessment@npsp.sa.gov.au

Re: ~~DA155/594/2019~~ **Application ID:** 23004961 - 114A Osmond Terrace, Norwood

COMMENT ON SECOND DEVELOPMENT APPLICATION TO CHANGE USE FROM A DWELLING TO CONSULTING ROOMS RELODGED UNDER THE NEW STATE PLANNING CODE.

Consulting Rooms ~~are/were~~ Non-complying in a Residential Zone such as this under the NPS Development Plan under the Development Act 1993 and was accordingly recommended for refusal and subsequently refused by the CAP.

Under the Planning Code, such a change of use in a residential zone may now be considered **on its merits**, subject to provisos.

The South side of Kensington Road and the bottom end of The Parade are zoned to provide for such commercial uses as Consulting Rooms. There is currently vacant office space in these locations now in any event. To allow a dwelling outside the business zones would be contrary to the interests of these areas, which are zoned to allow consulting rooms and other commercial uses in these busy roads, which are not desirable as residential locations.

To allow such a change of use would spoil our, and all the nearby residents', residential amenity and the residential look of our street, this section of which is the most prestigious and desirable in Norwood.

Would Unley Council sanction car parking in the front setback of some of the houses in Victoria Avenue or Northgate Street, Unley Park, just because they have room for a car park in the front setback, under the same Planning Code provisions?

The car parking in the front setback and any associated business signage would look terrible and spoil this high residential amenity and any high fencing and plantings, as mooted, to try to hide the car parking would concurrently conceal the Local Heritage Item from view from the street.

A high fence as proposed would/should not be allowed in front of a Local Heritage Item in any event for this very reason.

I understand that the State Planning Code is intended to be more flexible and enable 'reasonable' local non-residential land uses within a residential zone that do not compromise the residential amenity or feel of a residential area.

I don't believe this sort of DA, with parking in the front setback, in this sort of location was the intended planning outcome of the changes to the planning legislation.

If the car parking was located behind the local Heritage Item, such that the proposed **car park wasn't in lieu of would otherwise be a residential looking landscaped garden** setting for the Local Heritage residential building, together with the buildings' proper renovation, such a proposal could perhaps be considered to have some merit.

However this opportunity has been squandered by the applicant, who has already developed the land to the rear to build the two-storey, box like townhouses behind this local heritage item, thereby removing this option.

Thus, the proposal entails the replacement of what should be the beautiful garden setting to this Arts & Crafts Local Heritage villa, to a car park occupying almost the entirety of its setting. The garden setting is integral to the Cultural Heritage value of this notable Arts & Crafts movement residence as designed for himself by Henry Ernest Fuller, Architect of the Adelaide Stock Exchange.



114A Osmond Terrace, Norwood setting in 2008 as it was when Nic Minicozzi bought the property in 2003.

The applicant is in effect wanting to metaphorically '**have his cake and eat it too**', by not only developing the rear of the property to the maximum extent for a townhouse development behind, (for which he gained concessions on the basis of restoring the house as a residence), but also gain approval for what he considers to be a 'higher and better use' for the residual local heritage property by gaining approval to change its use from residential to consulting rooms.

Whether this is actually a 'higher and better use' is questionable given the high residential amenity of this part of Osmond Terrace, which emanates from the intact residential character, compared to the portions of Osmond Terrace north of The Parade.

This former house (also a Local Heritage Item) at 81 Osmond Terrace, was converted to offices many years ago, it however maintains a 'residential appearance to the street' by virtue of having its carparking at the rear thereby maintaining a landscaped garden setting to the street, and visibility of the Local Heritage Item by virtue of a low front fence.



81 Osmond Terrace, Norwood setting uncompromised by car park in front setback.

The views over page convey how the setting of this residence would be ruined by converting the front setback into a carpark for the proposed consulting rooms.



114A Osmond Terrace, Norwood current setting uncompromised by car park in front setback.



114A Osmond Terrace, Norwood setting as proposed in effect with car park in front setback.

Whilst this photo doesn't show the proposed fencing and landscaping, it makes the point that the front garden setting of a Local Heritage or any dwelling in a residential Zone should not be able to be converted into a car park, however it is dressed up.

ADAPTIVE RE-USE ARGUMENT A FURPHY

The adaptive re-use of a Local Heritage item, which theoretically sounds like a positive, is not actually a meritorious element of this DA, as this heritage property is not a moribund purpose building, it is already a dwelling in a residential zone, and very desirable one at that.

Adaptive re-use of a Heritage item can only be considered a valid argument if the heritage building has a moribund use, such as a disused flower mill or corner shop that might be adaptively re-used as a dwelling or some other use that sees the heritage building have an ongoing use and purpose.

That the current owner has deliberately derelicted this perfectly good house, (destroying the established garden and needlessly boarding up the windows), which could be sold as is or rented out for over \$1000 per week, as a tactical ploy with Council to gain leverage to either demolish or gain approval for a commercial change of use as being sought, should not be taken as an argument of merit, as is being tried on here.

The applicant is ostensibly holding the Council, and us residents, to ransom, artificially contriving a 'stalemate' scenario, in order to negotiate an inappropriate planning outcome with Council.

This sort of behaviour should not be rewarded, and to do so will only encourage other property owners to adopt such tactics to get their way with Council,

The applicant's planning consultant uses the applicant's own development as justification for this proposal.

I also note that the grounds originally associated with this building have been significantly reduced as a result of the town house development to Brown Street. This is not an uncommon occurrence within the locality, with a similar development undertaken to the rear of 112 Osmond Terrace.

This reduction in the grounds has diminished the property's desirability as a large family residence with the space remaining being to the front and side of the building, with little or no privacy afforded. Some opportunity does exist for a small courtyard to the north side of the building.

The consultant conveniently neglects to mention that Minicozzi himself undertook the town house development behind and had designs done as part of that DA to renovate the house as a residence.

At 112 we have done just that, as he can and should similarly for this property.

The 'adaptive re-use' line cannot be applied in this case because the heritage item is a dwelling that can still be used as a dwelling.

If the change of use to a commercial use, ie Consulting Rooms, were not permitted, the building could still be renovated and used as a dwelling per the previously approved Williams Burton designed drawings.

LAND USE + PRECEDENCE ARGUMENT

The applicant's planning consultant states:

It is clear on my reading that the Code does provide for complementary nonresidential uses within the Established Neighbourhood Zone, such as consulting rooms that improve community access to services, provided they are compatible with established development and maintain residential amenity.

There is no lack of access to consulting rooms in the locality, with consulting rooms being within convenient walking distance on The Parade and Kensington Road.

As such this would not improve community access to services, and importantly the proviso that they maintain residential amenity is not achieved by virtue of the proposal to replace an albeit deliberately vandalized residential garden into a car park for the proposed commercial use.

The applicant's planning consultant cites the existence of the Unitarian Church over the road, however this pre-dates current land use planning controls, as well as the existence consulting rooms on the corner of Kensington Road, and Edward Street.

The consulting rooms on Edward Street are very close to the Parade opposite the Coles Supermarket car park and **all have parking to the rear** and the Kensington Road example also has parking to its rear and significantly is on Kensington Road, an appropriate location for consulting rooms, where many exist.

This proposed lettable floor area is 213m², according to their planning consultant.

Osmond Terrace is not a State Maintained Road, therefore 100m² is the maximum size that could be considered under PO 1.2. Irrespective parking in the front setback will spoil the residential amenity.

That the applicant has co-operated with Council planners in improving the Development Application, with trying make a silk purse out of a sow's ear, does not compel the Council planners or the CAP to support what remains an inappropriate change of use application.

FENCING

The use of high fencing and screening planting only screens the Local Heritage item from view, the use of permeable paving with greenery growing through the parking bays as indicated in the DA drawings, does not change the fact and appearance of the setting of the Local Heritage Item becoming a car park for a commercial use.

The planners had asked for 'heritage style' fencing. The proposed 1800 high modern palisade fence with multiple pillars is not a heritage style fence, but rather one designed to conceal the commercial car park in the front setback which should not be there at all. The 1800 high gate sliding gate is misleadingly shown partially open, when in reality, it is invariably closed and concealing the view of the Local Heritage item and would look very odd next to the 1250mm (4') high Local Heritage red brick wall of the First Creek bridge seen in the visuals.

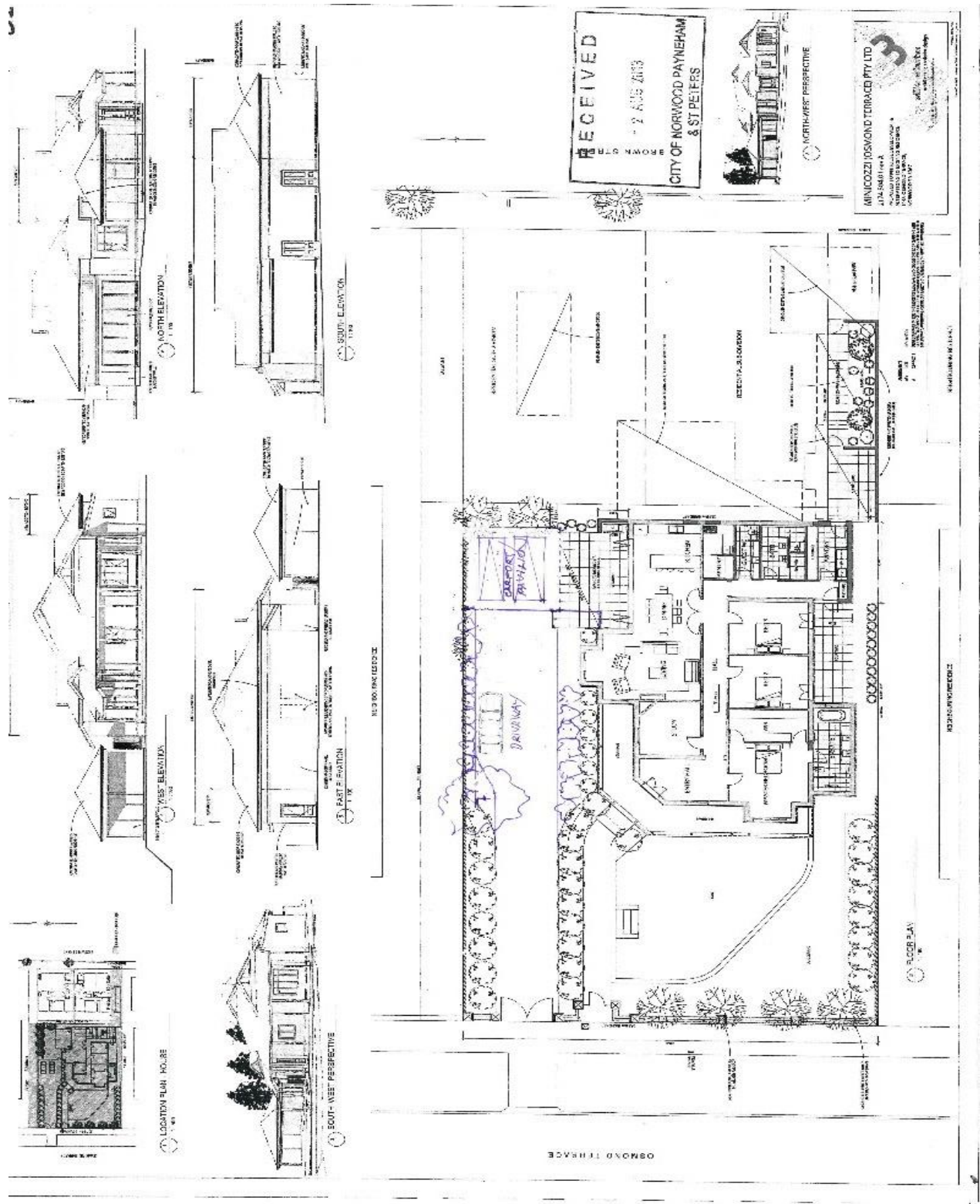
The original fence comprised just two brick piers at the driveway and a 1320mm high timber post and wire fence with a pittosporum hedge that would historically have been trimmed to about 5 feet high, thereby maintaining views of the Arts & Crafts residence from the street.



Photo taken 26 September 2013 of the remains of the original post and wire fence, which Nic Minicozzi had just removed without approval.

PREVIOUSLY APPROVAL FOR TOWNHOUSES BEHIND WITH HOUSE RENOVATED

114A Osmond Terrace – Adjoining Owner Representation – Sandy + Robyn Wilkinson



Williams Burton Architects plans to renovate property as a house with new town houses behind.

Note I have adjusted this drawing to show the carport/pavilion located at the rear, which could double as a covered outdoor entertaining area, north of the private courtyard.

FLOODING ISSUE

114A Osmond Terrace – Adjoining Owner Representation – Sandy + Robyn Wilkinson

The applicants planning consultant speaks again about the flooding issue.

If the owner is genuinely concerned, or paranoid, about the flooding issue he could engage a company called Mammoth Movers to put steel beams under the house and lift it up 600mm without changing any of the doors or windows or necessitating demolition as suggested.

I had this exercise priced for my house but decided it was unnecessary given the Council Culvert works that have mitigated this risk.

The new house which the owner had previously proposed in its place would have cost about \$1.5m+,

To elevate the existing house in this manner would cost less than \$500K.

If neither of these options is sought, he could/should sell it to some one else, as anyone else would relish the opportunity to renovate this beautiful and potentially extremely valuable historic villa as a home.

HISOTRY/BACKGROUND

We purchased 112 Osmond Terrace in 2011 on the basis that it and the property at 114A Osmond Terrace, were listed Local Heritage Items as did the current owner, who purchased 114A in 2003, as a Local Heritage listed building.

The subject property is in our immediate streetscape vicinity, as seen in these photos below, and contributes significantly to the intact historic streetscape on the eastern side of Osmond Terrace and corresponding to our amenity and real estate values.

When we purchased the property from the Lakshmanans, we were aware that the property had previously flooded, but importantly we were also aware that the **Council had since spent \$10m on flood mitigation works** by way of a huge concrete culvert, which had rectified and **ostensibly eliminated the flood risk**, otherwise we would not have purchased the property, or at least for as much as we did. We have since fully restored it.



Our property at 112 Osmond Terrace on the left as seen relative to 114A on the right.



Huge concrete culvert installed under Osmond Terrace and William Street by the NP&StP Council.

I have read the 2008 Supreme Court judgement on this matter and consider that the flooding is now a non-issue since these works were carried out.

In conversations I have had with the owner, Nick Mincozzi, he has himself indicated to me that he does not consider the flood risk to be an issue since the Council's flood mitigation works.

I consider that he, the owner/applicant is now just using this as an excuse to try to get something approved that he is not entitled to, no-one else would be permitted to change the use of their dwelling to Consulting rooms as is proposed.



Original fine lined red brick finish sample section on bay window.

RECENT PHOTOGRAPHIC HISTORY OF 114A OSMOND TERRACE



114A Osmond Terrace in 2008

114A Osmond Terrace – Adjoining Owner Representation – Sandy + Robyn Wilkinson



114A Osmond Terrace in 2011



114A Osmond Terrace in 2019

COMMENT OF DELIBERATE ATTEMPTS TO DIMINISH SETTING OF HOUSE

From these sequence photos it can be seen that the house itself remains exactly as it was when it was Local Heritage listed in 1995 and purchased by the current owner in 2003.

The first act to diminish the setting of the house was to remove the 'wonderful Pittosporum hedge' as referred to in the 1995 Heritage Survey, even though the removal of a hedge is not development. This actually had the effect of revealing and enhancing the visibility of the house to the street.

So it somewhat ironic that now it is proposed or indicated that a hedge might be reinstated to conceal a commercial car park which shouldn't be there in any event.

In recent years the owner had architectural plans prepared to renovate and extend the house in 2011 by Williams Burton Architects, who concurrently designed the two town houses behind.

At the time of the construction of these two townhouses, the remains of the front fence was demolished, except for the red brick Local Heritage listed bridge, and the grounds were cleared,

Since then a poplar tree and more recently the palm tree were removed, neither of which were unfortunately legally protected as significant trees.

It would appear that the owner is deliberately endeavouring to diminish the setting of the house in an attempt to make a case to demolish the house or convert it to a commercial use. It is worth noting that none of these actions required development approval.

Having been through the house with the owner it is structurally solid as a rock and will outlast the present owner and many owners into the future.

Since the proposal to demolish the house was refused, the owner has had plywood hoarding fitted to the perfectly intact windows, in a further attempt to make the house look derelict, even though it isn't.

CONCLUSION

The current owner bought the property in 2003 in the full knowledge that it was a Local Heritage Item in a Residential Zone that could not be demolished or used as other than a dwelling.

That the present owner has acted with wanton contempt for the building should not be rewarded by consenting to his request to now change the use of this Local Heritage Item, and to do so would encourage others to attempt a similar Machiavellian strategy.

The flooding issue was rectified when Council installed the concrete culverts making this a non-issue.

I wish to make a verbal representation to the Norwood Payneham & St. Peter's Council Assessment Panel (CAP) in whose judgement I rely as I can now not exercise my previously available 3rd Party Right of Appeal in the event that the this commercial change of use of this Local Heritage Item is consented to.

Yours Faithfully

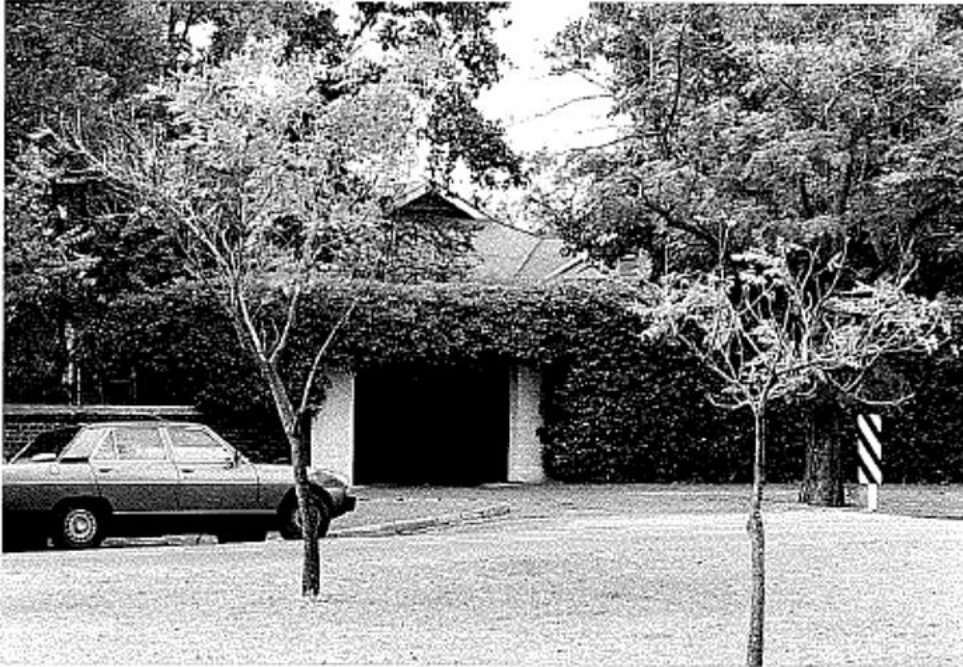
Sandy Wilkinson

And on behalf of Robyn, Abbey and Hamish Wilkinson of 112 Osmond Terrace.

Attachment A: 1994 Heritage Survey prepared for Mark Butcher

HERITAGE SURVEY : KENSINGTON & NORWOOD

Item/Place:	House and Hedge	Survey No.:	114Aosmo
Address:	114A Osmond Terrace, Norwood	C.T. No.:	4060/288
Present Status:	Character Item	Date:	April 1994



Description: An attractive single storey Federation masonry house with complex hipped roof with feature gables and integral front verandah with side return. Notable for its attractive design and relative intactness. Set in a mature garden behind a wonderful Pittosporum hedge. Appears to be in good condition for its age.

History: Circa 1900's.

Streetscape Contribution: This intact residence forms part of an important group of imposing high quality Victorian / Edwardian houses. It contributes quietly to the Victorian / Edwardian character of the Osmond Terrace streetscape.

Significance: (Relevant Development Act Criteria (Section 23(4)): (a),(b),(d)): This building is a good relatively-intact example of a well built Federation house. It is associated with an important period of Norwood's development, ie the latter end of the 1880's-1900 boom (4a). It is indicative of the way of life in Norwood at that time and in particular of the better quality house found on Osmond Terrace (4b). It is an attractive building architecturally (4d), forming part of an important group of imposing larger Victorian/Edwardian houses located in Osmond Terrace.

Development Implication: Retention and protection of the original form of the building, its setting and all associated original building fabric, as viewed from the road.

RECOMMENDATION: Local Heritage Place

References:

Attachment B: 2008 Heritage Report prepared for Supreme Court Appeal.

112-114A OSMOND TERRACE APPEAL REPORT

BB Architects p.618.8410.9500 e. mail@bbarchitects.com.au 8

The format and structure for this 1994 report was to standard 1993-1994 practice. In reviewing the one page assessment report prepared for this property, I note that History was perfunctorily described as “Circa 1900’s”. This minimal comment identifies to me that no historical research was done on this property, for the reasons explained previously. It was not done because to me, as a specialist conservation architect experienced in assessing possible heritage places, the building concerned and its setting was obviously a high quality residence of some importance, easily qualifying for criteria (a), (b), and (d).
Historical Background of 114A

Given the current query on this 1994 assessment, I have asked historian Patricia Sumerling to research the history of the property so I can better understand it and review the initial assessment in a more informed manner. This has been done and her subsequent history is attached (refer Attachment A - this includes a detailed title chronology and reference to both the South Australian Directory and local council Rate Assessments).

This history reveals that No. 114A was developed by one of Adelaide’s leading architects of the day, Henry Ernest Fuller, in 1907-08, together with his brother Alfred Richmond Fuller for their own use. Sumerling describes him as “aptly regarded as one of “the new breed” of architects for their forward-looking design”. Fuller made his name by winning a local architectural competition for a new Adelaide Stock Exchange, erected in McHenry Place in 1901. This still exists today, facing into Exchange Place, and is a listed State Heritage Place. In later life he was secretary of the South Australian Society of the Arts and art critic for “The Advertiser for 21 years.

Patricia Sumerling also worked with Susan Marsden and Paul Stark in writing the landmark publication “Heritage of the City Of Adelaide – An Illustrated Guide,” published by the City of Adelaide in 1990. In its description of the Stock Exchange on page 82, it notes: “The new exchange was jointly designed by the architects H. E. Fuller and H. N. Dunn. The tender of master builder Walter C. Torode of \$8380 was accepted in August 1900. Both the design and the stained glass window were linked with the contemporary Arts and Crafts movement of England, as well as the Australian Federation style.”

This identifies Henry Fuller as an exponent of Federation style and its Arts & Crafts sub-set. Wilfrid Prest, Kerrie Round and Carol Susan Fort, in their 2001 publication “The Wakefield Companion to South Australian History”, also note on page 46:

Federation architecture was taken up enthusiastically by Garlick, Frederick Dancker, and the practice of Soward and English, and the turn of the twentieth century saw some robust red brick designs such as Henry Cowell’s Fruit and Produce Exchange in the east end of the city, Dunn and Fuller’s Adelaide Stock Exchange in McHenry Street, and the Museum North Wing and School of Mines on North Terrace, both by Charles Edward Owen Smyth.

This identifies Henry Fuller as a notable Adelaide Architect and practitioner of Federation style architecture.

Comment on Historical Background 114A

Henry Fuller was associated with designing in the Federation Arts and Crafts Style and using red brick in a forthright way, rather than stone, which was seen as being old fashioned. The new Adelaide Stock Exchange building in McHenry Street was indicative of his design style, being designed and constructed predominantly of brick with pebbledash stucco accents and featuring strong vertical windows.

112-114A OSMOND TERRACE APPEAL REPORT

BB Architects p.618.8410.9500 e. mail@bbarchitects.com.au 9

The house at 114A, built in 1907-08, was also designed and constructed in red brick by Fuller. It is notable for its full height vertically-proportioned windows, its robust use of brick, its elegant verandah post detailing, and its Federation Arts & Crafts styling. This is seen in the scale of the building, its dominant roof form with gablettes, its low roof line, the asymmetrical layout, the use of pebbledash, its tall windows, its craftsman-like detailing of verandah posts, its bay window and Art Nouveau leadlight glazing. Its lack of unnecessary decoration such as extravagant verandah embellishment and tiled or slate roofing is another key identifier of the Arts and Crafts style, as is the use of red brick for the

main external wall material with its natural earthy colours and textures.

It should be noted that there is a difference between Federation Arts and Crafts style and Federation Queen Anne style. While they share some characteristics such as dominant roof forms, gable roof features and pebbledash walling, Arts and Crafts is more restrained and understated and focuses on honest expression of function and simplicity, whereas Queen Anne deliberately avoids simplicity and is much more flamboyant, featuring extravagant decoration, typically seen in ornate verandah posts/valances/ balustrades, terracotta tiled or slated roofs, and dominating panelled roof gables.

It is noted that Fuller built the house for himself, so he was able to design and build it precisely in the way he wanted to, thus ensuring its architectural purity in style and design. As noted above, Henry Ernest Fuller was also secretary of the SA Office of the Arts and “The Advertiser’s” art critic for 21 years. This indicates he was actively engaged with the community and as such would have been a well known personality.

No. 114 Today

The house was inspected on 22/8/2008. Externally, the original building was considered to be in good condition for its age and essentially intact with no evident cracking. Minor external changes were noted, ie the red brick walls had been painted white, the verandah pavement resurfaced in concrete, a small roof-light added, and one downpipe changed to PVC. The ground level had been built up 150-200mm on the north side adjacent to the house and may bridge the damp proof course. The lawn on that side appeared to drain towards the house. Internally, the original house appeared to be generally in good condition, with sound floors and most original ceilings intact. The walls looked good, although minor repairs at the base of several walls were apparent. There was some evidence of rising damp on the north side in one northern room, adjacent to where the lawn had been built up. In general there was no obvious evidence of cracking. The cellar was dry and did not smell musty.

While there have been several minor changes externally (described above), the original house is essentially intact, both externally and internally, even to the point of retaining its original short-length corrugated roofing iron. There are additions on its south side and rear, but these do not detract from the integrity of the original design because of their location on the lesser sides of the building (the main sides architecturally are the north and west). The addition on the south is set back a little from the front corner of the original building, reducing its visual impact and ensuring it does not crowd the front of the original building. It is also screened by garden planting. The rear addition does affect the original rear roof design slightly, but being at the rear has minimal visual impact. The house today is, in my opinion, a near-intact example of a Federation Arts & Crafts style house of rare design integrity. It would have been one of the first new Federation style houses in Norwood and probably in Adelaide.

Attachment C: Adelaide Stock Exchange designed by Henry Ernest Fuller Architect



Adelaide Stock Exchange designed by same architect as 114A Osmond Tce, Ernest Henry Fuller, a proponent of Federation Arts and Crafts style with matching red brickwork.

Representor 4 - David and Jennifer Griggs

Name	David and Jennifer Griggs
Address	116 Osmond Terrace NORWOOD SA, 5067 Australia
Submission Date	26/05/2023 05:34 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

We strongly oppose this application for a change of purpose for the house at 114a Osmond Terrace Norwood. There is no argument that justifies a change of use. This property could still be used as a residence. 1. SAFETY - Access and parking. If the residence was turned in to consulting rooms it would definitely increase traffic noise and safety issues. Coming and going from the domestic size driveway would present a potential hazard with cars having to back up to allow exiting vehicles. Parking needs for 3 consultants, support staff and clients has been considerable underestimated. Suggested street parking for the extra 2 parks required would add pressure on street parking that is already at a premium. Our guests often have to park in our driveway because no street parks are available. Safety is of concern with the amount of traffic, children and elderly that frequent the footpath. Sightlines are often compromised when leaving the property already. With a high fence this would be exacerbated. 2. FLOODING ISSUE The saga of 114a Osmond Terrace began with flooding 18 years ago. The council to their credit have addressed this with major expensive works. In our view this has completed mitigated this potential problem. 3. HERITAGE Designed by leading Adelaide Federation Arts and Crafts architect, Henry Fuller for his own use. This dwelling is still in solid condition. The fact that the current owner has wilfully allowed it to deteriorate in fact has taken steps to hasten its decay should not be reason for change of use. It would still make a very comfortable home and with housing shortages and domestic dwelling is a much more prudent use. Much has been made of the proposed fence being of heritage style – we would argue that the proposed fence is not Federation in style – it is more Victorian. It has been designed to hide vehicles. 4. RESIDENTIAL CHARACTER and AMENITY We moved to 116 Osmond Terrace 28 years ago because it is one of the finest boulevards in Adelaide. We would like to keep it that way. We are immediately next door to the proposed change of use of the property and object strongly. This heritage property is not an out of date purpose building. There is in our opinion no argument to support a change of use. Proposed parking in the front garden destroys the residential amenity of the property. The argument put forward that the land size is no longer suited to residential use in not valid. There are plenty of desirable properties on Osmond Terrace with courtyard gardens. 5. COMMUNITY SERVICES There is no need for new medical consulting rooms in the area. There are plenty of medical consulting rooms available in the commercial precinct. Change of use to Medical Consulting Rooms raises the issue of safety in a residential area. Drug addicts trying to access drugs after hours as was experienced on Osmond Terrace before the Warinilla House Drug Clinic was closed. Happily this has now been restored to residential use.

Attached Documents

Representor 5 - patricia mcclure

Name	patricia mcclure
Address	Tatiara Station MENINGIE SA, 5264 Australia
Submission Date	29/05/2023 04:33 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

My husband and I own unit 2, 120 Osmond Tce, Nowrood. Osmond Tce is considered to be one of the most attractive leafy streets in Adelaide. It is a credit to the early planners. My concern is that the street will lose its current residential appeal. If you allow one commercial development to proceed then how will you stop others? Parking is difficult enough as it is and even though the developers will provide some parking, there is never enough. In my opinion the developers should have sought approval before purchasing the property. What you decide now will have long lasting consequences for the street in particular and Norwood in general. Thank you for considering my comments. Patricia McClure.

Attached Documents

Representor 6 - Judith Brine

Name	Judith Brine
Address	114 OSMOND TERRACE NORWOOD SA, 5067 Australia
Submission Date	30/05/2023 11:19 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

Representation-JudithBrine-114aOsmondTerraceNorwood-Received30May2023-5656086.pdf

South Australia
 PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Applicant: MINICOZZI (OSMOND TERRACE) PTY LTD.

Development Number: 23004961

Nature of Development: CHANGE OF USE

Zone / Sub-zone / Overlay: _____

Subject Land: 114A OSMOND TCE NORWOOD SA 5067

Contact Officer: _____ Phone Number: _____

Close Date: 30/5/2023

My name*:	JUDITH MARY CHRISTINE BRINE	My phone number:	[REDACTED]
My postal address*:	114 OSMOND TCE NORWOOD SA 5067	My email:	[REDACTED]

* 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:

- A CLOSE COMPARISON BETWEEN PLANNING REGULATIONS AND THE FEATURES OF THE APPLICATION SHOW MANY DO NOT COMPLY.
 - THE CHANGE OF USE IS UNDESIRABLE
 - SOME NEGATIVE IMPACTS ON THE AMENITY OF THE ADJOINING PROPERTY.
- & ATTACHED.

[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: (please tick one)
- wish to be heard in support of my submission*
 - do not wish to be heard in support of my submission

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

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

Signature: [Signature] Date: 30/5/2023

**DR JUDITH BRINE
REPRESENTATION & COMMENT ON DEVELOPMENT APPLICATION ID 23004961
FOR 114A OSMOND TERRACE NORWOOD SA 5067
30th MAY 2023**

My comments and recommendation follow in the following sections:

1. Comment on general planning matters which relate to this site
2. Comment on the proposal in relation to planning regulations
3. Comment on matters affecting my adjoining site
4. My conclusions and recommendation that planning consent should be refused

1. Comment on general planning matters which relate to this site .

1.1 In spite of the many planning regulations which determine the outcomes of planning proposals there are other matters which can also influence planning proposal outcomes. A very obvious example (particularly obvious here) is 'planned obsolescence' - a deliberate downgrading of a property to try argue for an outcome that is less desirable in planning terms.

In this case, several strategies have been adopted by the owner to make the property less appropriate for continuing residential use. They are

- the proponent's development of what was once an open area of his site for residential buildings facing Brown Street, and by so doing detract from the utility and value of the remaining land and building which are the subject of this proposal
- reducing the useable garden area and reducing car access to Brown Street.
- At the same time what remains of the open area has been vigorously denuded, and hence detracts from the building's setting and obliterates the streetscape once enjoyed by the community at large.
- Other measures have been taken to downgrade the heritage building's appearance.

It seems that in this proposal the developer has used a strategy of "planned obsolescence" to endeavour to cut across normal planning assessment which commonly rely on its stated and legislated goals.

It is my view, that the steps such as those taken by this owner/developer should not be allowed to determine the desirability of a proposal. Further, not taking such manoeuvres into account will discourage similar applications. The employment of 'planned obsolescence' has long been a form of special pleading resulting in long-running disputes between those wishing for consistency in applying planning rules and regulations and those wishing to game the system.

1.2 I believe it to be of primary importance that decisions in planning should be seen to be consistent. On this, public acceptance of planning being socially desirable rests. In this case, a similar application had been made previously and was comprehensively rejected by the Council, the objectors, the planners and, on appeal, by the ERD Court. The principle of consistency indicates that the subsequent application should be assessed similarly.

2. Comment on the proposal in relation to planning regulations

2.1 Measures for new development

PO1.1 Complimentary non-residential activities compatible with development pattern of the neighbourhood.

PO1.1 '(a) scale and type to maintain residential amenity.'

PO1.1 '(b) reinstates former use.'

PO1.1 '(c) does not exceed 100 m gross lettable area.'

Comment from town planning consultant: "the proposed consulting rooms do not wholly satisfy the quantitative measures set out in the 4 specific scenarios provided in DPF 1.2"

My comments: in relation to these measures I acknowledge that if the building itself were to be presented in a manner sympathetic to the neighbourhood its potential commercial use might in these terms be acceptable. However, in this proposal the lettable space is twice that advised in PO1.1. Further, the open area given over to parking and its access, as well as the front fence and the planting on the site (all part of this application) clearly demonstrate that it does not 'reinstates its former use.' which was a garden and street frontage which were appropriate for the house and its neighbourhood. The proposal's site is not of the 'scale and type to maintain residential amenity'.

I endorse the town planning consultant's comments that the proposal does not wholly satisfy the quantitative measures but not his view that the discrepancies are not of sufficient importance to indicate the proposed scheme might be acceptable. It is my view that they indicate otherwise.

2.2 Change of Use

Change of use is allowable in a residential area if it

- *'re-instates a former shop, consulting rooms or office'*
- *'is located more than 500 from an Activity Centre and does not exceed 100sqm gross lettable floor area and when the site does not have a frontage to a State Maintained Road'*

My comment: The second caveat suggests limiting the lettable floor area to 100 sqm. in the application the area to be converted to commercial use is over 200sqm. This clause alone suggests that the proposal for a change of use for the whole building might not be desirable.

2.3 Character and amenity

DO1 'Sympathetic to predominant built form character and development pattern.'

DO2 'Maintain predominant streetscape character.'

DO1 'Valued streetscape characteristics are reinforced.'

My comments: The building itself might be able to be re-presented to the neighbourhood to conform to the first requirement, but the proposal for the areas that surround it fail to conform to the requirements of DO2 and DO1.

2.4 Local Heritage Overlay

'Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse - - in a manner that respects and references the original use of the Local Heritage Place.'

Comment from town planning consultant: "The works that are proposed will not frustrate the return to its original."

My comments: The treatment of the proposed site does not respect and adequately reference the original use of the heritage building.

With regard to re-instatement of the site's heritage value, it might not be difficult to return the building to its former state but to reinstate its beautiful garden which included at least one large tree would be a mammoth task, perhaps, it would be one that would be unlikely to be taken

2.5 Parking

Comment from town planning consultant 'Meets parking requirements'

My comments: This application assumes the whole building accommodates a commercial use. It follows that 10 parking spaces are allowable, but together with access and parking, they occupy nearly all the space surrounding the building. in doing so they emphasise that the proposed site is commercial in nature and is one which doesn't mirror the appearance of adjacent residential buildings and gardens.

2.6 Driveway access

Comment from town planning consultant: 'the existing driveway will suffice'

My comments: I note that the existing driveway is narrower than most driveways to new buildings in the area. The existing driveway passes close to the heritage listed brick parapet wall. which should be protected from damage caused by passing cars; careful design is also needed so that the gate and the proposed trellis above the adjacent concrete wall do not detract from the walls heritage value and eappreciation of it as an important local feature. associated with First Creek

2.7 Vehicle access to the site

Traffic engineer, Access to the site is OK

My comments:

The traffic engineer's submission show the position of the road which crosses over the median strip south of the site's southern boundary. Entry to the site from Kensington Road necessitates proceeding along the west lane of Osmond Terrace almost to the Parade before being able to do a U-turn into its east lane and thus giving access to the site. Leaving from the site to go to the Parade is also awkward. It should also be noted that access from the site into the east lane would be difficult in the heavy traffic during the rush to work and for school hours. I am of the view that access to and from a commercial site in this location will not be easy especially in the mornings when traffic is often banked up from Kensington road to past the site. I conclude that access to the site is not convenient for a commercial use.

3. Comments from the adjoining neighbour.

3.1 The shared creek

The boundary line between our two properties runs down the creek between the Osmond Terrace and Brown Street with an easement of 1.5 meters on either side of it, the easements are not shown on the drawings. In relation to the creek. I note

- the bank between the concrete wall and the creek is not shown on the detailed landscape plans. I would like to know what is planned.
- Although not shown as being with in development's boundaries, what appears to be a wall is protruding into the creek at the east end of the site, across the easement to the boundary. Such a wall would be likely to divert additional flow of water onto my site. It should not bellowed to be built.

3.2 Other ways in which the proposed commercial development would adversely affect my property:

- Any proposed use of the site visited by the public after 5pm is an extra annoyance and may reduce the security of my site.
- Existing trees on the bank provide greater privacy than the proposed trellis over the concrete wall.
- Much of the new car parking and the internal driveways will be visible from my living spaces. The view will hardly be an improvement on the existing deplorable condition of the site.
- Increased movement on the site in the driveway next to the concrete wall will be heard from my property. It will constitute a nuisance.
- The treatment of the site continues to reduce the amenity of my front terrace.
- The change in use of the proposal from residential to commercial is likely to adversely affect the potential value of my property.

4. Conclusions and recommendations

The previous similar application for commercial development on this site was soundly rejected. I understand that new planning regulations provide greater scope for commercial development in residential areas. However, the scope is limited, in particular, its advice that commercial accommodation be limited to 100 sqm. The application is for double the advised area of commercial accommodation. The result raises the number of allowable parking spaces, from 5 to 10 resulting in a site which speaks of a commercial use, does not recognise the importance of the heritage building and is not in sympathy with the other buildings and gardens around it.

All these grounds indicate the proposal should be refused.

A comparison between features of the proposal and current planning regulations shows many other instances where the proposed development falls short of planning advice and requirements.

They also indicate that the proposal should be refused

I conclude that a close comparison between planning regulations and the features of the proposal, the implications of a change of use from residential to commercial and some negative impacts on the amenity of the adjoining property indicate that that planning consent should be refused.

**Judith Brine
30/5/2023**

I

Norwood 1742 003



Town Planning
Development Advice
Strategic Management

11 June 2023

Presiding Member
City of Norwood Payneham & St Peters
Council Assessment Panel
Via the Plan SA Portal

Dear Mr Mosel,

Development Application 23004961 – Response to Representations

I provide the following response to matters raised by representors in relation to this proposal to use an existing building as consulting rooms together with associated car parking, landscaping and fencing on land at 114A Osmond Terrace, Norwood.

1. This building has remained unoccupied since the 2005 flood event which caused both damage to the building and trauma to its occupants in so far as they were evacuated during the evening as flood waters inundated their home.
2. Notwithstanding the subsequent mitigation works undertaken, this building remains vulnerable to flooding from a major event. Its use as a place of permanent residence is not, in all conscience, tenable long term.
3. The building may however be reused for consulting rooms given the reduced risk to occupants from flood in so far as it will be occupied for shorter duration during daylight hours with greater ability to leave promptly.
4. As noted in my earlier letter, extensive intervention into the original building fabric would be required to achieve the necessary level of flood protection for it to be used as a place of permanent residence.
5. Such works would effectively require the building to be demolished and rebuilt.
6. The adaptive reuse of this heritage building for consulting rooms will provide for an economic activity that would facilitate its restoration and long term conservation, which surely is a desirable outcome.
7. The Planning & Design Code clearly provides for complementary non-residential uses in this location that are compatible with the established pattern of development of the neighbourhood, with consulting rooms specifically envisaged.
8. Whereas previously the Development Plan listed consulting rooms as a non-complying development, there has been a conscious policy change under the new Planning & Design Code.

Phillip Brunning & Associates

ABN 40 118 903 021

26 Wakeham Street
Adelaide SA 5000
0407 019 748
phil@phillipbrunning.com

HERITAGE IMPACT REPORT

bbarchitects

PROPERTY ADDRESS: **114a Osmond Terrace Norwood**
 APPLICATION NUMBER: **23004961**
 DATE: 21 March 2023
 PROPOSAL: Change of use, repairs, maintenance, new front fence
 HERITAGE STATUS: LOCAL HERITAGE PLACE
 HERITAGE ADVISOR: David Brown, BB Architects
 PLANNER: Kieran Fairbrother



City of
Norwood
Payneham
& St Peters

ADVICE SOUGHT

No pre Planning Consent advice has been sought from Council's Heritage Advisor by the applicant. I provided advice for a recent application for additions and alterations to the dwelling.



DESCRIPTION

The building is a Local Heritage Place in the Established Neighbourhood Zone within the Residential Character (Norwood) Overlay.

The house was built in 1907-08, designed and constructed in red brick by architect Henry Fuller for himself. Fuller was the architect for the Stock Exchange Building in Adelaide, and was a strong proponent of the Federation Arts and Crafts style. The house is notable for its full height vertically-proportioned windows, its robust use of brick, its elegant verandah post detailing, and its Federation Arts & Crafts styling.

PROPOSAL

The proposal is for a change of use to consulting rooms, reroofing, repairs and maintenance, repainting, a new front fence, and a new carpark in front of the house.

COMMENTS

The proposed change of use is potentially a good outcome for this building, as it has sat empty for a long while. The proposed modifications to the existing building are generally acceptable, and the conservation works proposed appear to be well considered.

PAINT COLOURS

The proposed paint colours are somewhat problematic. The building was originally built with exposed red brick walls and painted timber elements. This would be the preferred outcome for the proposal. If painting the brick again is the outcome sought, then a colour that is less stark would be more appropriate. The accent colour for the timber does not appear in the Haymes Range, so another colour should be nominated. Given the Federation and Arts and Craft design of the building, a simple bland white colour scheme does not enhance the heritage value of the Local Heritage Place, so should be reconsidered.

FRONT FENCE

The proposed simple modern front fence is a generally acceptable outcome in this context.

CAR PARKING

This is the one area of the proposed development that I have some concerns with. Car parking should be behind the face of the Local Heritage Place to preserve its setting and heritage value. I understand there are no other options, and the landscaping design appears to be well designed, but this will have a detrimental impact on the heritage value and setting of the Local Heritage Place.

CONCLUSION

Overall the proposal appears to have merit, though with some more consideration to the colours and finishes to the house. The carparking is the only unsolvable area of concern from a heritage perspective.

Kieran Fairbrother

From: Rebecca Van Der Pennen
Sent: Friday, 17 March 2023 2:20 PM
To: Kieran Fairbrother
Cc: Gayle Buckby
Subject: FW: DA Planning Portal

Hi Kieran,

Gayle has asked me to review the proposed DA for 114a Osmond Terrace, Norwood. I currently don't have access to the planning portal so I hope it is alright for me to email the traffic comments through.

I have reviewed the two attachments (plans and traffic report) and the applicant has provided justification for the downfall of the car parking numbers and restriction to pedestrian sightlines for the proposed site access. The carpark dimensions have been demonstrated to meet the requirements set out in the Australian standard and a turn path has been provided to prove access and egress from the site will be in a forward direction.

I have concerns for any application that relies on on-street car parking to make up any downfall in car parking numbers, however will leave that with you for final consideration as this application is also an adaptive reuse of a local heritage place and the applicant is restricted as to what they can fit within the site.

Pedestrian connectivity to Osmond Terrace should be considered, with the above car park number justification (use of nearby on-street parks). Additionally the applicant is required to provide lighting as the business hours include non-daylight hours.

Please let me know if you have any questions.

Thanks,
Rebecca van der Pennen
TRAFFIC ENGINEER

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067
Telephone 8366 4536
Email rvanderpennen@npsp.sa.gov.au
Website www.npsp.sa.gov.au

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Economic Prosperity

Cultural Vitality

Environmental Sustainability



City of
Norwood
Payneham
& St Peters

From: Gayle Buckby <GBuckby@npsp.sa.gov.au>
Sent: Friday, 17 March 2023 9:03 AM
To: Rebecca Van Der Pennen <RVanDerPennen@npsp.sa.gov.au>
Subject: DA Planning Portal

Hi Rebecca

I've just checked the Portal and this one is due today – I've put the info in this email and will organise access to the Portal for you for future ones.

Attachment 7

Hi Gayle, This application seeks a change of use to consulting rooms, for a property that has been vacant since 2005. The application proposed to utilise the existing 4.8m wide crossover for access/egress, and the creation of car parking along the frontage of the site and adjacent the building, including a couple of stacked staff spaces. Can you please review the proposed arrangements, along with the report by Phil Weaver in support of the application, and let me know your thoughts/comments? Thanks Kieran

Gayle Buckby
MANAGER, TRAFFIC & INTEGRATED TRANSPORT

City of Norwood Payneham & St Peters
175 The Parade, Norwood SA 5067
Telephone 8366 4542
Email gbuckby@npsp.sa.gov.au
Website www.npsp.sa.gov.au

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Kieran Fairbrother

From: Ken Schalk <Ken.Schalk@tonkin.com.au>
Sent: Tuesday, 9 May 2023 1:52 PM
To: Kieran Fairbrother
Subject: RE: Development Application Referral - 23004961 - 114A Osmond Terrace, Norwood

Hi Kieran

Apologies for delay in replying to this.

Proposed stormwater arrangement is now acceptable.

Ken Schalk

Principal - Hydrology & Hydraulics



Tonkin

Level 2, 170 Frome Street
Adelaide SA 5000
Office +61 8 8273 3100
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Mobile +61 417 877 796
Ken.Schalk@tonkin.com.au

tonkin.com.au



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From: Kieran Fairbrother <KFairbrother@npsp.sa.gov.au>
Sent: Monday, May 1, 2023 3:50 PM
To: Ken Schalk <Ken.Schalk@tonkin.com.au>
Cc: Josef Casilla <JCasilla@npsp.sa.gov.au>
Subject: RE: Development Application Referral - 23004961 - 114A Osmond Terrace, Norwood

Attachment 7

Hi Ken,

In response to your comments below, the applicant has now provided the attached stormwater management plan and calculations.

Would you please mind reviewing as soon as practicable and advising if the proposed pump system is sufficient?

Regards,

Kieran Fairbrother
SENIOR URBAN PLANNER

City of Norwood Payneham & St Peters

175 The Parade, Norwood SA 5067

Telephone 08 8366 4560

Email kfairbrother@npsp.sa.gov.au

Website www.npsp.sa.gov.au

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From: Ken Schalk <Ken.Schalk@tonkin.com.au>

Sent: Friday, 21 April 2023 10:19 AM

To: Kieran Fairbrother <KFairbrother@npsp.sa.gov.au>

Subject: RE: Development Application Referral - 23004961 - 114A Osmond Terrace, Norwood

Hi Kieran

I think the applicant's engineer might have misunderstood what was being asked for. They have provided calculations which calculate the detention required to reduce a 1% (1 in 100) AEP flow to a 20% (1 in 5) flow, but haven't considered the issue of high water levels in the creek (ie. creek levels above the floor level of the existing residence) preventing outflow from the site entirely during a flood event.

The plans show the provision of a flap gate on one of the outlets (from the front carpark) to prevent backflow but not on the rear outlet which also needs to be addressed.

To provide some further context, for the applicant's engineer, It would be reasonable to expect that flows at a level above the ground levels in the property might persist in the creek for up to (say) 6 hours in a 1% AEP event. During this time, any rain falling on the allotment will not be able to be discharged by gravity and will need to be held (or pumped) until levels in the creek subside. With the proper arrangement of pipework, runoff from the roof will be able to be discharged to the creek under gravity, provided that this is done via a separate sealed system.

Regards

Attachment 7

Ken Schalk

Principal - Hydrology & Hydraulics



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From: Kieran Fairbrother <KFairbrother@nps.gov.au>
Sent: Tuesday, 18 April 2023 4:53 PM
To: Josef Casilla <JCasilla@nps.gov.au>; Ken Schalk <Ken.Schalk@tonkin.com.au>
Subject: Development Application Referral - 23004961 - 114A Osmond Terrace, Norwood

Good afternoon Josef and Ken,

Last month I referred the abovementioned development application to you, which received the following advice:

I don't see a particular issue with discharging stormwater from this site directly to First Creek, as this is the current arrangement.

Due to flood levels in First Creek relative to the site, the flood level at the proposed discharge point may be above the proposed level of the carpark, raising the possibility of backflow through the proposed stormwater system. The system should therefore be fitted with a flap gate at the outlet, and in the detailed design of the stormwater system for the site, consideration should be given to either:

- A) the provision of sufficient storage (on the surface or underground) to allow runoff from the site to be held in the event of a storm occurring while the creek is high, or
- B) the provision of a pump to allow the site to be drained under high water levels in the creek.

I note that the PDC contains some provisions in relation to management of water quality from the site. The proposed area of car parking is relatively small and the low number of vehicles (as discussed in the planning

Attachment 7

application) will most likely mean that the quality of runoff from the carpark would not warrant the installation of any water quality improvement devices for the carpark.

I then issued an RFI to the applicant, requesting:

Due to flood levels in First Creek relative to the site, the flood level at the proposed stormwater discharge point may be above the proposed level of the carpark, raising the possibility of backflow through the proposed stormwater system. Accordingly, a detailed stormwater management plan is required, that demonstrates (with necessary calculations):

- a. How the potential for backflow is intended to be managed (one suggestion is to fit the system with a flap gate at the outlet); and
- b. Either:
 - i. The provision of sufficient detention on-site to allow runoff from the site to be held in the event of a storm occurring while the creek level is high; or
 - ii. The provision of a pump to allow the site to be drained under high water levels in the creek

The applicant has now responded, with the attached documentation. Would you please mind reviewing what has been provided and advising if this satisfies the RFI and Council's requirements in respect of stormwater discharge/detention?

I know this might be pushing things but if I could get a response within a week that would be great (and any sooner than that is even better)!

Regards,

Kieran Fairbrother
SENIOR URBAN PLANNER

City of Norwood Payneham & St Peters
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Norwood 1742 005

20 June 2023

Kieran Fairbrother
Senior Urban Planner
City of Norwood Payneham & St Peters
kfairbrother@npsp.sa.gov.au



Town Planning
Development Advice
Strategic Management

Dear Keiran,

DEVELOPMENT APPLICATION 23004961

Thank you for your email messages of 16 June 2023 seeking clarification in relation to certain matters relating to this development application.

Having sought instructions from my client, the Applicant, I provide the following for your consideration when finalising your assessment of this proposal.

1. Hours of Operation

The hours of operation proposed are amended to:

- Monday to Friday 8.00 AM to 6.00 PM
- Saturday 9.00 AM to 2.00 PM
- Sunday Closed

The Applicant will accept a condition of planning consent reflecting these hours.

2. Length of Appointments

With respect to length of appointments, the Applicant will accept a condition planning consent requiring that such are not less than 30 minutes in duration.

3. Nature of Development

The Applicant accepts your suggested change to the nature of development to be for "*specialist medical consulting rooms*"

4. Waste Management

I provide an amended set of plans showing and area to the rear of the building dedicated for waste management purposes.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD

A handwritten signature in black ink, appearing to be 'P Brunning', with a vertical line extending downwards from the end of the signature.

PHILLIP BRUNNING RPIA
Registered Planner
Accredited Professional – Planning Level 1, 2 & 3

Phillip Brunning & Associates

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Adelaide SA 5000
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6. **DEVELOPMENT APPLICATIONS – DEVELOPMENT ACT**
7. **REVIEW OF ASSESSMENT MANAGER DECISIONS**
8. **ERD COURT APPEALS**
9. **OTHER BUSINESS**
(Of an urgent nature only)
10. **CONFIDENTIAL REPORTS**
11. **CLOSURE**